

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, March 14, 2016 5:17 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were, Al Austin, Ed Driggs, Julie Eiselt, Claire Fallon, Patsy Kinsey, Vi Lyles, LaWana Mayfield, Greg Phipps, and Kenny Smith.

**ABSENT UNTIL NOTED:** Councilmember John Autry and James Mitchell

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

**Councilmember Mayfield** said I turned in all my consent questions, so Mr. Ye has all of the numbers and has already given me the report out on them.

**Councilmember Kinsey** said I want to pull one just to make a presentation at the meeting, number 29 on page 320; it's the swings.

**Councilmember Austin** said I will be pulling 57, it is an In Rem, and I am troubled by it, and I will be posing a substitute motion.

**Councilmember Driggs** said I just wanted to share with my colleagues; I questioned item 46, where there is a 40% increase in the inter-local agreement with Mecklenburg County for the Briar Creek and Chantilly Water Quality Improvement. The explanation that I got was that the \$2,000,000 original number was an estimate years ago during the recession times, and now we have actually gone out to bid and prices have gone up a lot. So, that was satisfactory to me, and I just thought I would tell everybody in case anybody else wondered.

**City Manager Ron Carlee** said I left at everybody's table information about item number 18, the sale of the Eastland site to Charlotte-Mecklenburg School of Education. I am pulling that tonight and proposing to bring that back to you on April 25<sup>th</sup> with the rezoning that accompanies it, so you can see both items at the same time in context. We will still have the zoning hearing on it next Monday night. The Economic Development and Global Competitive Committee will have an opportunity to review details of the time contract at their meeting next week. Then all of that material will come back to you on April 25<sup>th</sup>. The people who want to speak on the contract will be able to. If they want to speak on the hearing of the rezoning, they can do that next week, but this enables you to see the whole thing as a package rather than splitting up your action on what is really an integrated item.

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## **ITEM NO. 2: AIRPORT AIRLINE USE AND LEASE AGREEMENT**

**Interim Aviation Director Brent Cagle** said first of all, as a point of reference, each of you should have the presentation that I am about to make, but we also left for each of you a packet of information that is the same information that we have already sent to each of you separately as a packet, but that packet includes a little more detail in terms and conditions of the lease and some other information, but that should be at each of your seats for you too.

Thank you for having me tonight; I am really excited to talk about the Airline Use and Lease Agreement. This has been a year in the making. Actually, a little more than that; we started in January of 2015, and what we are bringing forward for your consideration tonight took hundreds if not thousands of staff hours from the airport team and from all of the airlines who participated in the negotiation. With that, I'd like to introduce the airport team very quickly: Haley Gentry, she oversees our Business and Revenue Division; Mike Hill oversees our Finance Division. Leila Lahbabi is our Senior Assistant City Attorney, and also with us tonight are Ken Cushine with Fraska and Associates, the airports financial advisor, and TJ Ross-Kelly with Anderson Creager, our outside council. I would also like to thank the representatives of American Airlines, Delta Airlines, United Airlines, Southwest, JetBlue, Frontier, and Air Canada, all for participating in these negotiations. The team met monthly for the last 14 months, so many hours went into the lease that we've recommended for you to consider tonight.

So, a little bit of background, what is an Airline Use Agreement? Well, Charlotte currently has an Airline Use Agreement, or AUA. The AUA that we currently have dates back to 1985, and it

is set to expire June 30, 2016. So, that is why it was so important for us to start a year ago to help bridge that gap so we didn't go some period without an Airline Use Agreement, so we started early. Again, it is the combination of a yearlong effort. It is also important to note that airlines to operate at Charlotte Douglas International Airport do not have to sign the Airline Use Agreement. In fact, there are several airlines that operate today, and they are what we refer to as non-signatory airlines, i.e. that they have not signed the lease. As a public facility, any airline that wants to operate at the Airport can do so. If they do not sign the long-term lease, they operate on a 30 day operating agreement, and that is really a business decision made by each individual airline, not by the Airport. At any time during the time of this lease, any airline can also sign on under the same terms and conditions. It is open to all airlines wishing to sign on. So, the use agreement is more than a property lease. It really represents the defined business relationship and financial commitments between the Airport and the airlines. It includes some standard lease provisions, like the definition of the facilities they use, the leasing guidelines for those facilities, but it also includes a very detailed description of how the airport will charge the airlines for their use of the facility, for the airfield and the terminal facilities, and it puts into place financial protections. That is a huge benefit and one of the primary benefits to the Airport are those financial protections that we achieve out of having this lease.

We really had two main objectives, one was to maintain the successful business relationship that we have with the airlines that we currently have and that we know we will continue to have into the future, and to preserve the current signatory airlines commitment to Charlotte. We currently have five signatory airlines under the existing agreement, and all five of those airlines have either signed already or expressed intent to sign the new lease. The next item that was very important and really where we focused our efforts was on how to modernize the document. Again, as I said the current lease is 30 years old, a lot has changed over those 30 years. So, we really needed to look at the current regulatory requirements, and by that I mean the FAA, what their expectations for airports are today. One of the keys to regulatory requirements is insuring that the lease has provisions that allow for competitive access to the Airport for all airlines. Said another way, making sure we remove barriers to entry for any airline wishing to serve our market. In our previous lease, not intentionally but unintentionally had a few barriers to entry that we have removed. They weren't viewed as barriers to entry 30 years ago, but a lot has changed over that time. The second, the financial requirement really defining how our rates and charges work and what the airlines obligations are to the Airport, as we issued debt, as we move forward with our capital program. Environmental and insurance requirements really fall into the same bucket; those are really about the environmental laws: federal, state, local, and insurance requirements in today's market. In fact, I think it is safe to say that probably everything has changed in those two arenas over the last 30 years, and the old lease was insufficient to address today's concerns related to environmental and insurance indemnification requirements.

So, a little bit about the negotiations, they were open to all airlines. In January, we sent out an open letter to all of the airlines that serve Charlotte currently. Seven airlines participated, I mentioned them before: AirCanada, American, Delta, Frontier, JetBlue, Southwest, and United. Five airlines have committed to the agreement. We met monthly and we included external experts who have negotiated leases many times in the past. Again, we haven't done this in Charlotte in 28 years, so we brought in external folks who have been all over the country and understand best practices and requirements of the FAA. The final thing is, we submitted to the FAA the lease for their review. Again, we have received no comments from the FAA at this point.

Key elements: 10 year term, the 10 year term really reaffirms the commitment that the airlines already have to our market, and it is in keeping with FAA and industry standards of today. Competitive access: removing the exclusively leased gates. Today, the Airport has about a hundred gates, of those about half are exclusively leased to airlines, American, Delta, United, to the signatory airlines. This new lease removes all exclusively held gates and it replaces them with preferential and common use gates. Again, this is important to the FAA because it allows for competitive access, or it removes a barrier for entry. The airlines have pre-approved 500 million dollars of capital expenditures at the Airport. Those are the projects that we need now, and they are represented primarily by the terminal curb front, the terminal lobby expansion, the extension of the A concourse, and the environmental impact statement that we will be starting this year for further development at the Airport, primarily looking at an additional runway, and it addresses financial considerations. The lease continues to provide a 60/40 profit share, 60 percent Airport, 40 percent airline. The profit share is on net remaining revenues. It is on the

revenues remaining after the Airport pays O&M and debt service, so net remaining revenues. In exchange for that profit share, we receive what I refer to as a financial back stop on our debt service. If at any point during the term of the lease the Airport is unable to make debt payments, the airline must pay those amounts, whatever the shortfall is. That is the tradeoff for the profit share; it is also a very important financial protection when the Airport goes out to sell bonds for investors to see we that we have that financial back stop. It enhances and streamlines our airline rates and charges methodology, and as I said, it provides protection for airport debt.

**Mayor Roberts** said I think it is a fair agreement, and we are really pleased to see it at this point.

**Councilmember Phipps** said Mr. Cagle; does the new AUA have specific binding language that reinforces exclusive control of the Airport under the City of Charlotte's municipal authority?

Mr. Cagle said I believe I know the answer to that, what I would say is that the current lease agreement is transferable between airlines and airport. Example, if an airline merges, it would be transferable for the new American. That provision also applies to the Airport, in reference to governance. That is different than the bond order; the bond order governs our issuance of debt in a different way. That does not provide for that; that is correct.

**Councilmember Mayfield** said I just want to reiterate what Mr. Cagle has mentioned. When we look at that ten year contract, when we are in comparison, Charlotte Douglas International is one of three, maybe four, airports that actually have a full 10 year in comparison to Miami and Phoenix that are on that 30 day month to month. So, imagine having to renegotiate that every 30/45 days oppose to a clear commitment even though previously we had those 30 years. That is just not the time that we are in today. Having a commitment of 10 years, with the anticipated growth and the financial funding to help us continue to grow the Airport is something that I am really excited about. I wanted to thank our partners, American, Delta, United, and Southwest just for recognizing the value of being in Charlotte when you look at the number of enplanements that we have.

**Councilmember Driggs** said I first wanted to say congratulations. This is a big event for Charlotte, the reaffirmation of this key relationship of our Airport, which is such an important asset with the airlines, especially American and on these terms. I think that it is a very modern and dynamic deal and I really want to commend everybody that was involved. My question has to do with the profit sharing on the concession side. Is that feature typical in these agreements, and can you put any sort of amount on how much that results in being paid to the airlines?

Mr. Cagle said profit sharing is not unique to Charlotte. We like to say if you have seen one airport, you have seen one airport, but profit sharing is not unique. Some airports do it; some airports don't. What I would say is, for the airports that have the financial protections in place in their lease, for those protections you have to give a tradeoff. So, a good example is Phoenix does not do profit sharing, but an airlines remedy in Phoenix if they are unhappy with the deal is they leave in 30 days. They can leave the market. So, it comes with the deal; it is not uncommon to us. Last year, I believe the total profit share was somewhere around \$15 million. So, that would have been the 40% of the net remaining revenues.

Councilmember Driggs said you mentioned \$500 million as being the capital spending that is being contemplated in the lease, but in fact your CIP has a much larger number. So, how does that work? What is the intention for the amounts that aren't covered by the lease?

Mr. Cagle said as we have better defined those project specifically we have better construction schedules, after those contracts have come to City Council for approval and we have more defined budgets, then we will take to the airlines for their approval of those projects also. It is a separate process called a majority in interest vote, and that is another provision of the lease. The reason these are wrapped up in the lease; in effect this is a preapproved majority in interest of part of the lease, and it saves us time. It also shows that the airlines already agree with these projects.

**Councilmember Kinsey** said I know that you hear a lot of complements about our Airport. Well, when I was going to D.C last week, I boarded the plane and my seatmate came up about the time I was getting ready to set down. We chatted briefly, and we helped each other get stuff; then when she sat down she said this is the nicest airport I have flown in and out of, and I got the

feeling that she flies a lot. She said she had a layover, and that she could go get food; she could shop, and she went on and on. This was before we knew each other. So, after she did all of that I introduced myself. I told her we were very proud of our Airport; it was a City Airport, and we were very proud of it and work very hard to keep it that way. Later on because I had taken peanuts, she asked the flight attendant for some peanuts with her Coke and he said we don't have peanuts, so I gave her mine.

