COMMITTEE AGENDA TOPICS

Committee was provided with updates on the following referral items:

I. ED Strategic Plan
II. Grameen
III. ReVenture
IV. Transitional Setback Issue Related to Independence Boulevard Area Plan

COMMITTEE INFORMATION

Present: James Mitchell, Andy Dulin, Jason Burgess and Patsy Kinsey
Absent: Patrick Cannon
Time: 3:30pm – 4:45pm

ATTACHMENTS

1. Forsite/ReVenture project map
2. Future Right-of-Way map for Independence Boulevard (US 74)

DISCUSSION HIGHLIGHTS

I. Subject: ED Strategic Plan

Kimble: Today's meeting is four scheduled updates. We had first thought you may not need to have a Committee meeting, but it was thought better to have an update on each of the four topics that are in the queue. None of them are ready for action today, but we wanted to at least come and brief you on the status of each one of these. Mr. Mumford will take the first two which is the ED Strategic Plan and Grameen Bank. I will lead with the rest of the staff in the room on ReVenture and the Independence Boulevard issue.

Mumford: The first item is the Economic Development Strategic Plan. We have been in front of you several times as we have gone through the development of this Plan. You all know that Mr. Flynn has decided to retire from the City and in his spare retirement time take a second job. I do want to acknowledge all the great work that Tom has done for the City. He takes with him an awful lot of institutional knowledge and a great wealth of knowledge on economic development. It's been a pleasure working with Tom, he was leading this effort. We decided not to bring to you a final draft because of the changes internally with Tom's departure. We want to make very sure that we are focusing on

those areas within our department where in our City we can make a measurable difference in economic development. We also want to make sure our structure in our department is commensurate with those goals we have established in the Strategic Plan. We are just slowing it down a bit as we recalibrate our internal resources and our organizational structure. The Chamber as you know, some of you were there, had a retreat last week and talked about some things around small business and we want to make sure we include that as well. So this is an opportunity to make this an even more meaningful Strategic Plan. As you know, we went from five years to three years, five years is more than an eternity and we want to make sure that the three-year layout is a realistic expectation of how we can work through our Focus Area Plan. We were really close and we wanted to make sure it is a good document when we do bring it to you; so we have decided to spend a little longer on that as we work through our changes. We will get to you in plenty of time to make a recommendation. Mr. Chairman we are just working through the agenda.

Mitchell: Thank you I apologize to everyone for being a little tardy. That is the first item E.D. Strategic Plan?

Mumford: Yes sir.

II. Subject: Grameen Bank

Mitchell: Second item, Ron.

Mumford: The second item is Grameen. You all heard a presentation at the last Committee meeting. We want to make sure that we answer all the questions that you raise. I know that most of you had an opportunity to have a discussion with representatives from Grameen, but there were several things that were raised around the funding source. The way the funds would come in; whether it was one grant payment of $200,000 or two grant payments of $100,000? Was that value the right amount? Why was the County not involved? We want to have our meeting with Grameen next week, which we do have scheduled to work through all of those issues and bring back to you something that answers not only those specific questions you had, but a little more color around the whole thing for you. That one is to be scheduled for the next Committee meeting. You may already have received those answers in your meetings with Grameen, but we want to circle back and connect all those dots before we bring it to you.

Dulin: We started out as two at $100,000, is $200,000 on the table?

Mumford: The request is for two broken down into $100,000 increments.

Dulin: Would they consider four payments at $50,000 each?

Mumford: I will let Joe Mynatt answer that. If you all are appropriating funds and deem it a different way, I am sure that they would respond to that.

Mynatt: That's fine.

Dulin: I remember when we got into the funding portion of our discussion that it was said that you did not need us to put you over the top with the funding. So we realized that if we bumped you back from $100,000 for two years to $50,000 for four years that that adds to your act somewhere else.

Mumford: And we will work through that, it was $200,000 equated to a number of loans. So there was some scientific measure for that so if the numbers were reduced the

contribution reduced then the number of loans would be reduced commensurably, but we will discuss that next week.

Dulin: O.k.

