

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, November 27, 2017 at 5:20 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Dimple Ajmera, Ed Driggs, Julie Eiselt, Claire Fallon, Carlenia Ivory, Patsy Kinsey, LaWana Mayfield, Greg Phipps, and Kenny Smith.

**Absent Until Noted:** Councilmembers Vi Lyles and James Mitchell.

\* \* \* \* \*

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

**Councilmember Smith** said I have a question on Items 40 and 41; it says Civil A Contract for additional testing and inspections upon approval, and it looks like based on that contract what caused the additional increase? Where was the break down; did Norfolk Southern change half-way through? Did we not meet our obligations? I'm trying to figure out what caused that delay? I know we are still under budget, but it is an additional \$15 million.

**Danny Pleasant, Assistant City Manager** said what the cost increase and the delay?

Mr. Smith said it looks like the scope of work had to change because of the cost increase and had to do additional work. I'm trying to figure out what caused the delay; was it something on our end or was it on Norfolk-Southern end?

**Mayor Roberts** said do you want that pulled for a separate vote or is it enough if you get the question answered?

Mr. Smith said I want to see what the answer is.

Mr. Pleasant said we will get you an answer to that.

**Councilmember Mayfield** said Item No. 39, Charlotte Water Partnership for Discovery Place for clarification, they gave a response, but that response doesn't make a whole lot of sense to me.

**Councilmember Phipps** said Item No. 39, I want to make a comment about it.

**Councilmember Kinsey** said I was going to pull Item No. 39, because I'm still on Discovery Place Board, and I wanted to make a comment, but I'm just going to second what Greg says, if it is a nice comment.

Mr. Pleasant said we will be deferring Item No. 15 to a future Council Meeting.

Mr. Phipps said I had a question on Item No. 47.

Mr. Pleasant said the question you sent regarding the vehicles that are being procured through the various shared contracts? It doesn't indicate that those vehicles will actually come from the Houston area; it is just a mechanism for purchasing vehicles, they could come from anywhere.

Mr. Phipps said my question was do we have any assurance that that equipment was free of flood damage in as much as it came from Houston. You basically indicated that it really doesn't say where they come from.

Mr. Pleasant said we can attach to cooperative agreements for purchasing things like vehicles with other agencies that have already bid those and got a low price bid, so it just named several of the agencies, it will be attaching to their cooperative agreements. Those vehicles could be purchased from any source, not necessarily just from around where the agency does business.

\* \* \* \* \*

**ITEM NO. 2: CLOSED SESSION**

Motion was made by Councilmember Fallon, seconded by Councilmember Ajmera, and carried unanimously to go into closed session pursuant to G.S. 143.318.11(a)(3) to consult with attorneys employed or retained by the City in order to preserve the attorney client privilege and consider and give instructions to the attorneys concerning the handling or settlement of claims and Timothy Scott Bridges v. City of Charlotte, et al, 3:16-CV-564.

**Councilmember Lyles arrived at 5:25 p.m.**

\* \* \* \* \*

**ITEM NO. 3: AGENDA OVERVIEW**

There was no agenda overview.

\* \* \* \* \*

**ITEM NO. 4: COMMUNITY SAFETY UPDATE**

**Councilmember Eiselt** said Chief Putney gave us some great information in the Public Safety meeting the other day and in particular I hope Chief that you can mention how we compare to other municipalities our size with some of these statistics, because I felt that was really good information.

**Police Chief Kerr Putney** said this will probably be the shortest briefing you will have had in the last two years, but Ms. Pam Wideman needs all of my time, so the good lady of Neighborhood and Business Services should get an additional 20 minutes tonight. I will touch on a couple quick things, one of which is just an update on where we are crime rate wise and then have that in the context of our comparison cities. As you see in the far right column, that is year to date numbers through November 26, 2017. Down in overall and violent crime which is almost like earth shattering news to a lot of people. No surprise though, we are up relative to homicides, up significantly relative to homicides. Property crime we are down and in overall crime we are down over 4%. Homicide is where we intend to do a lot of work, because there was an editorial in the paper today that spoke to research that is pretty important to a lot of major cities across the country, and that is the secret to reducing and keeping the crime rate down is community empowerment; the work that we do with our non-profits and our community services partners.

This is the big thing that I want to talk to you about; spend a little bit of time here. We were challenged at the beginning of last summer by Councilmember Driggs to really hone in on how we compare to cities that are similar to us. As you remember, we had a lot of major cities including LA and New York; I didn't think New York was fair because New York has more cops per capita than anybody in the world I believe. These are the cities that we've chosen: Baltimore, Atlanta, Memphis, Nashville, Louisville Metro, Columbus, which is very, very closely populated and demographically very close to Charlotte. This is through September, and as I told you before our homicides are up by 12/6, this cut-off date of the end of September, but you see where we are relative to everyone else. Our overall ranking is the second column so even though we are not at all pleased with where we are in those categories, you see we are last when compared to everybody else in the rate of homicides. Sixth in other violent crime categories being rape; fifth in robbery and four, about the middle of the road when it comes to aggravated assaults.