**Councilmember Eiselt** said I just would like to mention Brent, to my share of accolades at the airport, my husband and I moved here years ago and we were both with big corporations here in Charlotte. He has never worked in Charlotte, and if it weren't for the Airport we wouldn't be here, and we know a lot of couples that are like that, that one of the spouses ended up somewhere else, and they commute every week. Because of the ease of getting in and out Charlotte, that is why they stay here. So, thank you.

Mr. Cagle said we do our best; thank you very much for saying so.

Mayor Roberts said I want to take a minute, I know that there is at least one airline representative here, Tracy Montrose. We are glad you are here.

Mr. Phipps said I noticed that at the Airport that I could not find a place where you can find one hat that said Charlotte. All of them say North Carolina. Why is there nothing that has Charlotte on it?

Mr. Cagle said I do not know, but we will look into that and I think we will have some Charlotte hats around the Airport very soon.

**City Manager Ron Carlee** said I will say within about the last six months, Starbucks has Charlotte cups. So, you may not be able to get a cap, but you can get a Charlotte cup at Starbucks.

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### **ITEM NO. 3: DISPARITY STUDY**

**Mayor Roberts** said the Disparity Study has been deferred to a later meeting.

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### **ITEM NO. 4-A: CLOSED SESSION**

<p>Motion made by Councilmember Lyles, seconded by Councilmember Smith, and carried unanimously to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(4) to discuss matters relating to the location of an industry or business in the City of Charlotte, including potential economic development incentives that may be offered in negotiations. Also for General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of employment, of an individual employee, and NCGS 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney client privilege and to consider and give instructions concerning the handling of a claim in the case of Eschert v. City of Charlotte, 15-CVS-6445.</p>
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The Dinner Briefing was recessed at 5:40 p.m. to move to CH-14 for closed session. The closed session was recessed at 6:45 p.m. to move into the Chamber for the regularly scheduled business meeting.

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### **BUSINESS MEETING**

The City Council of the City of Charlotte, North Carolina reconvened for the Business Meeting on Monday, March 14, 2016, at 6:51 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, Ed Driggs, Julie Eiselt, Claire Fallon, Patsy Kinsey, Vi Lyles, LaWana Mayfield, Greg Phipps, and Kenny Smith.

**ABSENT UNTIL NOTED:** Councilmembers John Autry and James Mitchell

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### INVOCATION AND PLEDGE

Councilmember Eiselt gave the Invocation followed by the Pledge of Allegiance.

**Councilmember Autry arrived at 6:54 p.m.**

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### AWARDS AND RECOGNITION

#### ITEM NO. 5: CHILD ABUSE PREVENTION MONTH

**Mayor Roberts** said we have LuAnn Ritsema here with the Council for Children's Rights and Dana Frady with the Guardian Ad Litem program.

**WHEREAS**, children are vital to our state's future success, prosperity, and quality of life as well as being our most vulnerable assets; and

**WHEREAS**, all children deserve to have safe, stable, nurturing, and healthy homes and communities that foster their well-being; and

**WHEREAS**, child abuse and neglect is a public responsibility affecting both the current and future quality of life of a state; and

**WHEREAS**, parents need support and resources to cope with stress and nurture their children to grow to their full potential; and

**WHEREAS**, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community:

**NOW, THEREFORE, WE**, Jennifer Watson Roberts, Mayor of Charlotte, and Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 2016 as

#### **"CHILD ABUSE PREVENTION MONTH"**

in Charlotte and Mecklenburg County and commend its observance to all citizens.

**Councilmember James Mitchell arrived at 6:56 p.m.**

**LuAnn Ritsema, Director of Communications at Council for Children's Rights** said I am the Director of Council for Children's Rights where we work every day to ensure that every child's right is safe, healthy, and educated. The Council is proud and pleased to be a member of the Mecklenburg Child Abuse Prevention Team, working with over a dozen other child serving agencies to build awareness in our community about child abuse prevention. We believe that all children deserve a great childhood and that we all have a role to play in making sure that our community is a place where children and families are able to thrive. Preventing child abuse and neglect means helping parents have the knowledge, skills, resources, and support they need to provide that safe, stable, and nurturing environment. Preventing abuse is one of the best things that we all can do to positively impact the future of our county and our state. The Mecklenburg Child Abuse Prevention Team thanks you for your proclamation. We are honored and grateful that Mayor Roberts has agreed to participate in a press conference which will be held on March 31, 2016 and will kick off our Child Abuse Prevention Month activities. We encourage all Councilmembers to attend the press conference on the 31st at 10:00 a.m. It will be held in front of the County Courthouse. At the conclusion of the press conference, we will plant pin wheels for prevention in the circular garden at the courthouse. Pinwheels for Prevention is a national campaign to create awareness of the role all adults play in the healthy development and growth of our nation's children. The pinwheels stand for happy, healthy, full lives that all children deserve. We are pleased to say that on March 31, 2016, there will be more than 100 pinwheel gardens planted across the county, at 70 CMS schools, in parks, at local hospitals, at local businesses, non-profit agencies, and even in some private homes. We are spreading the word also through our new website, Meck4kids.org, and through a month long social media campaign. As city

officials, we encourage you to lead the way in spreading this message of prevention throughout our county, and we are very grateful for your support.

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**ITEM NO. 6: DAY FOR NATIONAL SERVICE PROCLAMATION**

**Mayor Roberts** said I think we have several folks here. We have Burt Green, Doug Macomb, Barbara Thomas, Kelly Matsey, and AmeriCorps members, and we have Habitat for Humanity, Hands on Charlotte, Urban Ministries Center, and Catholic Charities all represented as organizations that focus on service.

**WHEREAS**, service to others is a hallmark of the American character, and central to how we meet our challenges; and

**WHEREAS**, the nation's mayors and counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet city needs; and

**WHEREAS**, AmeriCorps and VISTA members address the most pressing challenges facing our cities and nation, from educating students for the jobs of the 21<sup>st</sup> century, supporting veterans and military families, preserving the environment and helping communities recover from natural disasters; to providing legal services for the underserved, serving the homeless, and building and renovating homes; and

**WHEREAS**, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

**WHEREAS**, national service participants serve in more than 60,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

**WHEREAS**, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

**WHEREAS**, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

**WHEREAS**, AmeriCorps and VISTA members and volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

**WHEREAS**, the Corporation for National and Community Service shares a priority with mayors and counties nationwide to engage citizens, improve lives, and strengthen communities; and is joining with mayors and counties across the country to support the 4<sup>th</sup> Annual Mayor and County Recognition Day for National Service on April 5, 2016:

**NOW, THEREFORE, WE**, Jennifer Watson Roberts, Mayor of Charlotte, and Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 5, 2016 as

**“DAY FOR NATIONAL SERVICE”**

in Charlotte and Mecklenburg County and commend its observance to all citizens.

**Burt Green, Habitat for Humanity** said I am joined today by the member's site representatives for the host sites that you mentioned earlier, and we are very thankful for this proclamation honoring the contributions made by AmeriCorps, and VISTA, and our community, many of which have joined us all. These organizations use approximately 205 AmeriCorps and VISTA members to coordinate volunteers, to teach, to council our children, to market, to train, to recruit, to build, to repair, to empower, and encourage as part of their core service delivery. They will manage and oversee almost 24,000 volunteers and clients for their combined organizations just this year. How important is that? The volunteer rate in Charlotte for 2014, the last year that data

was collected by the Corporation for National and Community Service, Charlotte had a 35% volunteer rate. Why is that important? That ranks fourth in the country; something else to be proud about our City. Our organizations need talent, energy, enthusiasm, and oversight provided by CNCS members here in Charlotte. On the left side of the folder that you have are summary documents for each of the non-profits represented here tonight. I encourage you to look at them; there is good information in there about the work they do and the clients they serve here in Charlotte. I ask all of AmeriCorps and VISTA that have joined us as tonight token sample of the 205 members in Charlotte to stand please. We urge you to contact your elected officials in the Senate and the House of Representative, and to let them know the tremendous contributions our AmeriCorps and VISTA members make here in Charlotte. I want to thank you for the proclamation you read this evening. We invite you to join us at our join press conference on April the 5<sup>th</sup>, 2016 at noon at the Will Caldwell Fellowship Hall at the Faith Memorial Baptist Church in the Lakewood community in West Charlotte. As we celebrate the Mayor and County recognition day of national service, Mayor Roberts and County Commission Chair Trevor Fuller will be speaking. We will also hear some special announcements from post sites who will be present at both the press conference and the luncheon.

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#### **ITEM NO. 7: 2016 U.S. PARALYMPIC TEAM TRIALS PRESENTATION**

**Mayor Roberts** said next we have some folks here to talk about the 2016 U.S. Paralympic Team Trials. Mr. Doug Youngblood and Alvin Woods are here with Partners for Parks. We have a nice folder here as well to talk about the Paralympic team trials to be held in Charlotte this summer.

**Doug Youngblood, Partners for Parks** said I am President of Partners for Parks is the host organization for the Paralympic team trials. We actually have a contract with the USOC to host these trials. I am also the Chairperson for the local organizing committee; it just came down to that. We are really excited about this opportunity; it is something at the end of this week that we will have been working on for a full year. It is the first time ever in the United States that they have taken and put three sports together and brought them out in public like this because they wanted to get some awareness and support for Paralympics that they haven't had in the past. They realized that more people need to know them. In the past, a lot of the trials were taking place on military bases where public were not having access. We are working on trying to get as many people out as possible. Partners for Parks is a 5013c organization, and we are an all-volunteer organization. We do not have anyone on the payroll, and we are also going to put this event on using volunteers. We are not hiring any staff. This is going to be done with people who care. So, we are still looking for some of those people. We can add some more on, and we also need to add some partners. We cannot use the word sponsor because of the national sponsorship for the USOC. So, we are using the terminology sponsors for the people that come in and help fund the expenses that we are responsible for in the contract. I think you can see that track and field will be at Johnson C. Smith University at the track there; the swimming will be at the Aquatics Center which will re-open in May. We are actually not the first big event at the Aquatics Center. So, we feel sure it will be up and running. The cycling event is being worked out to be at the Park Huntersville. It happened to be one of the flattest areas in the county; which there were very few areas like that because they needed of course of six to seven miles. Cycling is a time trial event, where they will be letting cyclists go about one every minute or two, then they will look at their times to determine the team members. This starts Thursday, June 30, 2016; the competition for swimming and track and field are Thursday, Friday, and Saturday. Cycling is strictly a Saturday morning event, but Sunday we will have a special event at the Romare-Bearden Park where the athletes that will actually be named to the teams that will be going to Rio. We will present that at this event at Romare-Bearden Park on Sunday, which is July 03, 2016. We are excited about it; we want to get more people involved. We are working with other organizations; this is an opportunity to bring more awareness to some of the other organizations like the Wounded Warriors and some of the programs that are supporting that. So, we are allowing other organizations to come in and be a part. Especially to maybe have a display at the Sunday event so we can bring as much recognition to therapeutic recreation in this area, and hopefully for the whole state of North Carolina that we can. This is not a jealous organization, and we are not trying to do this just for Partners for Parks. We took this on because we got the word March 16, 2016, when they sent the proposal out to 20 cities in this country, and we were one of them and we had to have our proposal in by April 13th. This was the first time they have ever done it, so we have been doing a lot of figuring out how to do it because they had no history

since it has never been done before. We have even had to amend our contract from the original contract because we had found some things that just weren't working right. Again, we are looking for people to join in. We especially need people who have the ability to work with the disabled athletes and other volunteers also. We are also looking for partners that will come up. If you have your folder there, there is a benefit package in there that shows what you would get for the different levels of participation. I will give Coca-Cola a little plug; they are the national sponsor of the event. Also, NBC has signed on where they were actually going to do some live filming here, but they are going to film during this event and there will be a documentary on these three trials. They will also, during the slow periods, be taking some snippets out of those films and showing them on national television at that time also. We think this is a great event. We need some more people to step up, especially to help us support monetarily. The more money we raise the better we can treat the athletes because one of the things we told them is we want to support, care for, and entertain the athletes. The athletes normally have come out, done their competition, and gone back to their room. We want this to be a friendly place. We do know that, from speaking to some of the track and field athletes at the University of Illinois, they are supposedly on the social media really hitting it up and cannot wait to come to Charlotte to participate this summer.