III. Subject: ReVenture

Kimble: We have been working pretty aggressively on this over the last many months. Many of you are aware of the ReVenture site and we are talking about a site on the map that borders by the yellow and it's about 667 acres in size. Many goals of the City, of the County, of the community are first and foremost protecting the environment. These are Brownfield sites, this one and the old Statesville Avenue landfill site because there is some connection between these two sites. Super Fund listed sites they have contamination in them and that is a road block to a lot of their ability to be redeveloped over the years into something new and different. The concept of creating a high profile high job creation high tax base expansion still protecting and preserving the environment is something that is attractive to this community at this time. You have asked us to spend a great amount of staff resource time on this and we are. The County is spending a great amount of resource time from their prospective, because there are issues related to the solid waste plan and how garbage is collected and how it is land filled or some other alternative on how that waste stream would be handled in the future. There is air quality permitting issues and what would actually be in the air as a result of some of these elements. Mr. McKittrick has been working very hard from his end of things to look at the different technologies to do that research. Eventually there will be a selected technology or solution that will have be rolled to the public and to the air quality permitting officials for them to completely examine, analyze and determine the impact and ultimately decide whether an air quality permit will be issued for that. There are waste water treatment plants involved; we have a waste water treatment plant on the site of Clariant. We have a Long Creek Pump Station site shown here on the map and we have a desire to want to build a new modern technology better equipped better system of technology that is out there in the past years and make sure we relieve some of the capacity on one of the other systems in the CharMeck Utility system. Mt. Holly across the river has an existing waste water treatment plant. Belmont across the river has an existing waste water treatment plant. There are three active waste water treatment plants in this area right now. There is an opportunity to see with the advent of the new waste water treatment plant if can we take this one off line. Can we take one or both of the other community off line? There are conversations going on to determine what would be the best solution and could we get there immediately or could we get there over time or are we not going to get there through that kind of consolidation. All of that matters to the type of water quality that we are going to have in the Catawba River, which is a drinking water source, a recreational source, Duke Energy on the river in South Carolina. Keeping the river as clean as possible is a goal of ours. There are a lot of players upstream that contribute to what comes downstream to us. There are multiple goals and multiple issues and all of those are being worked on simultaneously with ReVenture/Forsite, the City of Charlotte, Mecklenburg County, the State of North

Carolina, community groups who have an interest in what is going on here as well as environmental groups who have a strong interest in what is going on here. We are going to make sure in the end what we bring forward is vetted fully. I think in the community everybody has an understanding and an appreciation of what we are trying to accomplish with the public/private partnership here. The land currently shown in the yellow border, on the map handout, is the land that the City desires to purchase. When I say purchase one option is for it to be a land swap. This is the existing site for the Long Creek pumping station that is there today. We are on that property with Clairant's permission; we have not paid for a lease for that property because there were ongoing conversations between the City and Clariant. We said we would figure it out later, now is later, so what are the back lease payments for this particular site that we have been on about seven years? We have a desire to look at the possibility of a new waste water treatment plant here. We call this part Parcel A this half on this side of the river and we call this part Parcel B. We are having both Parcel A and Parcel B appraised jointly by the City and by Forsite to make sure that we can agree upon a value of the property that would eventually in this scenario come into the City of Charlotte hands so that we could have the Long Creek pump station here and the new waste water treatment plant here. The size of this waste water plant would be dependent upon whether we can get the allocation from this waste water plant on the Clariant site and whether or not there is participation from the other side of the river in Gaston County. So the size could be small initially, but it could grow to something larger later on and all of these scenarios are included in past rate modeling. CharMeck Utility has included in their rate modeling up to a 12,000,000 gallon per day plant in this particular location. That would be the maximum we could do if we had all participation, but we could have smaller amounts in the initial phase of the waste water plant at this location. So we are looking at ways in which this land could come under ownership of the City of Charlotte so that we could move forward on the plans for the Long Creek pumping station and Long Creek Waste Water Treatment Plant. There are other issues involved with the Old Statesville Avenue landfill site. You have an entity called ELT a couple of years ago that struck a deal with the City that fell apart because of the economy and the economic conditions that were in. There was language that was agreed to on how if ELT took ownership of that site, what would be the indemnification that they would give to Charlotte long term so that we would be indemnified against future claim of contamination from that particular site. We are trying to get into the same position with ReVenture/Forsite that we were in with ELT. If we are able to get into that position, then there is an ability to swap this property at the appraised value that we are trying to get the value for right now with the old Statesville Landfill site to see if that's an opportunity for the swap to occur with ReVenture/Forsite so that they would have ownership and control of the old Statesville Avenue Landfill site. They would have much the same position that we had with ELT having that position a couple of years ago. Now what they would like to do, ReVenture/Forsite, is also being studied and that has to do with an amendment to Mecklenburg County's Solid Waste Plan which is how we dispose of garbage in the garbage stream in this community. The Mecklenburg County Board of Commissioners have already approved an amendment to the Mecklenburg County Solid Waste Plan that would create an option for them to choose ultimately under the light terms and