Ms. Eiselt said just a technical question Chief, that references the City's population even though you cover the County, so is a comparison?

Chief Putney said this is what we looked at specific to jurisdiction, so for us it would be City and our ETJ.

Ms. Eiselt said is 847,000 we are not higher?

Chief Putney said we are adding 44 per day, so I'm sure it is higher than it was at that snapshot and again we try to be as precise as we can, but it depends on who you ask what that real number is. I think that is what we did Ms. Eiselt is split the difference. That is as scientific as I can make my answer, so that is where we are. We see we are in pretty decent position relative to other similar size jurisdictions. What is interesting is, when you look at Atlanta, we are almost twice the size of Atlanta and also as I said Columbus, which is the one that is pretty much considered our Sister City. How we got to where we are, there is a lot of great work that has been going on that I just want to touch on briefly. What is most interesting to me is in virtually every proactive category that we can capture the work of our officers, we've increased relative to last year. A few examples; citizen contacts which is officers just engaging with people they see in the public. We are up about 12% year to date over 67,000 such contacts. Field interviews, we are up about 1%, which is from 8,900 to over 9,000 so far. Our knock and talks which are the consent searches that we get relative to complaints from citizens, we are up there as well about 16% over 670 so far this year. Traffic stops are up 18%, over 88,000 traffic stops so far. The big one for me though is gun seizures; we've increase our gun seizures by 5%. We've seized over 2,000 guns so far in this jurisdiction this year. That is not very uplifting information; the positive is we are taking them out of people's hands, so they can't be used to commit violent crime. The negative is there are so many cases that we are dealing with it.

**Councilmember Driggs** said do you have prior year data for all those cities, and has their increase been similar to ours?

Chief Putney said everybody's is trending down, but it depends on the category. Everybody had been trending down for the last 10-years.

Mr. Driggs said homicides in particular.

Chief Putney said yes, what we see is a consistent slight increase with everybody but I believe Atlanta.

Mr. Driggs said the big increase that we've had of 43% is not reflected in the data for the other cities.

Chief Putney said no sir, not here. We have that data that we can provide about trend data.

Mr. Driggs said I'm just saying it does appear to be a local problem that the rate is going up so much.

Chief Putney said what I said was everybody but Atlanta I think has trended down and now we are going up in the area of homicide. Atlanta is the exception.

Mr. Driggs said right, so we are kind of in line with our peer cities in terms of the increase from last year.

Chief Putney said correct.

Mr. Driggs said I think this is really good information, and I hope we have a good way of getting it out so the public appreciates it because otherwise the headlines suggest this sort of mayhem that is peculiar to Charlotte.

Chief Putney said agreed, which is why we are really trying to increase our social media presence. For some reason and I will ask for your help with this; people don't friend us like they should so that we can get this information. People always say how do I not

know about it and my first question is do you follow us on Twitter? Do you follow us on Facebook? Generally, that answer is no. I get we are not exciting, as Pam is going to deliver and really wild you here in a minute, but I think this information is still pretty important.

Mr. Driggs said it is; thank you.

**Councilmember Mayfield** said looking at these numbers specifically around rape and aggravated assault, have you also looked at the correlation with our courts and the fact that a number of these people are repeat offenders, so are these numbers new numbers by new offenders or are these repeat offenders and that is contributing the numbers? It is a different conversation that we are not having with the Magistrate and with the Courts regarding this revolving door.

Chief Putney said the short answer is absolutely that is an issue, and it is repeat offenders that we are seeing committing most of our violent crime. We have about 20 that we've seen who has committed in excess of 2,000 offences over the last three-years, just those 20 repeat offenders. If you do that and multiply that by a multiple of 10 you see what is really driving our crime rate, especially in the areas of violent crime. What we are also seeing those same repeat offenders are jacks of all trades; they don't just commit violent crime they are also transitioning into some property crime and white color crime, which is what we are going to do a briefing on in a couple of days as well.

Ms. Mayfield said follow-up to that, and this may also be a question for our City Manager in partnership with you Chief, whether or not we can have a conversation with our court representatives to really look at the impact that we are seeing in community with repeat offenders and the impact that is happening on the ground residentially. When our officers go out and they attempt to make the arrest, it diminished because the potential perpetrator, for TV version of my knowledge of working with the Police, is they have no respect for law enforcement, because they already know from going through the system that there is no punitive impact with them being arrested. So, is there a way for us to have a real conversation with our Magistrates, with our new DA, to talk about what we can really do to address these numbers, because even with the high speed chase that we've been seeing on the news most recently, these are people when the reporters are reporting out on it showing that they've had multiple arrests ranging from non-violent to violent crimes, and at some point, unless we have a conversation with the Courts nothing is going to change. I don't know if that is something that you would lead or if that is in partnership with the City Manager's Office or if it needs to be referred to the Community Safety Committee.