Mayor Roberts said thank you for raising awareness. If folks do want to help out, they should go to the Partners for Parks website.

Mr. Youngblood said yes, go to the Partners for Parks website. The Paralympic Sports Club was set up to get people with disabilities out and get them active. That was one of the reasons, and again, this is to bring more awareness to Paralympics and to get more people with disabilities out and get them active.

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#### **ITEM NO. 8: FOR THE INSPIRATION AND RECOGNITION OF SCIENCE AND TECHNOLOGY (FIRST) ZONE DEMONSTRATION**

**Lia Schwinghammer, Queen City Robotics Alliance** said every year FIRST Robotics students get a new challenge and they have six weeks to build, design, and program their robot, which they are going to show you. This year's game is called strong hold. It is kind of a storm the castle game, every year it is different. So, they have the grey boulders that they throw at a castle, which is really goals and they have to reach the defenses and so forth. It is a very exciting game this year. What we are excited to demonstrate is what these teams have achieved by actually having a dedicated space for them to operate, and practice and work on their robots. A couple of these three teams that have been associated with the zone were homeless, working in very small spaces. The team YETI did have a relationship with ImaginOn but you can imagine we can't really build big robots at ImaginOn, and we love them for helping us throughout space of time when we did not have a place. Our vision for the zone was that this would help the students have a true, full, competition field. You do not really have a football team at a high school without a full, football field to practice on, and it is hard to have a dedicated space for that. So, the first zone I am really excited that we did receive foundational grant money to have a dedicated space, and it is paid off. All three teams from Charlotte have won at least one of their tournaments. This is a first; usually at competitions in North Carolina, Raleigh dominates. We like that Charlotte is on the map now, and they know to be aware of us. So, we are really excited about that. The next thing, I want to invite everyone here, especially the Council. We have won the right to have the state championships here in Charlotte at UNCC, and I encourage everyone to come out and see it. It is April 9th and 10th. On April 9th and 10<sup>th</sup>, you will have an opportunity to see these teams to compete locally for the first time. We are really excited. Invite your friends and other elected officials you can think off. We would love to have some state level representatives here because this is the first time we get to have that in Charlotte. We call FIRST Robotics Competitions a sport of the mind, and as a reminder, every one of our students can go pro.

**Councilmember Lyles** said I want to say, I had the opportunity to represent all of you when I went over for the grand opening of the event, and I want you to know that the number of kids in the room, the diversity of all kinds of thought going on, it was a truly great experience for me. They were getting ready for competitions, so I got to see the robots before they looked nice, but they were working so hard. The one thing that one of the parents said to me was that when you are in high school you get a letter jacket for a lot of activities, and when we start valuing this

kind of thinking and give letter jackets for this kind of robotics, in science, technology, and math and not just athletics, we will know we have arrived. I think each of you deserves a letter jacket today, and I am just so very proud of you.

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**ITEM NO. 9: RECOGNITION OF THE GREATER ENRICHMENT PROGRAM**

**Mayor Roberts** said the last recognition of the evening is for the Greater Enrichment Program. We see all of the folks here in their red t-shirts, and if all you young people want to come down behind the podium so you can get on the camera, that would be great. The Greater Enrichment Program is a 40 year old, not-for-profit, afterschool, academic and cultural enrichment program. They have just received the 2016 Community Program of the Year by Public School Forum of North Carolina's Center for Afterschool Programs. This was founded in 1975, the Greater Enrichment Program operates in three sites in Charlotte-Mecklenburg Schools, and all services including transportation are of no cost to participants and their families. By providing support to the whole family, the Greater Enrichment Program helps children gain knowledge, confidence, and character to achieve their personal best in school and in their community. You all are wonderful examples of this tremendous program. Let's give them a hand and hear from their Board Chair and Executive Director.

**Bronica Glover, Greater Enrichment Program** said I am the Executive Director of Greater Enrichment Program and here today we have a sample of the more than 300 students that we serve every day in our afterschool program. I also have here with me today a graduate of GEP, Miss. Justice Isam who is going to share some information with you about her journey.

**Justice Isam, Graduate of the Greater Enrichment Program** said I am a graduate of the GEP; I attended the GEP program from kindergarten through eighth grade. I was raised by my grandmother due to my mother not being in my life, and my dad being incarcerated. I am so grateful for my grandmother who signed me up for GEP. They helped me with my homework, exposed me to so many new things, and kept me safe after school. At GEP, I had so many positive people around me that made me feel loved, special, and like I could do anything. As of this day, I am a sophomore at West Charlotte High School where I was the Homecoming Court as Miss Sophomore Princess; I am in the marching band. I am in the Over Bound Program; I have written a book of poetry. I have a 3.0 GPA; I am also an honor student and enrolled in AP classes. GEP is so deserving of this recognition. I do not know where I would be without them. I do not know how I could ever repay them for what they have done for me, but now I volunteer and give back whenever I can. GEP changes lives; GEP helped change me. Thank you for your time.

Bronica Glover said again, we are very grateful for the partnership that Greater Enrichment Program has had with the City of Charlotte. We could not do this without our partnership with the city. Thank you so much; we look forward to continuing to provide quality programming in out of school time.

**Councilmember Fallon** said as a board member, I have to tell you something. You see this lady here? That is a whirlwind. She does everything including run an office with no heat in it all winter long. Thank you so much.

**Councilmember Mitchell** said I would like all staff members who are here to please stand up and take a bow. This is your work and your effort that we appreciate as well.

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**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. 36, 72, 73, and 77 which were pulled by staff, and Item Nos. 29 and 57 which were pulled for comment and/or speakers.

The following items were approved:

**Item No. 30: Engineering and Planning Services for the Charlotte Regional Transportation Planning Organization**

Approve the following contracts on behalf of the Charlotte Regional Transportation Planning Organization for Engineering and Planning Services: WPS Parsons Brinckerhoff, Inc. for \$200,000, and RS&H Architects-Planners-Engineers, Inc. for \$200,000.

**Item No. 31: Discovery Place Renovation and Exhibit Development**

Approve an agreement with Discovery Place in the amount of \$1,750,000 for services related to the development and construction of exhibits for the proposed renovations of Discovery Place.

**Item No. 32: Interlocal Agreement with Mecklenburg County for Chancellor Park Drive Sidewalk Construction**

Adopt a resolution to approve an interlocal agreement with Mecklenburg County for \$140,194 toward the construction of a sidewalk on Chancellor Park Drive through Mecklenburg County's Toby Creek Greenway Phase II project.

The Resolution is recorded in full in Resolution Book 47 at pages 242-243.

**Item No. 33: University Pointe Boulevard Phase 2**

Award a contract in the amount of \$654,629.97 to the lowest responsive bidder Blythe Development Company for the University Pointe Boulevard Phase 2 project.

**Summary of Bids**

Blythe Development Company	\$ 654,629.97
Zoladz Construction Co., Inc.	\$ 665,786.00
United of the Carolinas, Inc.	\$ 678,183.55
Onsite Development LLC	\$ 695,753.30
Red Clay Industries	\$ 713,072.80
Blythe Construction Inc.	\$ 723,780.75
Sealand Contractors Corp.	\$ 756,072.96
Carolina Cajun Concrete	\$1,010,479.80

**Item No. 34: Private Developer Funds for Traffic Signal Improvements**

(A) Authorize the City Manager to approve a Developer Agreement with Crescent Uptown Venture, LLC, and (B) Adopt Budget Ordinance No. 7063-X appropriating \$330,984 in private developer funds for traffic signal improvements.

The Ordinance is recorded in full in Ordinance Book 59, at Page 757.

**Item No. 35: Traffic Control Video Detection Equipment**

(A) Approve the purchase of traffic control video detection components, as authorized by the sole source exemption of G.S. 143-129 (e)(6), (B) Approve a contract with Temple, Inc. for the purchase of traffic control video detection components for a term of three years, and (C) 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. 37: Utility Management System Field Service Software Upgrade Services**

(A) Approve contract amendment #1 to the professional services agreement with ABB Enterprise Services (formerly Ventyx, Inc.) for up to \$520,000 to provide Upgrade Services for the Utility Management System Field Service component, and (B) Approve contract amendment #1 to the professional services agreement with Hansen Technologies for up to \$250,000 to provide Upgrade Services for the Field Services integration with the Utility Management System Billing component.

**Item No. 38: Airport Computer-Based Training and Learning Management System**

(A) Approve a contract with The American Association of Airport Executives to provide an Airport Computer-Based Training and Learning Management System, (B) Authorize the City Manager to approve price adjustments and amend the contract consistent with the City's business

needs and the purpose for which the contract was awarded, (C) Approve the purchase of maintenance and support for an initial term of five years, and authorize the City Manager to purchase maintenance and support thereafter for as long as the City uses the system, and (D) Authorize the City Manager to purchase such additional software licenses, services, and hardware as needed from time to time to operate the system.

**Item No. 39: Airport Carpet**

(A) Approve the purchase of carpet from Tandus Flooring, Inc., as authorized by the sole source exemption of G.S. 143-129 (e)(6), (B) Approve a unit price contract with Tandus Flooring, Inc., for the purchase of carpet for the airport concourses and terminal for the term of three years, and (C) Authorize the City Manager to renew the contract for up to two, 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. 40: Airport Checked Baggage In-Line System Maintenance Contract Amendment**

Approve contract amendment #1 with Siemens Postal, Parcel & Airport Logistics, LLC, to provide additional staffing needs for the checked baggage in-line system for the duration of the contract.

**Item No. 41: Airport Concourse A Expansion Phase I: AT&T Relocation Agreement**

(A) Approve a contract with AT&T not to exceed \$152,757.53 to relocate communications cable, and (B) Adopt budget Ordinance 7064-X appropriating \$152,757.53 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

The Ordinance is recorded in full in Ordinance Book 59, at Page 758.

**Item No. 42: Airport Floor Cleaning and Maintenance**

(A) Approve the first, one-year unit price contract extension with Sunshine Cleaning Services, Inc. for terrazzo flooring cleaning and maintenance in the Airport terminal, and (B) Authorize the City Manager to approve up to one additional option year, 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. 43: Charlotte Water Construction Rental Equipment**

(A) Approve the rental of equipment from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), (B) Approve a unit price contract with United Rentals, for the rental of equipment, for up to four years under National Joint Powers Alliance Contract No. 091615-URI dated October 20, 2015.