conditions the option to choose a relationship with a company like ReVenture/Forsite if the County would choose to do that. They would have to fully vet all of the issues to be sure that they would want to dedicate a waste stream to ReVenture/Forsite for an extended period of time. The reason why ReVenture/Forsite is asking for that consideration is that they are able to get to the finish line on a facility known as a Refuse Derived Fuel Facility where they would be able to have the waste stream that would come to the old Statesville Avenue landfill site or any other site. It is not site specific. It would be an amendment to the Solid Waste Plan that would allow a dedication of the future waste stream if all of the terms and conditions were met to the mutual satisfaction of the County and the company that they might choose to do business with. In this case, it would be ReVenture/Forsite so we are looking at how that Solid Waste Plan amendment would come forward; all six towns have already adopted and approved that Solid Waste Plan amendment. The only unit of local government in Mecklenburg County that has not yet looked at that Solid Waste Plan amendment is the City of Charlotte. So on your November 1st Workshop Agenda which is coming up in a week and a half, we will have an opportunity for the County to come forward and talk about what is involved in the Solid Waste Plan amendment. We will have representatives from the County government to walk you through that and answer your questions. It would be our intent that if you are comfortable with the information that you get at the Workshop, that you would schedule that for the November 8th consideration by the Charlotte City Council on the Solid Waste Plan amendment. Remember that you are the last ones to consider this; all six towns in Mecklenburg County have currently adopted the Solid Waste Plan amendment. The Refuse Derived Fuel option and how that would be handled, I think it would be best for you to hear from Tom McKittrick direct since he is the one that is most involved in working on the details of RDF, Refuse Derived Fuel product. So I think it is most important that you hear directly from Tom McKittrick on that aspect of it, if you are o.k. with that suggestion Mr. Chairman?

Mitchell: Yes.

McKittrick: Tom McKittrick, Forsite Development, I will be brief. Thank you for having me. Ron did an excellent job of encapsulating where we are with the Plan. Really the project that has the most of the attention is the Waste Energy project that we are proposing. There are two critical decisions there; one is to select a partner to create as Ron said the RDF, to turn MSW into a renewable energy fuel. We are getting ready to make an announcement on Friday to the ReVenture Advisory Committee as part of the Mecklenburg County Solid Waste Advisory Committee. We are going to announce who our partner is on that project. We have literally talked to companies all over the country to see who understands how to create a fuel; basically this picture that you see in front of you is RDF. This is a facility that would go on the Statesville Avenue site or another site that we have under contract, literally right around the corner. It is a $30,000,000 facility and it looks like right now the current head count is approximately 150 new jobs that would be created from this project. Essentially what will happen is that the garbage that is currently land filled today will go into a facility and on to a tipping floor and through a very highly automated and high tech process and system to pull out additional recyclable material. We think that this entity can pull out 15 to 20% of additional recyclable material from the waste stream, even post

single stream recycling. It is also pulling out all the materials that typically cause air pollution so the PBC the batteries the electronics a lot of those items are the usually course source of air emissions problems. This is pulling out and solving the problems of creating a clean fuel. What comes out is this material which is densified and then is used as a fuel to create electricity in our waste energy plant. It is going to be somewhere between a 20 and 30 megawatt project in phase one. We believe it will be a significant improvement over the current practice.

Dulin: When you get it to this form you create energy without burning it is that correct?

McKittrick: You can create energy by burning it. We are looking at a method that would not contribute to Charlotte's air pollution and so the technology that I mentioned first on the first piece is one that is getting it to a clean fuel and increasing re-cycling. That is a huge piece of the puzzle. Second is the technology that will take this fuel and create electricity from it. Right now we are down to two technologies, both are gasification technologies a high heat low oxygen mechanism that creates a synthetic gas. You are burning the gas then much like a natural gas in the power plant, the same concept, creating that gas, burning that gas, to create electricity. At that level it is significantly easier to clean up the emissions in that system than in a traditional stoker boiler design. It's new technology which adds a layer of complexity but in the long run we think that this is going to be a drastic improvement over old boiler technology.

Dulin: This is the question that I have had before; on all levels of this deal does this getting it to this point and then using this system does it smell?

McKittrick: This material; you are inside a tilt wall thirty foot concrete clear building under negative air pressure, basically it is filtered. So that air is filtered; there is no smell once it is inside that facility. Once it is densified and the moisture driven off there is absolutely no smell with this. This is a storable transportable fuel. You can put this in a warehouse and store it.

Dulin: This slice, is that two inches or four inches?

McKittrick: That is three and a half inches. It can be in pellet forms or in brick forms, but densified. The key method to this is this is not raw garbage that we are burning; this is a fuel that has been engineered to create clean electricity.