Chief Putney said I will speak to that to the best of my ability. We have what is called a Criminal Justice Advisory Group that is a combination of all members of the Criminal Justice system. That group does continue to meet and are making the priority to be repeat offenders though hasn't really been on the radar of that group as of yet. Our main partnership there is around diversion, getting people out of the court system. To be quite frank, my frustration is that without really dealing with this holistically, obviously we are all for diversion, we divert a couple thousand people a year out of the system, we also have to hold accountable those who constantly and continuously commit crimes, and that is where I think another approach to get everybody on the same page would help. I am encouraged with the new District Attorney. We have a very good conversation about our efforts to go after those repeat offenders. I have a lot of good conversations; we will see what happens, and I am encouraged that he sees a priority. He comes from doing work especially in the area of homicides, so he has that violent crime appreciation. Also, his community engagement work has given him this conversation that we are having first hand, so I am encouraged that we can see some improvement. I just wish the whole system would prioritize it so that repeat offenders are held accountable.

**Councilmember Phipps** said Chief; what is our homicide closure rate?

Chief Putney said at last check it was 63%.

Mr. Phipps said does that comport with our goals of where we want to be?

Chief Putney said it is a little better than the national average, but it is not sufficient for us. We prefer to at least be in the 80% range, so there is still some work to be done there. That is again closely connected as we talk with community engagement work, because as you enhance and build trust you see that rate go up as well because people are much more willing to get involved, get engaged and help you solve those kinds of cases.

**Councilmember Ajmera** said Chief, thank you for giving the statistics out, because it shows relatively how as a City we are doing in terms of the crime statistics. Even one homicide is too many, and there is the reason that our City is continuing to attract a lot of folks; we have 44 people moving here every day, because we are one of the safer cities when compared to other cities. Relatively, yes we are safe, but I think we do have to continue to work to address and all the tools that we are using to address this issue, because I don't want the statistics to be used as something okay, we are relatively safe. Yes, we are, but how we are compared to a few years ago? I think that is our biggest concern, because obviously homicides have gone up so much, and this is where we need to continue to focus on and take all the steps we can to continue to make our City a safer place, so that we can continue to grow. We are ranked as one of the fastest growing cities for a reason, but I would like to understand what are some of the next steps, and I know that will be discussed at a later point with our Safety Committee and how we are addressing that.

Chief Putney said one quick thing that we have launched is the Community Empowerment Initiative that I alluded to in particular to address homicides and violent crime. A good example was the Thanksgiving Dinner that we spent with the Lakewood Community with our service providers. I don't like talking about the numbers, but I have to give you context, because as you said, that is 80 families impacted, but the other piece of that is the only way to prevent it is to do work while people are younger, is to heal individuals and give opportunities and jobs to people who otherwise are struggling to get them thus our work with diversion and the partners with Community Empowerment, but the other big piece is you are not just healing the person you've got to heal the family. We are looking at doing this work with them individual by individual, family by family, block by block. So yes ma'am, I think the reason 44 people per day are coming here is because they see great opportunity here and the reason for the numbers is we want to give some people some assurances that this is still a safe place, but we can't take for granted the loss of any life. Yes ma'am, I totally agree.

**Mayor Roberts** said we appreciate your update and good, work and sorry it is so rushed tonight because of all the things on the agenda, but I wanted to mention one more thing. In following up on the focus on repeat offenders, I spoke with the Mayor of Columbia, South Carolina, they had about a year ago a focus on repeat offenders that was really successful, so you might want to touch base with them. They've got a great model, and I think it is something we could probably do fairly easily.

Chief Putney said yes ma'am.

\* \* \* \* \*

## **ITEM NO. 5: HOUSING AND NEIGHBORHOOD SERVICES UPDATE**

**Pam Wideman, Director of Housing and Neighborhood Services** said I am very cognizant of your time, and I appreciate the opportunity to provide you yet another update so I will go through this really quickly. Before I start, I want to present to you all Miles Vaughn; Miles has been hired, and he is our Housing Services Manager, and he is going to be assisting in this effort very critical for us at this point in time. What I really want to leave with you all is kind of a path over the next six months. You all have done a lot of work around this, and I want to talk about three critical properties that we've been eyeing. We've been before you a number of times with a number update, and I think we were before you in August, October, and November, most recently with the new Council. This is not unique to Charlotte; most growing cities are facing this issue