**Item No. 44: McAlpine Creek Relief Sewer Project: Phase 4**

Approve a contract with McKim and Creed in the amount of \$1,640,800 for design and construction administration services for the McAlpine Creek Relief Sewer Phase Four project.

**Item No. 45: Sanitary Sewer Cleaning and Closed Circuit Television Inspection**

(A) Approve unit price contracts for sanitary sewer cleaning and closed circuit television inspection for a term of two years with the following firms: Bio-Nomic Services, Inc. and Hydrostructures PA, and (B) Authorize the City Manager to renew these contracts for one additional, two-year term and amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

**Item No. 46: Interlocal Agreement Amendment for Briar Creek Water Quality Improvement Project**

Amend the interlocal agreement with Mecklenburg County for an additional \$884,375.49 for the Briar Creek and Chantilly Water Quality Improvement project.

**Item No. 47: CATS Bus Anti-Freeze**

(A) Award a unit price contract to the lowest responsive bidder Cummins Atlantic LLC for the purchase of bus anti-freeze fluid for a term of two years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

**Summary of Bids**

Cummins Atlantic LLC	\$7.33
Northeast Lubricants Ltd. (2)	\$7.58
Hagan Kennington Oil	\$8.50
Pugh Lubricants, Inc.	\$8.79
Brewer-Hendley Oil Co. (1)	\$8.92
Rush Truck Centers of North Carolina	\$11.89
Sampson-Bladen Oil Co.	No bid
Nisbet Oil Company	No bid

**Item No. 48: LYNX Blue Line Core Capacity Phase 2 Design**

Authorize the City Manager to negotiate and execute an agreement with STV Engineers, Inc., in the amount of \$4,400,000, to design capacity enhancements for the existing LYNX Blue Line.

**Item No. 49: 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 April 16, 2016.

The Resolution is recorded in full in Resolution Book 47, at Pages 244-254.

**Item No. 50: Refund of Property Taxes**

Adopt resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$57,829.41.

The Resolution is recorded in full in Resolution Book 47, at Pages 255-256.

**Item No. 51: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: January 25, 2016 Business Meeting, January 27-29, 2016, Council Retreat, February 8, 2016 Business Meeting.

**Item No. 52: AIRPORT PROPERTY EXCHANGE**

Adopt a resolution authorizing a land exchange between the City and Latour Properties, LLC for land parcels adjacent to the Airport.

The Resolution is recorded in full in Resolution Book 47, at Pages 257-258.

**IN REM REMEDY**

**Item No. 53: In Rem Remedy: 6139 Bent Tree Court**

Adopt Ordinance No. 7065-X authorizing the use of In Rem Remedy to demolish and remove the structure at 6139 Bent Tree Court (Neighborhood Profile Area 50).

The Ordinance is recorded in full in Ordinance Book 59, at Page 759.

**Item No. 54: In Rem Remedy: 2128 Mingus Cabin Lane**

Adopt Ordinance No. 7066-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2128 Mingus Cabin Lane (Neighborhood Profile Area 348).

The Ordinance is recorded in full in Ordinance Book 59, at Page 760.

**Item No. 55: In Rem Remedy: 3028 Morning Drive**

Adopt Ordinance No. 7067-X authorizing the use of In Rem Remedy to demolish and remove the structure at 3028 Morning Drive (Neighborhood Profile Area 363).

The Ordinance is recorded in full in Ordinance Book 59, at Page 761.

**Item No. 56: In Rem Remedy: 2534 Oneida Road**

Adopt Ordinance No. 7068-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2534 Oneida Road (Neighborhood Profile Area 238).

The Ordinance is recorded in full in Ordinance Book 59, at Page 762.

**Item No. 58: In Rem Remedy: 2120 Weddington Road**

Adopt Ordinance No. 7070-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2120 Weddington Road (Neighborhood Profile Area 380).

The Ordinance is recorded in full in Ordinance Book 59, at Page 764

**Item No. 59: In Rem Remedy: 2120 Weddington Road Dwelling-Garage**

Adopt Ordinance No. 7071-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2120 Weddington Road Dwelling-Garage (Neighborhood Profile Area 380).

The Ordinance is recorded in full in Ordinance Book 59, at Page 765.

**Item No. 60: In Rem Remedy: 6925 Woodfield Drive**

Adopt Ordinance No. 7072-X authorizing the use of In Rem Remedy to demolish and remove the structure at 6925 Woodfield Drive (Neighborhood Profile Area 271).

The Ordinance is recorded in full in Ordinance Book 59, at Page 766.

**Item No. 61: In Rem Remedy: 6307 Woodthrush Drive**

Adopt Ordinance No. 7073-X authorizing the use of In Rem Remedy to demolish and remove the structure at 6307 Woodthrush Drive (Neighborhood Profile Area 322).

The Ordinance is recorded in full in Ordinance Book 59, at Page 767.

**PROPERTY TRANSACTIONS**

**Item No. 62: 7820 Steele Creek Road**

Acquisition of 2.51 acres at 7820 Steele Creek Road from Lettie Massey for \$180,000 for Aviation EIS Mitigation Land.

**Item No. 63: 9606 Markswood Road**

Acquisition of 2.22 acres at 9606 Markswood Road from Kevin and Tanya Loftin for \$185,000 for EIS Mitigation Land.

**Item No. 64: 10th/Central/Louise Pedestrian Improvements, Parcel #4**

Acquisition of 284 sq. ft. (.007 ac.) in Sidewalk and Utility Easement, plus 1,819 sq. ft. (.042 ac.) in Temporary Construction Easement from Betty Ann Webb and G. Howard Webb., Jr. for \$20,597, for 10<sup>th</sup>/Central/Louise Pedestrian Improvements- Parcel #4.

**Item No. 65: Coulwood Branch Stream Restoration, Parcel #10**

Acquisition of 225,292 sq. ft. (5.172 acres) in Storm Drainage Easement, plus 1,017,046 sq. ft. (23.348 acres) in Conservation Easement, plus 76,883 sq. ft. (1.765 acres) in Access Easement from Colonial Pipeline Company for \$100,000 for Coulwood Branch Stream Restoration, Parcel #10.

**Item No. 66: Lyon Court Storm Drainage Improvement Project, Parcel #124 and #176**

Acquisition of 293 sq. ft. (.007 ac.) in Fee Simple within Existing Right-of-Way and 9,423 sq. ft. (.216 ac.) in Storm Drainage Easement, plus 1,575 sq. ft. (.036 ac.) in Temporary Construction Easement from Lara E. Reeves for \$92,000 for Lyon Court Storm Drainage Improvement Project, Parcel #124 and #176.

**Item No. 67: North Tryon Business Corridor, Parcel #15**

Acquisition of 1,627 sq. ft. (.037 ac.) in Sidewalk and Utility Easement, plus 1,172 sq. ft. (.027 ac.) in Temporary Construction Easement, plus 2,764 sq. ft. (.063 ac.) in Utility Easement from MJM'S Depot, LLC for \$37,150 for North Tryon Business Corridor, Parcel #15.

**Item No. 68: North Tryon Business Corridor, Parcel #23**

Acquisition of 1,009 sq. ft. (.023 ac.) in Fee Simple and 171 sq. ft. (.004 ac.) in Storm Drainage Easement, plus 1,887 sq. ft. (.043 ac.) in Sidewalk and Utility Easement, plus 7,093 sq. ft. (.163 ac.) in Temporary Construction Easement, plus 217 sq. ft. (.005 ac.) in Bus Stop Easement from City North Business Center, LLC for \$60,000.

**Item No. 69: North Tryon Business Corridor, Parcel #36**

Acquisition of 312 sq. ft. (.007 ac.) in Sidewalk and Utility Easement, plus 2,237 sq. ft. (.051 ac.) in Temporary Construction Easement, plus 63 sq. ft. (.001 ac.) in Utility Easement from Parker Davis Co., Inc. for \$14,000 for North Tryon Business Corridor, Parcel #36.

**Item No. 70: North Tryon Business Corridor, Parcel #45**

Acquisition of 12 sq. ft. (.0003 ac.) in Fee Simple and 269 sq. ft. (.006 ac.) in Sidewalk and Utility Easement, plus 928 sq. ft. (.021 ac.) in Temporary Construction Easement, plus 2,379 sq. ft. (.055 ac.) in Utility Easement from Family Support Services, Inc. for \$28,000 for North Tryon Business Corridor, Parcel #45.

**Item No. 71: 12131 Moores Chapel Road**

Resolution of condemnation of 1,190 sq. ft. (.027 ac.) in Waterline Easement from Mell Franklin Summerville for \$900 for Harbor Drive 12" Water Main, Parcel #6.

The Resolution is recorded in full in Resolution Book 47, at Page 259.

**Item No. 74: 1514 North Tryon Street**

Resolution of condemnation of 2,402 sq. ft. (.055 ac.) in Sidewalk and Utility Easement, plus 2,829 sq. ft. (.065 ac.) in Temporary Construction Easement, plus 412 sq. ft. (.009 ac.) in Bus Stop Easement, plus 870 sq. ft. (.02 ac.) in Utility Easement from 1514 North Tryon Street, LLC for \$33,975 for North Tryon Business Corridor, Parcel #14.

The Resolution is recorded in full in Resolution Book 47, at Page 260.

**Item No. 75: 1713-1725 North Tryon Street**

Resolution of condemnation of 99 square feet of Fee Simple plus 1,345 sq. ft. (.031 ac.) in Storm Drainage Easement, plus 2,652 sq. ft. (.061 ac.) in Sidewalk and Utility Easement, plus 2,021 sq. ft. (.046 ac.) in Temporary Construction Easement from Richard Kevin Massey and Glenda C. Massey for \$100,000 for North Tryon Business Corridor, Parcel #20.

The Resolution is recorded in full in Resolution Book 47, at Page 261.

**Item No. 76: 2019 North Tryon Street**

Resolution of condemnation of 6,137 square feet in Fee Simple plus 2,487 sq. ft. (.057 ac.) in Storm Drainage Easement, plus 244 sq. ft. (.006 ac.) in Sidewalk and Utility Easement, plus 2,134 sq. ft. (.049 ac.) in Temporary Construction Easement, plus 2,795 sq. ft. (.064 ac.) in Utility Easement from NTS Properties, LLC for \$117,500 for North Tryon Business Corridor, Parcel #27.

The Resolution is recorded in full in Resolution Book 47, at Page 262.

**Item No. 78: 2325 North Tryon Street**

Resolution of condemnation of 13 square feet in Fee Simple plus 234 sq. ft. (.005 ac.) in Storm Drainage Easement, plus 407 sq. ft. (.009 ac.) in Sidewalk and Utility Easement, plus 2,414 sq. ft. (.055 ac.) in Temporary Construction Easement, plus 170 sq. ft. (.004 ac.) in Utility Easement from Susan P. Adams for \$12,525 for North Tryon Business Corridor, Parcel #38.

The Resolution is recorded in full in Resolution Book 47, at Page 263.

**Item No. 79: 2401 North Tryon Street**

Resolution of condemnation of 13 square feet in Fee Simple plus 63 sq. ft. (.001 ac.) in Storm Drainage Easement, plus 475 sq. ft. (.011 ac.) in Sidewalk and Utility Easement, plus 3,483 sq. ft. (.08 ac.) in Temporary Construction Easement, plus 3,228 sq. ft. (.074 ac.) in Utility Easement from Negus Properties LLC for \$96,575 for North Tryon Business Corridor, Parcel #40.