Kimble: The RDF, Refuse Derived Fuel, would more than likely if the old Statesville Avenue landfill site is involved would be processed at that site or another site generally close by if we can't get together on all the other terms and conditions of Old Statesville Avenue. Then this gets trucked to the facility that would be built on the Clariant site and that is where the gasification process would take place. So you have got two different locations for different elements of this process to occur. Refuse Derived Fuel at a different site and gasification process at the Clariant plant. This is a schematic of the potential long term development build out of a Clariant, ReVenture/Forsite developer for this particular site. This a long-term ten, twenty, thirty year build out of this complete site. There would be stages of development and this could create a new energy location, corporate park, installation where various different partners could come into play from research prospective, from an actual job creation, from a type of technology investment to different corporations that would locate here in this area known as the ReVenture Park. So it has great potential long-term for making sure first that we protect and preserve the environment, create new jobs, creating new tax base and having Charlotte being viewed as one of the few places in the country that

has taken these formerly contaminated sites and worked aggressively and vigorously to protect the environment, clean them up, protect what is left in contaminated ground water to sure it is pretreated and make sure taken care of and make sure it doesn't do harm to the environment. Let us be known as the energy environment sustainable community in the country. Let this be part of our energy and environment hub. It does contribute to a lot of goals that the City has, that the County has, that the Chamber of Commerce has, that the community partners have. It has a great potential, but it also has a lot of hurdles to clear in order for us to get to that finish line with ReVenture. There are a lot of moving parts; financial equations have to be met in terms of how much this land is worth and how much the in phosphorus allocations that are committed to this land and to waste water treatment plant and may be to other waste water treatment plants across in Gaston County. In order to get those allocations amounts dedicated to this plant, there would actually be a transaction where we would purchase those allocations from the entities that might give them up. So it's a negotiation to determine what the value of those allocations to this particular new plant. Lot of hurdles, lot of different groups want to know what is going on and in some near point in the future, the announcement about who the RDF company is will be made this Friday. Then Mr. McKittrick is also working on the gasification technology and what company might be linking up with on that technology. Then I think it will have to be vetted at several different places with community groups and Mecklenburg County ReVenture Advisory Committee and ultimately with the State of North Carolina who will permit the waste water facility. They would probably be involved with the air quality permit for this particular plant and then the solid waste permit for the changes that would be made with Mecklenburg County's solid waste plant. So there are lots of different permits at the State level that are involved as well.

Mitchell: Tom can you share the good news that I read in the Business Journal?

McKittrick: We did receive a grant, $311,000 to develop an ethanol trans loading operation on the site and we are working through the details. It's an exciting project. Did you have questions about that?

Mitchell: No. The second question is for the Committee. Andy had mentioned at the last meeting actually going and viewing the ReVenture site.

McKittrick: I would love to host a tour of the site so that you can see the size and scale of what we are trying to create.

Mitchell: Ron, if you don't mind, could we poll the Council Members on the interest of taking this tour?

Kimble: Very good.

Dulin: You may not be able to tell this gentleman, the two of you recently went to Raleigh; can you give us a brief synopsis on that?

Kimble: We need to be sure that we are on a path that can reach a finish line potential if all the approvals and all the triggers are acquitted. So we want to make sure that we have a good understanding of the expectations of those entities that will be issuing permits. We went to gather as much information as we could about what we might be required to do. Especially ReVenture, what they would be required to do and what we would be required to do for the environmental impact statement for the new waste water treatment plant with all of the other entities that we would be purchasing

allocations from. We just need to make sure that the State of North Carolina is aware of what we are talking about and that they communicate to us what their expectations are and what their requirements will be.

Dulin: We mentioned that we will still be using some of the credits from Gaston County. Is our relationship with Mt. Holly still strong?

Kimble: Yes it is and also with Belmont and other partners in Gaston County. It may not just rest with the two of them; there could be more partners.

Dulin: Particularly for site A, of course, site A and B are our access. Still o.k. through Crescent for the time being?

Kimble: Part of the negotiations is where would we get our access if parcel A and B, and A and B are separated by a creek. So our biggest concern is not access to parcel A with the Long Creek pump station, our biggest concern is access during construction and long-term to the waste water treatment plant along the river. We are still evaluating different methods of getting access to parcel A.

Dulin: The more familiar you can get the five of us or Council Members as a whole, the better we can advocate for what is going on. It's easy to sit here and look at this, but its better when you get up there and see up on top and drive around the lake. The new waste water plant in property B, what other plant of ours will that take pressure off of? As of now we are pumping stuff from up there all the way to Pineville. We are pumping sludge twenty-two miles.

Kimble: McAlpine is nearing capacity and McAlpine needs relief and the Long Creek waste water treatment plant will provide that necessary and needed relief for McAlpine.

Dulin: O.k., so it's just McAlpine; nothing across town?

Kimble: It's predominantly McAlpine that is serving the majority. If you look at the area on the map that McAlpine is serving or having sewage pumped to at its nearest point, it's a huge acreage and a large part of Mecklenburg County.