and then I would say to you we all know that affordable housing is not the silver bullet; it is intrinsically linked to good paying jobs, education, and other services and policies. We are very fortunate in this community to have a lot of community partners working on this both the private sector, public sector, and non-profits, so I always want to remind us of that. Our policies really work to serve folks earning 80% and below the area median income; our policies continue to evolve. A lot of good things have come out of that evolution and just as our policies evolve your work evolves. You issue a letter to the Community in September of 2016, and we are 66% of the way there, but we have lots of work to do. There are lots of conversations going on in this community around affordable housing; that is a great thing, and I would add to that the Evergreen Group that spin out of Center City Partners; they've been talking about it as well. ULI has been a long time partner having discussions as well and the strategies are converging, so that is the good news. We know the need; we have a unit gap of about 22,000, but we can't stop there. We know that there are about 53,000 people in this community who are housing insecure meaning that they are paying more than 30% for their annual household expenses. In planning for tomorrow we have to account for those households too.

Over the next six months, what are we going to do? How are we going to get there? We are continuing to do our internal process improvements around our land development and our permitting process, not just here with the City but with the County as well. We are going to review our density bonus program; we issued an RFQ for some City land, and we talk about using publicly owned land and so we started with our own house. We had nine sites, and we received five proposals back, so we are going to evaluate those over the next 60-days and bring those to you for your consideration, and we still have this outstanding issue of our Housing Locational Policy. We are also going to continue our existing programs and then you will be determining what the next bond amount is and that will enable us to do things like acquiring other public property that I'm going to talk about in just a minute and also naturally occurring affordable housing. We've had lots of talk about this. There are many multi-family developments in this community that serve as affordable housing, but there are no long-term deed restrictions on those, and so people are at risk of being displaced. We want to be able to have some funding to acquire those as well and then we are going to monitor the tax reform. What I will tell you about this is that there is a House Bill and there is a Senate Bill; the Senate Bill is more favorable to the low income housing tax industry and we need to monitor that and we will continue to talk with our Lobbyist and keeping our eye on what the Senate is going to do. They are anticipated to approve the Bill by December, so we will be monitoring that.

Acquisition of publicly owned property, this is the big take away. We've been eying three schools that CMS has declared surplus property. These include Double Oaks and details of the site there is about 11 acres; all 11 acres are not developable. Wilmore is in close proximity to the light rail, and it is in a really opportune place to do some affordable and workforce housing. Finally, the Morgan Street School, lots of conversation about this school that is in the Cherry Community. What I would hope we can get from you tonight is some head nod or some strong incentive for us to go ahead and really begin negotiations with CMS about how we get land control of those properties. We need to get land control in a way that allows it to be developed for affordable and workforce housing. I don't know if that is through a lease; I don't know if that is a purchase, but we want to go ahead and begin those serious negotiations. We have some new school board members in place; we have a new superintendent, and so now we believe we have a great window of opportunity.

**Mayor Roberts** said I have a question about that, because I know that there are some schools that have in their deed that the County gets first right of refusal, and I want to make sure we look through all the paperwork on those three.

Ms. Wideman said the County always gets first right of refusal, and that starts with CMS declaring it is surplus and then when there is some negotiation, either a sale or lease it goes back to the County Commission for them to approve as well, so the County is involved.

Mayor Roberts said have we spoken with them about whether there is going to be an opportunity to have a conversation?

Ms. Wideman said the County Manager is open to the conversation; we just need to have a really good nod from you all so that the City Manager and the County Manager, Mr. Wilcox and the real estate staff so that we can have a really good conversation about how to acquire in a way that allows for creativity for financing from the development industry.

**Councilmember Driggs** said is the idea that we buy these properties and then we lease them to affordable housing developers or sell them? What is the transaction structure look like?

Ms. Wideman said Mr. Driggs, we don't exactly know what the transaction structure is. What you named are possible structures, so it could be an outright purchase. It could be some lease directly to the developer, a ground lease, or it could be some lease to us, but again we want to go ahead and really start to have those conversations. CMS has held those for us for a long time, and so we need to move on that, but we don't know the exact transaction structure at this point.

Mr. Driggs said the funds that are used to buy them come out of the Housing Trust Fund or what is the source of that money?

**Marcus Jones, City Manager** said right now, we are at the point where the school system has offered these to us, so as Pam was saying we are trying to be and so is Dr. Wilcox and even the County Manager, we are trying to see a creative way for us to acquire the property to be used for in part for affordable housing. What we are trying to get from the Council tonight is just the okay to begin the discussions, because they have been holding, because if the City decides not to participate then they would take it to the market, but we want to have that opportunity to have the discussion and make the decision.

Mr. Driggs said so we're expecting to get better terms buying from the schools than we would buying land anywhere else? Otherwise, I don't see what the special significance to these properties is.