The Resolution is recorded in full in Resolution Book 47, at Page 264.

**Item No. 80: 2417 North Tryon Street**

Resolution of condemnation of 21 square feet in Fee Simple plus 488 sq. ft. (.011 ac.) in Storm Drainage Easement, plus 598 sq. ft. (.014 ac.) in Sidewalk and Utility Easement, plus 4,970 sq. ft. (.114 ac.) in Temporary Construction Easement from James R. Guy, Jr. for \$95,775 for North Tryon Business Corridor, Parcel #44.

The Resolution is recorded in full in Resolution Book 47, at Page 265.

**Item No. 81: 2528 North Tryon Street**

Resolution of condemnation of 1,688 sq. ft. (.039 ac.) in Storm Drainage Easement, plus 436 sq. ft. (.01 ac.) in Sidewalk and Utility Easement, plus 1,298 sq. ft. (.03 ac.) in Temporary Construction Easement, plus 107 sq. ft. (.002 ac.) in Bus Stop Easement, plus 3,114 sq. ft. (.071 ac.) in Utility Easement from Marwan and Sahar Marzouk for \$15,350 for North Tryon Business Corridor, Parcel #49

The Resolution is recorded in full in Resolution Book 47, at Page 266.

**Item No. 82: 5201 Sunset Road**

Resolution of condemnation of 827 sq. ft. (.019 ac.) in Sidewalk and Utility Easement, plus 4,298 sq. ft. (.099 ac.) in Temporary Construction Easement at 5201 Sunset Road from USF Holland, Inc. for \$1,700 for Sunset Road Sidewalk, Parcels #18 and 19.

The Resolution is recorded in full in Resolution Book 47, at Page 267.

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**ITEM NO. 29: KNIGHT CITIES CHALLENGE GRANT: PORCH-STYLE SWINGS FOR CHARLOTTE NON-PROFIT ORGANIZATIONS**

Councilmember Kinsey said I wanted to let the good folks who live along the Central Avenue Corridor know that they might be seeing some swings out on the streets in a little while. We have some very talented people who work with the City, and they sent a proposal to the Knight Foundation and were awarded a \$28,000 grant to install five porch style swings in five different places. They are going to be at five different locations: Fire Station #8 at the corner of Commonwealth and The Plaza, Midwood International & Cultural Center, the Eastway Division Police station, at Memorial United Methodist Church on Central Avenue, and at Central Point Apartments on Central Avenue and that is through the Sustain Charlotte Organization. The projects purpose is to create place, encourage community interaction, and improve experiences for transit users, pedestrians, and by making the sidewalks and bus stops the new civic front porch. I grew up in a big, two-story, house on Central Avenue with porches on three sides, and that is where everybody sat in the summer time; we didn't have air conditioning. This is something that we are trying to get back to, to have people interact and communicate with each other. I remember sitting on that porch for hours, and people would walk up and down Central, and they would always wave their hand or they would chat. So, this is something very valuable in our community and something I hope we can replicate in other areas. I do want to recognize the people who made this happen, and the lead is Tom Warshauer. Now as good as Tom is, he did have some help. Gail Whitcomb, also from Neighborhood and Business Services is on the team. Veronica Wallace and Chandler Cross from Engineering and Property Management, Jason Lawrence from CATS, Jeff Boenisch from C-DOT, and Rachel Wood from Strategy and Budget. They are a very creative team, and I hope you will come over to Central Avenue in the commercial area and on down toward Memorial Presbyterian Church and you will see these swings. So, come sit a while and chat.

Motion was made by Councilmember Kinsey and seconded by Councilmember Mitchell to adopt a resolution approving the conveyance of three porch-style metal swings and frames to the following nonprofit organizations: Midwood International Cultural Center, LLC, Memorial United Methodist Church of Charlotte, Inc., and Sustain Charlotte, Inc.

Councilmember Phipps said while I applaud and congratulate the recognition of these sites as recipients of the porch swings as a means to create space, I am a bit envious as to why it is

necessary or appropriate to have all five swings in one corridor of the City. I would have liked to see more dispersion in other areas of the City as beneficiaries to create this space. So, I just want the record to reflect that.

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

The Resolution is recorded in full in Resolution Book 47, at Pages 236-241.

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**ITEM NO. 57: IN REM REMEDY: 2215 SANDERS AVENUE**

**Tom Hanchett, 1609 The Plaza** said I am a community historian, and I have been a fan of Washington Heights ever since I worked for the Historic Landmark Commission back in the 1980's writing the history of Charlotte's original streetcar suburbs, and Washington Heights, as far as we can tell, is the first and only African American Streetcar suburb in the United States. I have been saying that for about 30 years now, and no one has contradicted me. I have not found anything to disprove that. The neighborhood, if you go up Betties Ford Road to the Excelsior Club and turn left, it is that neighborhood. It is a neighborhood that dates back to the 19-teens; the house in question this evening is 2215 Sanders Street. It is a two-story frame house from the very early days of the neighborhood. It is a house that unfortunately has gotten into bad repair and came up for demolition by the City. I understand that the city staff has pulled that to see if the neighborhood and property owner can work out a way of making sure that the house stays. I commend you for that. I think that it is a very valuable thing because the Washington Heights neighborhood is a neighborhood that could be considered for historic district status at some point if the neighbors decide that they would like to pursue that. All of Charlotte's Center City neighborhoods are becoming more and more desirable. Once upon a time, we thought that they were all going to vanish, and that the buildings would get run down and be torn down and something new would be built there. We now understand how important our history is, and this is a house in a historic neighborhood that is worth the extra effort to make sure it stays there.

**Mattie Marshall, 2304 Booker Avenue** said preserving our history, preserving our neighborhoods and saving the historic Washington Heights Nelson home with dignity, pride, and respect. This place matters. Historic Washington Heights was made aware of the code violations on December 17, 2015 from Dorothy Counts-Scoggins, and on December 18, 2015, as I was putting up Christmas decorations, from code enforcement officer Michael Johnson. Since that time, we have been in conversation with Ben Krise, Donna Nelson, City Councilmen Al Austin, and others, to make every effort to preserve this house of significance. When I say of significance, it talks about Washington Heights named in honor of Booker T. Washington. We talk about the Rosenwald Schools that were built all over the United States, particularly in South Carolina and North Carolina, and Booker T. Washington always stressed education, uplifting the veil of ignorance. So, I am very proud to live in historic Washington Heights, and I would do everything to preserve this rich history and the structures there. As some of you may know, I serve as an At Large member of Charlotte Historic District Commission. It is my sworn duty and responsibility to encourage the restoration, preservation, rehabilitation, and conservation of significant historic structures in our City. We all will benefit. Although we, currently at this moment as I speak, do not have the historic district designation, please remember that Washington Heights neighborhood plan is significant. This was adopted by City Council February 2002, with the goals of preserving this particular history, looking at rehabilitation, update, and preserving the existent structures.

**Councilmember Austin** said I pulled this particular item because it troubled me. Typically, I am on the same page with our very professional staff, Ben Krise and his team. This would probably be the first time we have been on different ends of a particular demolition; however, after talking considerably with Mattie and other members of the community, as well as the owner, and those of you who may have property that you share with other descendants, it has taken a considerable amount of time for that particular owner to get clear title of the particular property. Some other detailed conversation, I would like to give that owner some additional time in order to either get it repaired or sell the property. So, I have a substitute motion I would like.

A motion was made by Councilmember Austin and seconded by Councilmember Mitchell to adopt Ordinance 7069-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2215 Sanders Avenue (Neighborhood Profile Area 85,) but request that staff agree to provide the property owner 60 days to either sell the property or make substantial progress toward making the necessary repairs. If at the end of the 60 day period, the owner has not sold the property or made substantial improvements to the property, staff will have in place the order to demolish and can then remove the structure.

**Mayor Roberts** said you have spoken with the owner and that 60 days is satisfactory?

Councilmember Austin said yes, I was talking with the owner, with Mattie, and also with staff, and I believe that they are in agreement and are okay with that.

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

**Councilmember Mitchell** said let me just add because Councilmember Austin can sometimes be very humble. He has been really working on this. He has been giving up his Saturday afternoon and Saturday morning, because I text him around 9:30 a.m. to ask for guidance and direction. So, sometimes people do not see your public service work, what you do off of the camera. So, thank you for providing public service for this issue.

The Ordinance is recorded in full in Ordinance Book 59, at Page 763.

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#### **BUSINESS**

#### **ITEM NO 18: SALE OF 11.4 ACRES OF THE FORMER EASTLAND MALL SITE TO THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION**

**Mayor Roberts** said I neglected to mention one thing. In case folks were here for number 18, this is the Eastland School Site. We are deferring that to next Monday's Zoning Meeting for a rezoning hearing; the school that is going to be proposed for the Eastland Mall Site. We will also have our Economic Development Committee look at that on March 23<sup>rd</sup>, and then the Zoning Committee on March 30<sup>th</sup>. There will be another opportunity for public input on April the 25<sup>th</sup> for a Council Business Meeting to consider sell of the property and the zoning decision. So, the opportunities for public input will be at next Monday night's hearing at the Zoning Meeting and the April 25, 2018 meeting. In case anyone here did not hear that we are going to defer the Eastland Mall Site to those days.

**Councilmember Phipps** said as a part of that, could we also get a chronology of any public input that we might have had on previous occasions related to the school site to get a feel for what the community expectation for such a school placed on that site?

Mayor Roberts said absolutely, we will have that in the agenda.

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#### **PUBLIC HEARING**

#### **ITEM NO. 11: PUBLIC HEARING FOR THE TILLEY MANOR VOLUNTARY ANNEXATION**

**Mayor Roberts** declared the public hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Lyles, seconded by Councilmember Driggs, and carried unanimously to close the public hearing and adopt the Ordinance No. 7061-X to extend the corporate limits to include this property and assign it to the adjacent Council District 7.

The Ordinance is recorded in full in Ordinance Book 59 at pages 752-753.

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**ITEM NO. 12: POST-CONSTRUCTION STORMWATER ORDINANCE REVISIONS**

**Mayor Roberts** declared the public hearing open.

**Rob Nanfelt, 4127 Wright Avenue** said I represent the Real-estate and Building Industry Coalition. I had the opportunity to serve as an alternate on the taskforce. I am pleased to report that we support the agreement, and we hope that you will follow through with that as well. I would like to thank the staff for their professionalism and patience through the process. I want to point out Rusty Rozzelle, with the county, who served as our facilitator, and he brought us back from the brink many times.

**Paisley Gordon, 2632 Sherwood Avenue** said I was the committee member on the Post-Construction Storm Water Ordinance Task Force. We were tasked with a monumental task, but thanks for staff and Rusty for facilitating a great process. It took a while, but we were able to come to consensus. We were all behind this. So, thank you for putting us together to do something good for the City. We have looked forward for your support for the ordinance. Thank you.