Dulin: Just thinking about it from there to McAlpine is downhill because if follows the river. RDF is new to me today as much as I have studied this. The last thing is we have so many parks out here what we haven't talked about is where can we either cut out a place or plug in a place for teaching? Why can't UNCC have an off-site facility out there to have a program for their interested students? By the way I have named it for you, ReVenture U.

McKittrick: Excellent question. We have Dr. Elaine Hillger with the idea center is actually on our advisory board and we have entered into some preliminary conversations to get college and universities out here in a teaching environment. There is a lot of space out here with a lot of buildings where we can add that without any problem at all. We are trying to focus on the absolute immediate big picture items that we have to solve, but I can guarantee you that it can be easily woven into the project. We have already been talking about that, one hundred eighty-five acres conservation easement; those boundaries have been identified and working on that closing with Catawba Lands Conservancy. A lot of those pieces are starting to fall together. We are also talking to the Wildlife Federation about actually certifying the site and creating some wildlife enhancement areas. There are a lot of pristine wetlands within that conservation easement so public learning and teaching is an excellent thought and something that we will absolutely get to.

Mitchell: Thank you Tom. I will ask my environmental expert if she has any questions, Ms. Nancy Carter.

Carter: This is something we saw in Austria three years ago; it's very efficiently run. We have the connections; Dr. Hillgar was with us on that trip. A plant has been established close to Gastonia so we know it works well it is something that I thoroughly encourage Council to study very carefully. Knowing that this is so complex I hope you can bring all members of the community together to support it. I think education is a huge component of this project. Mr. Dulin the education that I am talking about is prior to what you are suggesting but it is continuing that stream at what you are looking at and I very much encourage that. Thank you the opportunity for my input.

Mitchell: Thank you Nancy.

Dulin: Mr. Chairman, Committee and Nancy, I bet there is somebody in Kannapolis that is studying this stuff. They are spending a billion bucks up there. I know that there is a mad scientist up there somewhere to compress this better.

McKittrick: There is a lot of mad scientist out there in the new energy space; the whole world is trending that way. I truly believe we have the strongest partner in the Country regarding this fuel and I look forward to making that announcement on Friday. I think you will appreciate and enjoy that.

Mitchell: What time is the press conference?

McKittrick: It's a meeting at 10:00am at the Hal Marshall Center.

Mitchell: Thank you. Ron can you introduce the last item?

Subject: Transitional Setback Issue Related to Independence Boulevard Area Plan

Kimble: Thank you Mr. Chairman. This is an update on the Independence Boulevard Area Plan, but a component of it that you asked of us as a Committee to go off and talk with folks because you had heard some chatter about it. The history of this is that along Independence Boulevard, which is one of your five corridors under study for transit over the last couple of decades, there has been a tool known as Transitional Setback. It is an extra reservation of land for future Right-of-Way (ROW) that will be needed either for widening of roads or the inclusion of transit in the corridor. I think it came into being in the late 1980's as I remember. A couple of years ago City staff in Planning, CDOT, CATS, Neighborhood & Business Services and other folks studied this Transitional Setback and we did a reanalysis of the corridor to determine what was that necessary ROW that we want to continue to have available to us. We looked at a reduction in the Transitional Setback areas and what I have depicted in the chart in front of you is showing the Transitional Setback width prior to that action on April 27, 2009 in the various areas of Independence Boulevard and the changes that the staff recommended and changes that Council approved are in the middle column of the chart known as the April 27, 2009 amendment. That is what has been in place for the last year and a half as the Transitional Setback width on various segments of Independence Boulevard. When we brought the Independence Boulevard Area Plan to you; that's the area marked by the pink border on the map that's the boundaries of the Independence Boulevard Area Plan, I think we brought it to you in May. You heard a presentation from staff and we were ready to ask you to send it to City Council for