Mr. Jones said typically, it has been a discussion about a purchase for fair market value. Right now, we are trying to have a discussion about something different than that. That would be an option, but it seems that the superintendent is open to a different model.

Mr. Driggs said we don't know yet where we would take the money from that would be used to buy if we did it. I think the idea is good, and it is consistent with conversations we had but there are a whole lot of important questions before we start nodding and saying sure go for it. That is my reservation; I would like to know more about what the transaction would look like down the road.

**Councilmember Eiselt** said when we worked on the Eastland property with CMS what it really came down to was a difference in opinion on valuations, because some piece of land that we have that we would view it for multifamily, we would probably value higher than a piece of land that the school would go after and that was the problem there, which we worked through. I don't know if that is an issue in these specific cases, but I do want to point out that we did drop our evaluation quite a bit in order for CMS to be able to acquire that property, so I hope they are collegial in that sense when they look at whatever the transaction structure is, and I know that is where the County piece comes in that the County says you have to get the highest value for it. I hope that is part of the discussion as well, that the overall goal for our community of wanting to have affordable housing.

Mr. Jones said exactly.

**Councilmember Kinsey** said I would give a big fat nod to go ahead with this; I guess I know a little bit more about it than some of my colleagues. At least two of the schools are of historic value; Morgan School in the middle of Cherry is very important to that community, and I would hope that building would be saved. I don't know if it is a designated historic property yet or not; I think maybe it is, but I'm not sure. I would hope that building is saved, and I think that is the intent if we go for it. Wilmore is the same way; it is an old school. It has a lot of history, and I remember talking to the former superintendent about that, and she was very keen on actually turning the school itself into apartments for teachers and then building around it. I love that idea. Double Oaks School I think has a long history; it is just a more modern school, but I think we should go ahead with all three but particularly with the intent of keeping the historic structures in Cherry and Wilmore.

Ms. Wideman said those are the conversations Ms. Kinsey that we have had to date around particularly Cherry and Wilmore and developing it for teacher housing or CMS staff housing, not just teachers.

**Councilmember Mitchell arrived at 6:41 p.m.**

**Councilmember Mayfield** said Ms. Wideman, just for clarification what we've been discussing in Housing and Neighborhood Development Committee is basically attempting to tract land that we may have access to, and that is the City's land as well as CMS as well as County and the possibility of relationships. I think you've heard from a few of my colleagues regarding the idea of making sure that this is as equitable as possible when we are looking at negotiations. Hopefully, there is full support for us moving forward with the conversation, and at this point that is all I'm hearing; this is not a commitment, it is a conversation, so I'm assuming that information would go to the incoming Housing and Neighborhood Development Committee for further scrutiny and discussion.

Ms. Wideman said I will follow the direction of the Manager and the Council, so yes.

Ms. Mayfield said so there would be expectation for as this information is being identified that it will be presented to the incoming Housing and Neighborhood Development Committee and not just move forward based on this current Council's head nodding of yes we want you to continue; there should be more information gathering.

Mr. Jones said we just need to get started. I think the school system has been very patient with us, so we just wanted to get it in front of the body tonight, and there isn't going to be something that is sewn up, but it is the beginning of discussion.

**Councilmember Smith** said I know that the Morgan School there is an investment group looking at it to put a charter school in and something, and I think CMS is holding back. I won't be here when you have to actually vote on what the deal transactions are, but I support having conversations to learn a little bit more about if there is a way to structure it to see if there is a win/win for the schools and the community. I do know from my day job that there are some folks looking at the Morgan School, and that is one that if we want it to be an opportunity we would be wise to have that conversation sooner rather than later.

**Councilmember Ivory** said I missed the presentation, but I think when you are having conversation I would like to have my input known that when it comes to the Double Oaks property, if there is an opportunity for us to negotiate and purchase that, we should do so. I worked there for 20-years; that building is in very, very bad shape; it is very dilapidated. It is now a sore site, and I've received several complaints regarding the upkeep of the Double Oaks School, and if there is an opportunity to place affordable, quality mixed-income housing there, we should do so as well I understand there is some conversation about maybe a vocational school that is job opportunities, economic development, and I think we should capitalize on that as quickly as possible.

Ms. Wideman said Ms. Ivory that is a kind of a nice Segway to my last point.

**Councilmember Phipps** said I wonder if we are getting conflicting information, because in my conversations with school board members they indicate to me that they are also looking at their surplus property with the eye on maybe repurposing some of them. I don't know if this list is as fluid as it is or not, but I would caution you that I think they are taking a second look to see if some of these sites are something that they might want to hold on to and develop at some point.

Ms. Wideman said Mr. Phipps, I can assure you that these three they have declared them surplus, and they have no further use for them for either a school or an office building. There are some that they are holding on to, to repurpose for an office building but these three in particular they have no further desire to use them, and they want to get them out of their inventory. They are just being very kind to us, because they know they are in opportune areas for affordable and workforce housing.