**Councilmember Autry** said when we were looking at the sun-setting of the fee in lieu process for the Post Construction Control Ordinance; I expressed no support for that measure. I was hoping that we could come to a better place to help our creeks and streams in Mecklenburg County, which at last check, all of them are impaired at some level or another. We extended the ordinance, the fee in lieu, for six months so we could work around some of the details, and we ended up at a head butting position between the Building and Real Estate Industry, and the environmental industry and the concern of our mental advocates and their concerns, but we went ahead and passed an ordinance that was somewhat different, but through this entire process of pulling a stakeholder's group together and having the excellent facilitation of Rusty and his team and several of the members of the group up in the gallery there tonight. Thank you all for this work. The ordinance is in a much better place than it was three years ago, a much better place than it was two years ago, a much better place that I look forward to seeing it in the future at some point, but I think that it was not an easy challenge. Mr. Paisley is absolutely right, Rusty and his team brought the whole process back from the brink multiple times, but it is whenever you have these challenging times that you really get good work. I am very proud of the ordinance and the way it sets right now; I do expect improvements to come forward in the future, but I am very happy with the way things have worked out. I want to express my absolute complete appreciation for everyone involved in this whole process because I know it wasn't easy, but I cannot thank you enough for this great work because it means so much to this city, this county, and the future of our children, and our children's children that we have good, high quality, creeks and streams in Mecklenburg County. So, thank you all again very much; I really do appreciate it.

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 approve the Environment Committee recommendation to adopt Ordinance No. 7062 revising the Post-Construction Stormwater Ordinance.

The Ordinance is recorded in full in Ordinance Book 59 at pages 754-756.

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**ITEM NO. 13: BUSINESS INVESTMENT GRANT FOR REPUBLIC SERVICES**

**Mayor Roberts** declared the public hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Mitchell and seconded by Councilmember Austin to close the public hearing and approve the City's share of a Business Investment Grant to Republic Services for a total estimated amount of \$80,185 over three years. (Total City/County grant estimated at \$216,818).

**Councilmember Mitchell** said I think it is just a great relationship between us working together with the state and having a great corporate partner to relocate and sign a 10-year lease in Mr. Phipps's district and create more jobs. So, it is a win-win for our community.

**Councilmember Phipps** said I concur.

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

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

NAYS: Councilmembers Driggs and Smith.

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## POLICY

### ITEM NO. 14: CITY MANAGER'S REPORT

**City Manager Ron Carlee** said very quickly, we told you previously that the city had applied for a \$40 million Smart Cities Grant through the Department of Transportation. We are disappointed to report that we were not one of the finalists for that grant, but we do congratulate Portland, San Francisco, Austin, Columbus, Denver, Pittsburgh, and Kansas City for being able to move to the next round. Only one of those will be chosen. So, someone else will join us in disappointment. We will take what we have learned and circle back to our partners on the network that we created to try to find ways to leverage enhancing technology in our area. So, while we were not successful in this grant, we were 1 of 27 cities; however, chosen to participate in the What Works Cities Initiative. This is out of Bloomberg Philanthropies. We were 1 of 271 out of 112 cities that applied. We will receive assistance from the Center of Government Excellence at John Hopkins University to help us in accelerating our work with open data, problem solving, analytics, and integration of data in to city strategy, and this is at no direct cost to the city, and we are 1 of 3 cities to be selected by the German Marshall Fund to participate in the German Marshall Fund's Dialogs for Change, energizing implementation through integrated urban development strategies. We along with Pittsburg and Baltimore will be paired with three cities in Germany to share international perspectives around these strategies, that being funded by the German Marshall Fund, with no out of pocket cost by the city as well. So, we did not get one, but we got two.

**Mayor Roberts** said thank you Manager, and I just want to thank all of the staff involved. I know, especially that Smart City Grant, there were quite a few folks: Rob Phocas, Hyong Yi, quite a few that worked very hard. I appreciate our community partners to who put a lot of time in. We are going to continue to work on being a smart city.

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### ITEM NO. 15: AMEND THE 2016 CITY COUNCIL MEETING SCHEDULE

**Councilmember Driggs** said we are adding some dates to our meeting schedule for meetings with members of the General Assembly. The first one of those is going to be on April 18, 2016, when we are scheduled to meet with the State Delegation to preview the upcoming short session. That is here, in Charlotte, in Room 267 at the Government Center at 8:00 a.m. Invitations have been sent. Then there are four other dates which are as scheduled for trips to Raleigh. I encourage my colleagues to participate at least once in those trips. We did these last year and it was a very effective way of trying to preserve a conversation against the challenges that we face. So, I hope people will participate in that. I would like to note that the April 27<sup>th</sup> date has actually been amended to April 26<sup>th</sup>, and the others are May 4<sup>th</sup>, May 18<sup>th</sup>, June 1<sup>st</sup>, and June 29<sup>th</sup>. The last thing I would say is that there is a change in the time of a budget meeting that my colleague, the Chairman of the budget meeting may care to comment on.

**Councilmember Phipps** said that adjustment is only to be consistent with what we did last year in terms of making it a much more inclusive process in that we moved the time up from 7:00

p.m. to 5:30 p.m. to give citizens enough time to weigh in on their opinions on the budget. It is a consistent move from that we did last year, and I would seek your approval of granting this same thing this year.

**Mayor Roberts** said thank you for making us aware of that and for our continuing dialog with our state legislators.

Motion was made by Councilmember Phipps, seconded by Councilmember Driggs, and carried unanimously, to approve amendments to the 2016 City Council and Budget Meeting Schedule.

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#### **ITEM NO. 16: TENANT BASED RENTAL ASSISTANCE FUNDING ALLOCATIONS**

**Councilmember Mayfield** said tonight we are being asked to approve the Housing and Neighborhood Development Committee's recommendation to award tenant based rental assistant contracts to The Salvation Army, Supportive Housing Communities, Mecklenburg County Department of Social Services, Charlotte Family Housing, and the Men's Shelter of Charlotte totaling \$600,000. Just to keep in mind, our tenant based rental assistant funding provides up to two years of rental assistance to help families return to self-sufficiency. Funding for this activity is recommended as it meets the city's housing program goals by assisting with getting the families in to stable permanent housing. Each of the agencies recommended for the funding have a history of working with families to achieve self-sufficiency using temporary rental assistance funding. Neighborhood and Business Services staff, which I would like to take a moment to thank all of our staff, but especially Ms. Pamela Wideman for helping to guide through a lot of the meetings and discussions that we have had, but staff has provided a briefing on the recommended funding to our Housing and Neighborhood Development Committee during our February 3<sup>rd</sup> meeting, and I am confident that the recommended allocations would help us further our goals of getting people into stable housing.

Motion was made by Councilmember Mayfield, seconded by Councilmember Austin, and carried unanimously to approve the Housing and Neighborhood Development Committee recommendation to award Tenant Based Rental Assistance contracts with The Salvation Army, Supportive Housing Communities, Mecklenburg County Department of Social Services, Charlotte Family Housing, and the Men's Shelter of Charlotte totaling \$600,000.

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#### **BUSINESS**

#### **ITEM NO. 17: AIRPORT AIRLINE USE AND LEASE AGREEMENT**

**Mayor Roberts** said Brent Cagle is here with his team. I wonder if you could come to the podium and just introduce your team.

**Interim Aviation Director Brent Cagle** said just to introduce really quickly: Haley Gentry, she is our Assistant Aviation Director for Business and Revenue. Leila Lahbabi and Ted Kaplan are both excellent lawyers, they keep us out of trouble frequently and give us great advice. Mike Hill our head of Finance. They participated in the year long negotiations with the airlines.

Motion was made by Councilmember Mayfield and seconded by Councilmember Mitchell to approve a 10-year Airline Use and Lease Agreement (AUA) with American Airlines Inc., Delta Airlines Inc., United Airlines Inc., Southwest Airlines Co., and JetBlue Airways Corporations (collectively, "Signatory Airlines.")

**Councilmember Mayfield** said thank you to all of our Airport staff. For those at home who may not understand what we just moved forward, recognizing that when it comes to the Airport lease, our standard can be anywhere from 30 days, three months, or more. We just signed a 10 year lease, which puts the City of Charlotte in a very good position, as appose to other cities that have a 30 day lease, meaning that anytime, the airline could decide to move or changes can happen.

What we have just moved forward with is a commitment, not only for my airlines being led by American, as well as our other top three other airlines, but also a commitment to the community and the Charlotte Douglas International Airport. That commitment is also going to include some financial commitments from the airlines with development and growth at the airport. So, I wanted to take a moment to thank all of our staff at Charlotte Douglas Airport, but more importantly, our representatives of our airlines. I see one in the audience, Ms. Tracy Montrose who is representing American Airlines, also, United Airlines, Southwest and Delta, and JetBlue. So, I want to thank you all for your continuous support as we continue to grow Charlotte as one of the best in the Nation, being number six heading quickly to number two.

**Councilmember Smith** said I just want to recognize Mr. Gordon who is down here on the PCCO as the Chair of the Chamber of Aviation Committee, and he is still here as well. So, I just wanted him to get the recognition for that.

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

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**ITEM NO. 19: CITYLYNX GOLD LINE PHASE 2- OVERHEAD UTILITY RELOCATION AGREEMENT**

Motion was made by Councilmember Lyles and seconded by Councilmember Mayfield to authorize the City Manager to negotiate and execute a Utility Relocation Agreement with Duke Energy for up to \$1,100,000 for the City LYNX Gold Line Phase 2 project.

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

YEAS: Councilmembers Austin, Autry, Eiselt, Kinsey, Lyles, Mayfield, Mitchel, and Phipps

NAYS: Councilmembers Driggs, Fallon, and Smith

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**NOMINATIONS TO BOARDS AND COMMISSIONS**

**ITEM NO. 20: NOMINATIONS TO THE ARTS AND SCIENCE COUNCIL ADVISORY COUNCILS**

The following applicants were considered for eleven appointments for a one-year term, with the first appointment beginning January 1, 2017 through June 30, 2017:

**Central Advisory Council-**

**District 1:** Chris Solow, nominated by Councilmember Kinsey.

**District 3:** Tracy Wopperer, nominated by Councilmember Mayfield.

**District 5:** Pat Bresina, nominated by Councilmember Autry.

**At-large:** Sarah Alexander, nominated by Councilmember Eiselt.

Lincoln Baxter, nominated by Councilmember Kinsey.

Ted Benjamin, nominated by Councilmember Autry.

Pat Brisena, nominated by Councilmembers Mayfield and Mitchell.

Marry Parrish Coley, nominated by Councilmember Kinsey.

Larry Elder, nominated by Councilmember Eiselt.

Francene Greene, nominated by Councilmember Autry, Mayfield, and Mitchell.

Sheila Mullen, nominated by Councilmember Fallon.

Tracy Wopperer, nominated by Councilmember Fallon.

**North/West Advisory Council**

**District 2:** Gary Leake, nominated by Councilmember Austin.

**District 4:** Jonathan Utrup, nominated by Councilmember Phipps.

**At-large:** Sherrie Belfield, nominated by Councilmember Austin

Tiffany Capers, nominated by Councilmember Autry, Eiselt, Lyles, and Mayfield.

Vickie Evans, nominated by Councilmember Phipps.

Jeff Wise, nominated by Councilmember Fallon.