public comment so that you could then receive public comment at the Council level. Several of you had heard some chatter that there might be some unhappy or disgruntled property owners in some of this area in the pink boundary. We had also heard some chatter from two of our State senators and you asked us to hold up taking the plan to City Council for public comment and asked us as a staff to go and talk with the property owners that we were hearing chatter from as well as two of our State senators who were getting a lot of phone calls from these residents who owned land in this area. So City staff embarked on what has turned out to be quite a challenge. We met with all eight of the property owners that we had heard you mention, we had heard from previously in the last ten years on this corridor regarding the Transitional Setback. Dana Fenton who is your lobbyist in the Legislature had heard from the two State senators during the last Short Session and they had given him a list of names of people who had contacted them. So we put the whole list together and went out and met with the property owners that had some concerns about the Transitional Setback. Sure enough there are a few property owners in relation to all of these property owners that have some questions and concerns about the Transitional Setback in the boundaries of this Independence Boulevard Area Plan. We have worked with those property owners, we have talked with the State senators. Our State senators have indicated to us and to Dana Fenton and to some of us that have talked with them since that they would really like for us to see if there is any tweaking or adjustment that we think we could make in adjusting the Transitional Setback. Not in the whole corridor of Independence Boulevard and by the way Transitional Setback exists not just in our community along Independence. It is involved in several other corridors in our community so Transitional Setback is a tool that you use on many thoroughfares in this City to protect future Right-of-Way for either road or transit improvement in our community. They said it seems like the area that is most under attack is in portions of Independence Boulevard that has already been widened. This is mainly the area from I-277 to Albemarle Road and also in the next area that is under consideration for construction widening which is the point from Albemarle Road to just south of Conference Drive, known as Sharon Forest Drive. The State is currently in Right-of-Way acquisition phase for the next widening of Independence Boulevard that runs from Albemarle Road to Sharon Forest Drive. We have been in a conversation to see if there is anything that we bring back first to the Committee and ultimately to the City Council that talks about what we have found out as we have gone out and talked to the property owners and the two State senators. We find that there is a great pain on some of these property owners parts, not all of them that we met with, but some of them that we met with that they feel that the Transitional Setback is a strong inhibitor to them being able to redevelop their property. None of them indicated they had redevelopment plans that they would like to bring forward to us at this time. They just feel that this is an inhibitor to their ability to develop their individual parcels. Some of these are very small parcels, but some of them are not small parcels they are large parcels and the Transitional Setback in their words is having an impact on their ability to redevelop their property. So what we talked about is trying to find the best way that we could retain as much of the Transitional Setback tool for our community. It comes under some conversations with the two State senators that indicate that if we are able to solve this that they may choose to look at legislation in the next

Legislative Session that would look at this issue for us instead of us doing it ahead of time. We have been in this conversation; we have had the dialog what we are showing to you today, an option called the 2010 option. I believe that this is our best effort to reach some short relief to the log jam; I think the ultimate choice for the Committee today is to receive the information, to hear us talk about it, but ultimately we are going to have to have some direction from either the Committee or the full Council on what you all would like to do in terms of the Transitional Setback in this particular area of Independence Boulevard. The best that we have been able to come back with in light of the conversations we have had with the property owners and the State senators is eliminating the Transitional Setback only in the areas that have already had the first wave of widening done to Independence Boulevard. The next phase after the completion and certification of Right-of-Way acquisition by the State of North Carolina for the section between Albemarle Road and Sharon Forest Drive; we would retain the Transitional Setback for the remaining length of Independence Boulevard from Sharon Forest Drive to the City limits. We have also had conversations with the Town of Matthews because they had a 350 foot wide width and if we wanted to maintain uniformity from the Charlotte City limits to the Matthews town limits, is there a way they could live with a 280 foot Transitional Setback in their community. In their community transit solutions normally take a deviation from Independence Boulevard and take another path. So it's felt that maybe they could come up with cross sections of their roadway improvement that wouldn't stand within 280 feet; we are continuing to work with them on that. There are several staff members that have been working on this issue including: Debra Campbell, Tom Warshauer, Bob Hagemann, Danny Pleasant, Jim Schumacher and Dana Fenton. We have all had some conversations with what has been going on with this issue trying to find any ground that we could bring back to you that would represent a negotiated solution to this. It is a very tough issue and a very sticky issue.

Kinsey: Are the two Senators happy with this or are they satisfied?

Kimble: The two Senators would be agreeable with this, I believe.

Kinsey: If they introduce legislation in the next session, would that be just for Independence Boulevard?

Kimble: It could be or it could be the Transitional Setback tool as it relates as a tool to be used anywhere in Mecklenburg County. It will be the legislation that they might feel comfortable with; I don't know exactly what that might be.

Dulin: You keep talking about two Senators, are they Clodfelter and Rucho, is that right?

Kimble: Yes, those are the two State Senators that we have had conversations with.

Dulin: O.K. so it's not a secret?

Fenton: Mr. Chairman in terms of legislation, I have not seen any at this point. Of course as Ron has said it's wide open; it could be Mecklenburg County, it could be just Independence or it could be wider. We just don't know yet.