Ms. Mayfield said the last piece is more of a statement; I just want to make sure we are taking our time and not trying to rush through, because as you've already heard there is a conversation that needs to be had regarding our Historic District Commission, whether or not any of these three fall into that category and whether or not if there potentially has been an offer by the Historic Landmarks Commission for them looking at any of the properties. When Housing and Neighborhood Development Committee, starting under Councilmember Kinsey and then the year that I've been here, I've really been looking for what land do we have that is already zoned or can be rezoned, with looking a potential school site as a sub, because we do have quite a bit of undeveloped land still in the area and we have other land that is not tied to potentially historic district restrictions and/or conversations. I just want to make sure that we are moving the conversation carefully. I understand that CMS is anxious now, but this Council from everything that I've heard for the years that we've worked together, but we don't like receiving any information where now there is a rush on it, because we've been having this conversation, for Patsy two years now. It started when you started asking for us to pull the information together, so if there is a conversation specifically with CMS, I would hope that we not try to fast track that conversation.

Ms. Wideman said thank you Ms. Mayfield, so noted. This is probably the last time this body will hear from me as a collective about affordable housing. I just want to say Ms. Ivory, you are a new Councilmember, but you are quick study, and you've been very supportive of this issue. I personally thank you for that. Ms. Kinsey, thank you for sitting in those contentious meetings in Cherry and Belmont and very loudly demonstrating your support for affordable housing in neighborhoods where otherwise it might not have gone up and it is going up today. Mr. Smith you have proven that this is not a partisan issue, so I thank you for that sir. To each of you, I really do appreciate your commitment around affordable housing over the past two years, and I look forward to continuing with many of you.

\* \* \* \* \*

#### **ITEM NO. 6: ANSWERS TO MAY AND COUNCIL CONSENT ITEM QUESTIONS**

**Danny Pleasant, Assistant City Manager** said just as a reminder you will be deferring Item No. 15 in your Policy Agenda. There was a question on Item No. 40; it is a CATS contract for the Blue Line Extension, and that contract is absorbing the cost of rebuilding 36th Street underneath the tracks. It will not delay delivery of the Light Rail project, which is still scheduled to open in March; 36th Street could be a little bit later than that, but that is the reason for the delay. Item No. 39 just for clarification that is an item that Charlotte Water is involved with through Discovery Place. Discovery Place staff will actually go into the schools themselves and deliver the information that is provided by Charlotte Water. There was a time a few years ago that the schools actually took field trips to Charlotte Water to learn this information, but since the school system is restricted travel and field trips by the students Charlotte Water has to go to the schools through Discovery Place.

**Councilmember Smith** said just for clarification it says Civil-A contractor's work has been increased due to additional testing, inspections and approvals required by Norfolk-Southern Railway, but the Railroad has not moved the goal post on us. I just want to make sure that we weren't at fault for the delay but has the railroad changed anything on us procedurally that is making it harder or more expensive for us to do the work.

Mr. Pleasant said I will look to John Lewis to come help address that issue. I think the issue we are crossing into the Railroad's property, and we have to abide by the rules that they want us to abide by in reconstructing. In this particular case, the Railroad itself is not creating a delay for the Blue Line Extension, but we needed to work with Railroads to get access to the 36th Street crossing area that crosses their right-of-way.

**John Lewis, Transit Director** said I do want to reiterate what Danny has stated on this. We have been working with Norfolk Southern; there are three major projects going on outside of this: the Sugar Creek Station, our project, and also another NCDOT project. The issue surrounding the delay have been more about us coordinating these three pretty significant projects and Norfolk Southern has not moved the goal post in that regard. It is just the complication of those three projects in that vicinity that has caused the delay outside of the Blue Line Extension that we are talking about.

Mr. Smith said I don't need to pull that item.

The Dinner Meeting was recessed at 6:52 p.m. to move to the Council Chambers for the Public Forum and the regularly scheduled Public Forum and Business Meeting.

\* \* \* \* \*

## **PUBLIC FORUM**

The City Council of the City of Charlotte, North Carolina reconvened for a Public Forum on Monday, November 27, 2017 at 7:03 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Dimple Ajmera, Ed Driggs, Julie Eiselt, Claire Fallon, Carlenia Ivory, Patsy Kinsey, Vi Lyles, LaWana Mayfield, James Mitchell, Greg Phipps, and Kinney Smith.