**South/East Advisory Council**

**District 6:** Deb Stewart nominated by Councilmember Smith

**District 7:** Nalan Karakaya Mulder nominated by Councilmember Driggs

**At-large:** Michelle Butler nominated by Councilmember Autry, Eiselt, Lyles, Mayfield, and Mitchell

Motion was made by Councilmember Driggs, seconded by Councilmember Lyles, and carried unanimously to appoint Chris Solow, Tracy Wopperer, Pat Brisena, Gary Leake, Jonathan Utrup, Deb Stewart, Nalan Karakaya Mulder to district seats and Michelle Butler to the South/East At-large position by acclamation.

The remaining three At-large appointments will be brought back at the next Business Meeting.

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**ITEM NO. 21: NOMINATIONS TO THE BUSINESS ADVISORY COMMITTEE**

The following applicants received nominations for two appointments for unexpired terms beginning immediately and ending April 30, 2019:

Nikita Darrel, nominated by Councilmember Autry  
Terry DeBoo, nominated by Councilmembers Driggs and Fallon  
Daniel Freeman, nominated by Councilmember Driggs  
Elizabeth Frere, nominated by Councilmember Kinsey  
Jonathan L. Giles, nominated by Councilmember Mitchell  
Hilary Greenberg, nominated by Councilmembers Eiselt, Fallon, Lyles, and Smith  
Jason E. Lackey, nominated by Councilmember Kinsey  
Nathaniel D. Lewis, nominated by Councilmember Austin  
Sophia Matthews, nominated by Councilmembers Mayfield, Mitchell, and Phipps  
Binh L. Phu, nominated by Councilmember Mayfield.  
Stephen F. Vaughan, nominated by Councilmember Phipps.

Appointments will be made at the next Business Meeting.

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**ITEM NO. 22: NOMINATIONS TO THE CHARLOTTE WATER ADVISORY COMMITTEE**

The following applicants received nominations for one appointment for a partial term beginning immediately and ending June 30, 2018:

Heather Hendren, nominated by Councilmember Mayfield.  
Jacqueline Levister, nominated by Councilmember Kinsey.  
Matt McDonald, nominated by Councilmember Driggs.  
Tom D. Pearson, nominated by Councilmember Mitchell.  
Thomas Rothrock, nominated by Councilmember Autry and Fallon.  
Barry L. Webb, nominated by Councilmember Phipps.

Appointments will be made at the next Business Meeting.

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**ITEM NO. 23: NOMINATIONS TO THE COMMUNITY RELATIONS COMMITTEE**

The following applicants received nominations for seven appointments for three-year terms beginning immediately and ending June 30, 2018:

Takiyah N. Amin, nominated by Councilmember Kinsey.  
Jeanette G. Ayeni, nominated by Councilmembers Austin and Mayfield.

Crystal L. Brooks, nominated by Councilmember Austin, Fallon, and Mayfield.  
Amanda B. Brown, nominated by Councilmembers Autry, Driggs, and Mitchell.  
Linda N. Carr, nominated by Councilmember Autry.  
Kawana C. Davis, nominated by Councilmembers Autry and Mitchell.  
Ryan J. Deal, nominated by Councilmembers Autry, Driggs, Kinsey, and Phipps.  
Madeline DeGrace, nominated by Councilmember Phipps.  
Jared R. Fawley, nominated by Councilmember Driggs and Fallon.  
Daniel F. Freeman, nominated by Councilmember Driggs and Fallon.  
Jonathan L. Giles, nominated by Councilmembers Driggs and Mitchell.  
Gary D. Leake, nominated by Councilmembers Austin, Autry, Kinsey, Lyles, Mayfield, Phipps.  
Randolph B. Muhammad, nominated by Councilmember Phipps.  
Michelle D. Newton, nominated by Councilmembers Austin, and Fallon.  
James C. Nine, nominated by Councilmembers Driggs and Kinsey.  
Nehemie Owen, nominated by Councilmembers Autry, Driggs, and Mayfield.  
Emanuel Reid, nominated by Councilmember Mitchell.  
Delores Reid-Smith, nominated by Councilmembers Austin, Fallon, Lyles, Mayfield, Mitchell, and Phipps.  
William L. Robinson, nominated by Councilmembers Fallon and Kinsey.  
Glenda M. Spann-Hinnant, nominated by Councilmember Mitchell and Phipps.  
Jamal I. Tate, nominated by Councilmember Kinsey.  
Hector M. Vaca, Jr. , nominated by Councilmembers Austin, Autry, Fallon, Kinsey, Mayfield, and Phipps.  
Juan J. Vazquez Bernal, nominated by Councilmember Mayfield.  
Deidra C. Young, nominated by Councilmember Mitchell.

Motion was made by Councilmember Driggs, seconded by Councilmember Mayfield, and carried unanimously to appoint Mr. Gary Leake, Ms. Delores Reid-Smith, and Mr. Hector M. Vaca, Jr. by acclamation and to bring back the remaining four appointments to the March 28, 2016 Business Meeting.

Mr. Gary Leake, Ms. Delores Reid-Smith, and Mr. Hector M. Vaca, Jr. were appointed.

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#### **ITEM NO. 24: NOMINATIONS TO THE HISTORIC LANDMARKS COMMISSION**

The following applicants received nominations for one appointment for one appointment for a partial term beginning immediately and ending July 16, 2016:

James R. Alsoop II, nominated by Councilmembers Eiselt and Phipps.  
Joseph Elliott, nominated by Councilmembers Austin and Mitchell.  
Jason E. Lackey, nominated by Councilmember Driggs.  
Kathryn L. McClelland, nominated by Councilmember Kinsey.  
SyDonia Williams, nominated by Councilmember Mayfield.  
Cameron Wright, nominated by Councilmember Smith.

Appointments will be made at the next Business Meeting.

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#### **ITEM NO. 25: NOMINATIONS TO THE KEEP CHARLOTTE BEAUTIFUL**

The following applicants were considered for one appointment for a partial term of service beginning immediately and ending June 30, 2017:

Sheila Etheridge, nominated by Councilmember Phipps.  
Sharon Geter, nominated by Councilmember Austin.  
Jonathan Giles, nominated by Councilmember Autry.  
Amanda Mitchell, nominated by Councilmember Mitchell.  
Ryon Smalls, nominated by Councilmember Driggs.

Amy Villegas-McCleave, nominated by Councilmember Mayfield.  
Brian Withrow, nominated by Councilmember Kinsey.

Appointments will be made at the next Business Meeting.

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#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

##### **ITEM NO. 26: APPOINTMENT TO THE PRIVATIZATION/COMPETITION ADVISORY COMMITTEE**

One appointment for a two-year term beginning March 2, 2016, and ending March 1, 2018.

On February 22, 2016, the following two applicants received the most votes, but not the six votes required for appointment:

James Marascio, 4 votes, Councilmembers Driggs, Fallon, Mitchell, and Phipps.  
Emmanuel Reid, 3 votes Councilmembers Austin, Autry, and Lyles.

Results of the run-off ballot were recorded as follows:

James Marascio, 3 votes - Councilmembers Eiselt, Fallon, and Phipps  
Emmanuel Reid, 6 votes - Councilmembers Austin, Autry, Driggs, Kinsey, Lyles, and Mitchell

Mr. Emmanuel Reid was appointed.

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##### **ITEM NO. 27: APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT**

One appointment for a three-year term of service beginning January 31, 2016, and ending January 30, 2019.

On February 22, 2016, the following two applicants received the most votes, but not the six votes required for appointment.

Nichelle Bonaparte, 5 votes, Councilmembers Austin, Autry, Lyles, Mayfield, and Mitchell  
Irving Schwebel, 3 votes, Councilmembers Driggs, Fallon, and Phipps

Results of the run-off ballot were recorded as follows:

Nichelle Bonaparte, 6 votes - Councilmembers Austin, Autry, Kinsey, Lyles, Mayfield, and Mitchell  
Irving M. Schwebel, 5 votes - Councilmembers Driggs, Eiselt, Fallon, Phipps, and Smith.

Ms. Nichelle Bonaparte was appointed.

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#### **OTHER BUSINESS: CITY MANAGER CONTRACT**

**Mayor Roberts** said before we get to Mayor and City Council Topics, did everybody get a copy of the Manager's contract?

Motion was made by Councilmember Eiselt and seconded by Councilmember Kinsey to approve an employment agreement with Ron Carlee to continue as City Manager beyond March 31, 2016 when his current contract expires. The major terms of this agreement which begins on April 1, 2016 are as follows: (1) Mr. Carlee will be an employee at-will. Either party may terminate the agreement at any time. (2) The annual compensation rate will be \$306,250 in base salary and \$45,000 in deferred compensation. (3) Mr. Carlee will be provided a deferred bonus payable upon notice of termination equal to one month of base salary unless: (A) he chooses to leave before June 30, 2016; or (B) The City terminates for good cause on or before June 30, 2016.

**Councilmember Smith** said I want to say two things. One is that I want the record to reflect. I think this should have been on the written agenda. I feel like it lacks some of the transparency that the citizens of Charlotte deserve. So, my preference would have been to have it on the written agenda. Two, I am going vote against it on substantive grounds. I recognize my colleague's interests and appreciation for having Mr. Carlee stay through the budget season. I think there is some validity to that. My concern is with the pay increase of 25% and the retention bonus. My preference would be for it to be under the continued terms of his existing contract. So, for that reason, I am going to oppose it.

**Councilmember Mayfield** said I do think that the community deserved to know the dollars because all of the information is public record. So, it was reported when we first hired Mr. Carlee what his salary was. So, the numbers that you heard this evening of \$306,250 is an increase from when Mr. Carlee first came on and signed a three-year agreement. That three-year agreement was for a set amount. So, even though I have concerns regarding the deferred payment, I do agree with the additional. It breaks down to an additional \$5,000, where if he would have received increases annually over this period of time it probably would have equaled out to that. So, I do not have a problem with us looking at that break down. The community heard this total amount, that is the annual salary, so you can easily calculate what that would break down to for three to four month period, but there is an increase in salary pay which we learned afterword that we are kind of underpaying our City Manager in comparison to other cities. So, I do support us moving forward, but I want the community to be clear that you did hear a different amount that the amounts you have heard previously because this new amount of \$306,250 does include a pay increase, which is the equivalent of \$5,000 per month additional, including the deferred, and I do not have a problem with the deferred because again that is at the end of the contract amount. So, once we go to vote, I will vote, but I wanted the community to have background because I agree with my colleague. I think it should have been on the agenda so that if anyone in the community wanted to be a part of this conversation, they would have had an opportunity, but I just wanted to share and let everyone know where those dollars came from.

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

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

NAYS: Councilmembers Fallon and Smith

Mayor Roberts said Mr. Manager; we look forward to your guidance through the budget season, and whatever happens after that, we will look forward to your continued guidance as well. We look forward to a smooth transition; we really value your management. Thank you so much for your service.

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## **ITEM NO. 28: MAYOR AND CITY COUNCIL TOPICS**

**Councilmember Mayfield** said I want to thank our Indian community. This past Saturday was the second annual festival that was actually held at the park. It was the Nuv Yug Indian Festival. Just as support, 10% of our population and growing is representative of the Asian/Pacific Islander community. So, keep your eyes and ears open; this is going to be a fun filled year with the Soorya Festival, as well as the Dragon Boat. This is going to be a time to get out and meet your neighbors and enjoy the community; I also have my next budget charrette, which will be coming up. In District 3, you can reach out to Ms. Kim Oliver to RSVP at koliver@ci.charlottenc.gov and get more information. The next budget charrette will be coming up in about two weeks. So, that information will be going out to everyone. So, I look forward to seeing you. That is all that I had, outside of that we had an amazing trip for National League of Cities where we learned a lot and brought back hopefully some really good information to move District 3 forward.