Carter: Today I spoke with Representative Becky Carney she has been unapprised of this situation. She has requested that she be briefed and as Co-Chair of the Transportation Committee of the House of Representatives I think that is an important either omission or inclusion. I left a voice message for Representative Cotham she has responded by e-mail that she would also like to be informed of what is going on; they co-represent these areas and are of course in the House of Representatives versus the

Senate. I expected to see Councilmember Howard here; he is very interested in this. He has indicated twice to me today that he was planning to be here because he wanted to be kept apprised because he feels that this may come to the Transportation Committee as well. The efforts of the staff have been very intensive and I am grateful to them for reaching out and trying multiple solutions to a very difficult situation. I hope those efforts will continue and keeping the principal of the Transitional Setback to me is important, I do see the value of that principal for the entire area. It is crucial to the future for our development of the appropriate roadways. I would like to know if what is proposed escalates the cost of what is proposed on these thoroughfares to a point where our goals are no longer realizable. If we can encompass rapid transit, HOT/HOV lanes and access to small businesses given what is proposed. If we cannot, what is the cost to businesses? What is the cost to the light rail system? What is the cost to our HOT/HOV proposal from the State? Those to me are very important principals because if rapid transit is too expensive we will not see it on the eastside and that ties into how we develop our relations with Matthews, Mint Hill and Gastonia. Do we want look currently at eight investors who took a risk and bought property on a developing thoroughfare and are now in difficulty perhaps; not even definitely because we do not know their plans. Do we want to save money for a Federal government? Do we want to save money for a State government and do we want to save money locally by keeping this principal? There are different potential solutions; I spoke with Mr. Majeeb Shah-Khan with the City Attorney's Office yesterday talking about MSD to see if there is a way of forming an MSD around these specific areas along Independence. Specifically on that side which would help to address some of these problems, looking at access, looking at the cost of purchasing the Right-of-Way. Looking at services that could help those businesses remain in tack and interface with CDOT and NCDOT and CATS. To me there are ways to move further, I don't want to personally acerbate our relationship with our two Senators, but I hope that they are considering the future of the eastside because if we eliminate rapid transit and the respect for small businesses along this area, we have done a serious disservice to the extended eastside. I am extraordinarily concerned about that. This has been a debate for eleven years, so what we do with this issue can be crucial for not only Independence, but for also for the way we look to the future for our road system and our transit system. Thank you.

Mitchell: Ron.

Kimble: I think it would be important for the Committee to maybe before we go and try to start answering those questions today or in the coming days to hear from Bob Hagemann, Senior Deputy Attorney for the tool known as Transitional Setback and what are some of the attributes of it from a legal prospective that you really need to know before we go any further on this issue.

Mitchell: Ron and Bob this issue is too important. I would like to have the full Committee here if possible so we don't have to do this again, so if you don't mind can we put this on our agenda when you can see time wise how we can work it in and give us some feedback as to when that might be. To your point Nancy, David Howard was going try and join us so I would like to have as many Committee Members here as possible to be as respectful for what you will be sharing with us Bob.

Kimble: One of the issues that we have in front of us the Independence Boulevard Area Plan is ready for Council comment, but we are not moving the Plan forward at this time

because you asked us to stop. Just be aware that the Transitional Setback is not directly linked to the Independence Boulevard Area Plan. Though there are efforts to link the Transitional Setback to the Plan and the Plan is being held up from going forward to City Council to public comment because you asked us to go back and see if we could look at this issue. What is going to happen if you roll the Plan forward? Most likely you are going to have land owners come forward and speaking to the Plan and they are going to make their comments germane to this issue because they have tied their comments about the Independence Boulevard Area Plan to the Transitional Setback and they have some problems with it as it affects their particular land. So the property owners are still waiting to see what you do with the Plan. If you put the Plan forward to Council, they are going to be coming to speak to the public comment portion of the meeting. The one question is do we still continue to hold on this Independence Boulevard Area Plan?

Mitchell: Could I make a suggestion that we have this discussion at a dinner briefing because this definitely touches two committees, Planning and Economic Development. At a dinner briefing hopefully we can give you some guidance on how to move forward. We have a lot of staff hours on this one project and would hate for it to be in a hold pattern. So as long as you are comfortable with having the City Manager or the Mayor making this part of a dinner briefing so we can give staff some direction.

Kimble: O.k.

Mitchell: Thank you staff we are adjourned.

Adjourned: 4:45pm.

Economic Development Council Committee
Tuesday, October 19, 2010 at 3:30pm
Charlotte-Mecklenburg Government Center
Room 280

Committee Members:	James Mitchell, Chair Patrick Cannon, Vice Chair Jason Burgess Andy Dulin Patsy Kinsey
Staff Resource:	Ron Kimble, Deputy City Manager

AGENDA

UPDATE on the FOLLOWING REFERRAL TOPICS to ED COMMITTEE
Staff: Ron Kimble, Deputy City Manager & Pat Mumford, Director, Neighborhood & Business Services

- ED Strategic Plan
- Grameen
- ReVenture
- Transitional Setback Issue Related to Independence Boulevard Area Plan