\* \* \* \* \*

### **The Need for Transitional Housing**

**Sonja Chisolm, 245 North Hoskins Road** said I won't take the whole three minutes; I just want you to know who I am and why I'm here. I am the co-founder of Gracious Hands Transitional Housing for homeless women and children. I have been in the community since 2015, and since 2015 I've housed 190 people; 86 of those people are women; 95 are children. Without there being a place called Gracious Hands, these children and women would have been homeless. I know that you guys are speaking of affordable housing, and I know that is one of the long-term goals. I want to know right now, I do this off the back of my brow, I signed up for it as well as you signed up for your jobs, so I'm not complaining. I'm just wondering if there is anything that you guys can do to help me to continue to bridge this gap in Charlotte. As you know, gentrification is at its finest. We are number nine when it comes to evictions here in Mecklenburg County alone. I'm turning down five to 10 families a day; five to 10 families a day. All of the large entities are full and have been full since June. I want to know, what is it that you guys can do to help me with what I'm doing, because it is a need. We can't keep pushing it under the rug. Yes, affordable housing is coming, but it is not coming tomorrow. Gracious Hands is here now, and I promise you; you asked me for a vote; I get out, and I vote, and I'm asking you to help me. I'm not asking you to give me anything; I'm asking you just to come out, come and see what I'm doing. By the way, I have transitioned out 35 families, and my husband and I do this, and I'm not bragging, because you know when God gave me this gift it is a vision. It is from Him. I'm not that good, so I'm not trying to take any credit; I'm not that good. I just want you to know that there are great people out here in the community that are doing the work that you guys

didn't sign up for. I want to continue to vote for you guys, but I'm asking you to please come out and see what it is that you can do to help me to help the City of Charlotte, because when I help every family that I take in, every child that is no longer homeless can go to school now, because without an address not only do they not have a home but they get deprived in education because they do not have an address. At some given point in time, I'm just asking that you think about Gracious Hands, reach out to me as well as I came out to reach out to you.

### **Sink Holes**

**Gina Gupton, 733 Belmeade Green Drive** said I am the President of the Belmeade Green Homeowners Association in northwest Charlotte, near the Mt. Holly border. Our subdivision is about 16-years old, and we presently have a sink hole that has been growing for the past five years. The boundary line of where the sink hold is in the back of a homeowner's house, their backyard, and our common ground area. The issue we are having is that we are in the queue; it's taken years for us to get in the queue for the City Storm Water department to come and get this issue resolved. It is extensive; it derives from the stormwater pipes quality; the quality of the workmanship was so poor that it is crumbling. The sink hole is only continuing to grow, and it is going to be two-years until we are able to get it rectified. It is a quarter of a million dollar job, and we are told that the only way that we can move up in the queue, meaning that we can get this sink hole rectified would be if our street would cave in and then it would become a public safety issue. I'm asking the City Council to please consider two things: when construction companies give a million dollar bond as collateral to the City, before they close out the job, there needs to be some oversight, because what is happening is that you, the City Council and us as citizens are paying for this quarter of a million dollar job, and when the construction is done there is no-one, we are assuming, checking the types of materials that are being used. These stormwater pipes, the length of time they are supposed to last is a greater length of time than 15 years. We are in a quandary, and we need your assistance. We have it completely gated off; it is definitely a liability issue, but what I am asking you to consider is the oversight for any construction in the City of Charlotte needs to have another department, a division, some other check and balances, because this quagmire that is created is now going to affect the homeowner, our quality of life and we don't want to make the news with any person getting hurt.

### **Housing and Citizens of Charlotte**

**Gail Adams, 1003 McArthur Avenue** said I am happy to be here, and I would like to tell you something about why I'm here today. We always go to a lot of concerts. We seem to be just dancing and singing, and we are always happy but we never use that dancing and singing to benefit anything, so this is why I wear the shirt that you see me wearing now. It says "Let us Stand up for The Man," This is a song that is on YouTube that I sing acapella, and it is about the state of the world right now. The reason I call it Jukebox Queen my company is because I write all kinds of songs, and I am getting recognition from many companies, but my dream for the City of Charlotte and my friends is that the song Let us Stand Up for the Man will become a great song. It will give us enough money to get mini shelter project started. What the mini shelter project will be is units that will house 50 homeless people, not so much homeless people that have no money, but low income people like your corporates McDonald's and Walmart and all these people that live in the rooming houses that many of churches run charging our poor people \$150 for one room. It is very sad when the churches are hustlers, so why do we expect anyone else not to keep us in a hole. As I say, the Jukebox Queen here, I have a CD, and this CD was made in [inaudible] Three Studios, and it has some of the songs that I call mine; three songs from my 21 songs catalog, and I have music here, studio musician because a gentlemen from my church could not come, because he had to go to work. That was because of course he thought he wouldn't get paid and sometimes you know we have to go to professionals. This is why I hope we will stop singing and dancing at everyone's concert except our concert, and as I told the lady when I called in if someone would rent the Bojangles Area for two days, we could raise enough money, not only to rent a school, to lease a school, but we could start mini shelters all over the City, buildings that house 50 people, and my role model would be

Church in the City. They have a shelter that houses 50 women, so while all of you sit there and look down your noses, wherever you are in the world, please remember that you can do work if you stop dancing and singing to everybody's tune, because the richest celebrities in the world they have their charities in their city. We have many celebrities here, but no-one really cares until that is your mother or sister sitting uptown for no reason. When your family members aren't with them in your house, what do you think that means to people? I just think Charlotte doesn't need to look like we look now; I know that we have wonderful Mayor; we have a new Mayor coming in. I know that she will want to see the women and children of Charlotte have a place, but we have too much money in Charlotte, too many empty buildings, too many beds that need to be bought and put somewhere and too many people who need a job; they can work in these places.