**Councilmember Smith** said the South Park ULI Technical Assistants Panel officially got underway last night with a reception. I want to thank Mr. Kimble, Deborah, Sarah,[inaudible,] members of C-DOT, and folks that helped put this together. We had a nice reception last night; this morning we had about an hour and a half of sort of Q and A to help them get a little more

familiar with the history of the South Park area, where we think we want to head. We had a bus tour that drove to Submarket, pointed out some recent rezoning and some areas where we think development will occur. The breadth and depth of talent at this panel was incredible because questions that were asked showed diversity in fact; it showed the diversity of the folks that comprising the panel from their trade and area of expertise. I want to invite everybody on Friday morning at 9:00 a.m. they will present the results here in the Chamber, and I would love for you all to come for that. I believe there will be some coffee and doughnuts or something in the lobby at 8:30 a.m., but it was a very good four hours spent this morning. Thank you to staff for all of your hard work.

**Councilmember Phipps** said I just wanted to comment briefly on last week as part of our National League of Cities Congressional Conference. We have had two very productive meetings with our North Carolina Senators, Senator Burr and Senator Tillis to present our Legislative agenda for Charlotte. It was well received, and we are just looking forward to their continued support on the many projects we have going forward in the city.

**Councilmember Mitchell** said ditto Councilmember Phipps, I would like to thank staff Dana Fenton because to get on their schedule and the work with Holland & Knight I thought was very successful. The speaking points you had prepared, Councilmembers, I can truly say I felt very confident articulating what we are wanted to do especially the CDBG. So, great job Dana and your staff for productive meetings in Washington.

**Mayor Roberts** said I had the Mayor's Out of School Time Summit this morning. Thanks to all of the community partners, the businesses, the non-profit organizations, the teachers, the administrators, volunteers, Time Warner Cable, who was a terrific sponsor, and Charlotte Works, and The Foundation for the Carolinas, who also sponsored, thank you so much. We had a great beginning, and we will look forward to doing more in that afterschool initiative to help reach capacity for all of our kids.

**Councilmember Autry** said I want to talk about security and confidentiality. I had to be directed to a local television station's website last week where a confidential memo from the City Manager to a City employee and two other department heads, were copied on that memo, four people, but it was there posted on the TV station's website. I am very concerned about this sort of behavior, this sort of blazey, cavalier attitude about confidential, personnel information, and I hope that this Council takes it seriously; therefore, I would ask this Council to instruct the City Attorney to investigate how this leak occurred.

Motion was made by Councilmember Autry and seconded by Councilmember Mayfield to instruct the City Attorney to conduct an investigation.
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Mayor Roberts said do we want to found out from our attorney what that investigation will take, time and expense, etc. before we vote on this?

**City Attorney Bob Hagemann** said I think it would involve interviewing the people who were copied in the letter, and asking the media outlet that received the letter. I am highly confident that they will not identify their source, and in all likelihood it is going to require an admission by whoever did it for me to find out who did it. I do not have the capacity or the ability for something like this to put people under oath or to subpoena any information or documents.

Mayor Roberts said I think this may be a better topic to put on agenda to have further discussion than during the last minute in our Council topics, but certainly we can do that. We can put it on a future agenda. That is my advice. We can still vote on the motion.

**Councilmember Driggs** said I was going to suggest we make a referral to the Governance Committee and think about how it would work. I agree with the sentiment you expressed, I think the concern is more about how it works, so perhaps an interim step would be to have the Governance Committee look at it and come back and tell us what they think we can do to get the truth.

A substitute motion was made by Councilmember Driggs and seconded by Councilmember Mitchell to refer the investigation to the Governance and Accountability Committee.
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Mr. Autry said I appreciate that Mr. Driggs, but I do think the Council does have the authority to initiate such an investigation. I think it needs to take place in that matter; I think that referring it to a committee seems to be another step in the process that lets more time lapse, and detracts from how serious this is, and I would hope that this Council would take this issue very seriously. This confidential, personal matter memo ended up in the news media. Memos that were not to us, it was four people. So, I think it is a pretty narrow scope of where that leak came from.

**Councilmember Lyles** said I think that we all take it very seriously Mr. Autry. I think all of us have some of the concern and understanding that when you work together, even though you may have different perspectives and views, it requires a certain amount of civility and respect for each person as an individual. I think all of us understand the idea that it is best to be open about things that you have done and to not do things in a way that are in the shadows, but we are sometimes faced with a situation where we don't do that. I think that referring to the committee does not get to the just of what you want to accomplish. I also think that asking the Council tonight is a difficult position for me to be in. So, I am going to completely agree with you that to have something that is confidential, released, is very difficult for us to look at and deal with. I think that I am going to ask if it may be something that instead of having it go to a committee, that we actually ask the City Attorney, what are the ramifications or options available to us to do this? What are the choices that we have? I always tell people that the biggest difference for me in my work career, and my council career is that when I went to work for an organization, we all had the same mission; we all had a common goal. If you didn't you were pretty much left out of the organization, but we come to this table in a different seat. We come elected individually in a way that we hope we can forge enough commonality to move this community forward, and when we don't respect some of those behavioral boundaries that are necessary to be in place, to live with that value is difficult. I understand that, but I think that we have to have some clarity around what our choices are. If you remember, we talked along time about if you are going to send something to a committee to have a charge that they would know what they were going to be doing, what it would cost to do it, and let us be able to make a really educated decision. So, I am going to suggest even before we move that far that we ask the City Attorney when these kinds of incidents happen, what are our choices and options? How can we deal with them? Then at our next meeting, have that information available to us so that we could have a discussion around it that is candid, open, and deals with the issue. We may not be able to or we may, I would just like to know how we could do it. I know that I can hear you. I know what you are saying, but I think we have to go about anything that we do in an orderly fashion in a way that moves it forward with everyone understanding how it moves forward. So, I would like to ask for your indulgence in saying let's get something back from the City Attorney on how to deal with these things, what options and choices we have, and then schedule it for a discussion at our next meeting.

Mayor Roberts said that is a substitute to the substitute.

Ms. Lyles said no, I do not think we can do that. I cannot do that. I was really just asking the main motion maker if he could live with that sufficiently enough for us to move forward.

Mayor Roberts said we have to vote on the substitute first.

Mr. Hagemann said unless it is withdrawn.

Mr. Autry said thank you Ms. Lyles, you know where I come from with this, and you know also that I respect you. Mr. Attorney, do we not have the authority to do this under General Statute 160A?

Mr. Hagemann said yes, you can direct me to undertake an investigation.

Ms. Lyles said I understand we can do that and perhaps you have a little bit deeper understanding of what that means than I do, but I do not know what that means. An investigation can be as big as the ocean or as small as a trickle, and I guess what I am trying to figure out is what are we investigating? What would be our choices for how it would be investigated, and what would it mean if we undertook those actions? So, I understand that we have the authority, but sometimes what are we actually trying to accomplish? Understanding that for me is important.

Mr. Driggs said I am prepared to withdraw the substitute motion in order to allow a vote on the original motion. I will say that I think all of us feel your passion, and it is not limited to the case you cited. We have had a history of frustration about things that were supposed to be kept private coming out, sometimes they were business incentives and it is embarrassing and disruptive. We need to be very aggressive, but I am worried if we try to take a formal action tonight, there are things that we should think about first that aren't going to be considered. So, I would hope that in the sense that Councilmember Lyles said, we can get a little bit of input and then consider your motion or any other course of action that might be appropriate. I am just not sure that everybody is ready since we haven't had any prior consultation about this. So, I am withdrawing the substitute motion.

Mr. Smith said I agree with Ms. Lyles. I would like a little more information and a scope. If that is not the option, I would prefer to have it go to committee. I agree that we need to have some resolution on the issue. I would like to understand, before voting on it, exactly the process, and the scope. This is where I think Councilmember Lyles brings some really good points, and that would be my preference. If I am hearing you, we have a zoning meeting and then we have a meeting on the 28<sup>th</sup>. I do not know if this could be added to the front of the zoning meeting or if we wanted to do it the 28<sup>th</sup>, but that would be my preference. I just want to have a thorough understanding of exactly what I am voting on because I feel it is a pretty big vote.

Mr. Phipps said I know as part of the Governance Accountability Committee, with the ethics revisions that we recently undertook, there was a provision with in those documents that specifically addressed the handling of information received in closed session, and I know that the Attorney at that time expressed that even with that it would be extremely difficult to try to go through an investigation to come to some resolution, but I would agree that if we could get some sort of guidance from the City Attorney as to what we could expect or what it would in tale for this so-called investigation that it would be very helpful in the context of what we want to do.

Mayor Roberts said Mr. Attorney, is the direction clear from this conversation?

Mr. Hagemann said if that is the council's desire, I understand what it is, yes.

Mr. Autry said you know folks, this is tough, and Mr. Phipps to your point about the ethics policy, I think that was about Councilmembers. There were no Councilmembers included on that memo, and so it is a little different structure to deal with. It is also very focused in the scope of who did receive that memo and where it was originated. So, I think that there is a way to move this. I will certainly withdraw my motion if we can get a referral to the City Attorney to prepare a white paper or bullet points of what the process would be and how it would be undertaken, if it would be put on the next business meeting agendas.

Mayor Roberts said I think that is a friendly amendment to your motion. You are withdrawing your motion for Councilmember Lyles?

Mr. Autry said yes.

Ms. Lyles said and it will be at the next business meeting.

Mr. Autry said at the next business meeting in two weeks.

Mr. Smith said just for clarification attorney, we will get this in advance of the meeting just so we can digest it and be prepared if action is needed that night, that we are fully up to speed.

Mr. Hagemann said I can get it done by then.

Mr. Driggs said I just wanted to say that there has been a lot of correspondence about multi-family trash collection in the last few weeks and I think that there are concerns in the community that we are going to vote on that on March 16<sup>th</sup>, which is not the case. On March 16<sup>th</sup>, we will have a budget workshop, at which we are going to be briefed on the options that are being considered. Council will then have time to think about what policy makes the most sense, taking into account fairness to all residence and tax payers. If you look on the Storm Water Services website, you will see that summaries are posted there of two public meetings that have taken

place already and the issues that were raised in some of the responses. So, if you are concerned about this please inform yourself there and feel free to get in touch with us and know that this is not going to be decided on March 16<sup>th</sup>.

**Councilmember Austin** said I just want to thank the residents that came out to our very first community corners that we had at Betties Ford Road and LaSalle Street. We had about 200 people that came out in the Food Lion parking lot. I just want to thank Major Freda Lester, Lieutenant Cochran, Captain Thomas, and members of the Metro Division. Kudos to Kim Barns and Randy Harris for their great work in organizing, and lastly I think One-Way Smokehouse for providing the food. It was a great event, a lot of information shared, and a lot of fellowship.

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### ADJOURNMENT

Motion was made by Councilmember Eiselt, seconded by Councilmember Austin, and carried unanimously to adjourn the meeting.
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The meeting was adjourned at 8:35 p.m.



Emily Kunze, Deputy City Clerk

Length of Meeting: 2 hours and 11 minutes  
Minutes Completed: March 31, 2016