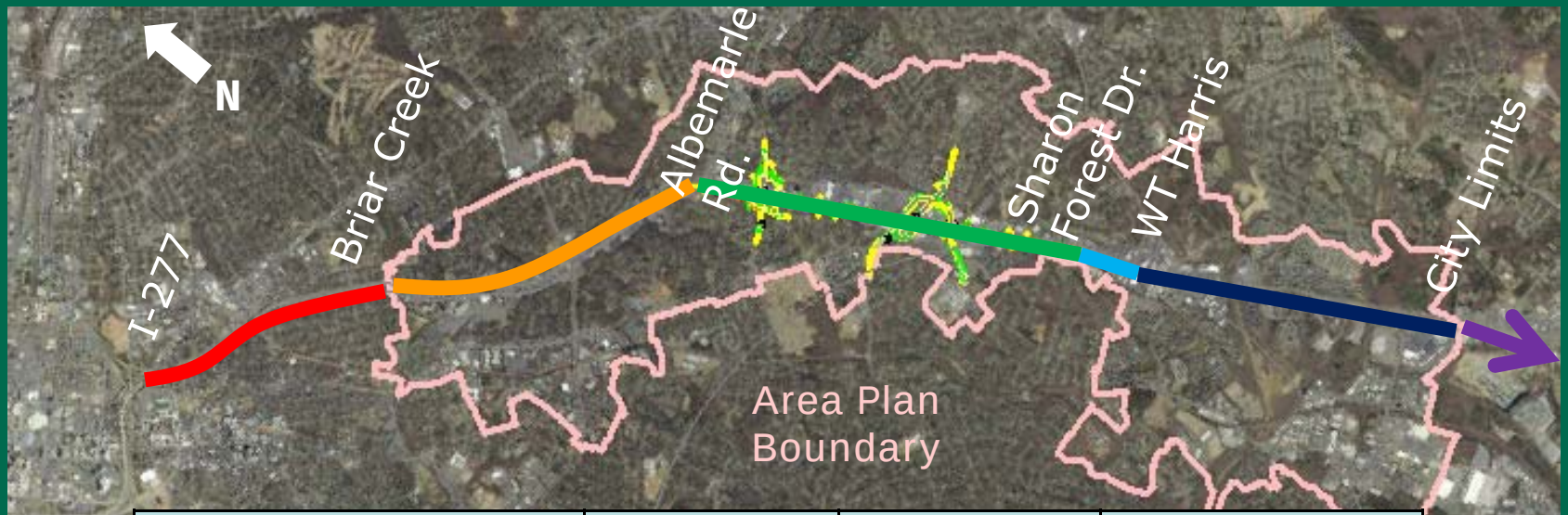
NEXT MEETING: Thursday, November 11, 2010 at 3:30pm, Room 280

Distribution: Mayor/City Council Curt Walton, City Manager Leadership Team Executive Team

ReVenture Park
WHITEWATER ELEMENTARY
BELMEADE DR.
FLEET VEHICLE CONVERSION
BIOFUEL PROCESSING
TRANS LOADING AREA
10 AC. COALOGIX
30 AC. BIOMASS-TO ENERGY PLANT
ALTERNATIVE FUELING STATION
EXISTING WWTF
LONG CREEK
75 AC. OFFICE/RESEARCH
DUKE POWER TRANSMISSION EASEMENT
175 ACRE CONSERVATION AREA
CAROLINA THREAD TRAIL
TORREFACTION UNIT
TRANSFER AREA
WOODY FUEL PROCESSING
BULK STORAGE
24 AC. SOLAR FARM
22.5 AC. FERC DUKE POWER
MECKLENBURG UTILITIES SITE
ALGAE FUEL PROCESSING/ NUTRIENT REMOVAL CELL
WASTE WATER TREATMENT
U.S. NATIONAL WHITEWATER CENTER
CATAWBA RIVER
COX RAILROAD
P & N RAILROAD
Forsite Development Inc.

CITY OF CHARLOTTE

Future Right-of-Way for Independence Boulevard (US 74)



Segment	*Prior to April 27, 2009*	*April 27, 2009 Amendment*	*2010 Option*
I-277 to Briar Creek	**350’**	**350’ (no change)**	**Eliminate**
Briar Creek to Albemarle Road	**350’**	**250’**	**Eliminate**
Albemarle Road to Sharon Forest Drive	**350’**	**250’**	**Eliminate after NCDOT certifies ROW acquisition is complete**
Sharon Forest Drive to W.T. Harris Boulevard	**350’**	**250’**	**250’**
W.T. Harris Boulevard to Charlotte City Limits	**350’**	**280’**	**280’**
In Matthews Town Limits	**350’**	**350’ (no change)**	**280’**