### **The Power of Prayer**

**Allan Lee Jackson, 201 West 10th Street** said I am a single parent; I have two daughters, one 18 and the other 14. My 18-year old just graduated from high school with a two-year associate's degree, and my 14-year old is in Junior High School. My topic is putting prayer back in schools. I appeal to our judges, to our elected officials, who we have entrusted to carry out the laws of our land for the betterment of our nation, but our laws must be steeped in wisdom and wisdom only comes from the Word of God which is the scriptures. If one was to look at the Bible, in its essence, it talks about the coming of Jesus Christ, His arrival, His birth, His ministry, His death resurrection. He told his disciples to pray and for us to cease to pray without ceasing. What part of that do we not understand? When we have atheist who tell us to take prayer out of schools, the Bible says an atheist is one who says there is no God. That is saying then the Bible says whoever says there is no God he is a fool, so we have let a fool take prayer out of schools. We need to stop the madness; put prayer back in schools because prayer is what Jesus told us to do. Now, Jesus is Lord, and He said why call me Lord if you don't do what I say. Put prayer back in schools. The effectual fervent prayer of the righteous availeth much. Look what has happened the moment we took prayer out of schools; we let the devil in. What has happened to our schools? We had a teacher who did not give her son the word of God but gave him a gun. His first thing he did was turn on her, shoot her in the face and then went to the school and murdered babies, our children. We must put prayer back in public schools. I tell you why we need to stop the madness; stop the madness. We have children who need our leadership by example. God tells us there is a way that seems right to a man but the end results there is death. We are to lean not upon our own understanding but acknowledge Him in all our ways so that He will direct our path, commit our works, our officials when you all worked, commit your works unto the Lord and He will establish your thoughts. What is better than God to establish your thoughts?

### **Side Underride Guards for Tractor Trailers**

**Dre Fleury, 1414 Devon Drive** said I'm here to discuss an issue of public safety. I'm passing out a PowerPoint slide that I won't be able to get through, but I hope you will take some time to look at if you can. If you will open it you will see the main issue I want to discuss is something called side underride guards for tractor trailers. This is an example of one; you've probably seen the rear underride guards on tractor trailers that prevent vehicles from going up under them. The reason for that is the airbag sensor is on the bumper and when you go up underneath the rear of a truck it doesn't trigger the airbag sensor, so people can be decapitated. The same thing happens on the side guards of 18-wheelers, but it also happens to pedestrians and cyclists. That is really the focus for the conversation. I'm trying to get the City Council of the City of Charlotte to consider a conversation about getting an ordinance passed that would require City purchased vehicles and there are several different types of commercial vehicles that benefit from side underride guards. Get the ones the City purchases going forward to come equipped with this safety device and also require at some point in the future contractors who do business with the City to have these on their trailers. If you go through the PowerPoint, there are some key stats that I think are important. Tractor trailers represent 4% of all vehicles on the road, yet they represent 11% of bicycle

fatalities and 7% of pedestrian fatalities. I have clients in my law firm and the estates of people who have been killed in this very situation. When a tractor trailer turns a corner and the City streets aren't designed for this, we all know the curbs are black from the wheels going up on it. Well, if that your grandmother or someone pushing a stroller, the trailer unit comes back over the person and pushes them down instead of the side guards pushing them away. These side guards are required in many cities across the country; they've been required in the UK since 1983; Europe since 1987. If you go through some of these PowerPoint slides hopefully it is pretty self-explanatory. I have model ordinance for you guys to consider and whatever Committee would pick that up. I would love for you to contact me to discuss this issue, and I also have the contact in New York City, Fleet Management who is in charge of this project. They already have second generation trucks going on the road after the trailers were decommissioned that had side underride guards. They are able to take those off and put them on the new trailer which cuts the cost of it in half. Here the cost is anywhere from \$1,200 to \$1,500 per trailer. In Europe, where the economy is to scale, it is less than \$400 per installation of these very robust guards. This is aluminum; this is just one company that sent me some samples. We don't have any pecuniary interest in this; it is simply a matter of making the roads of Charlotte safer. I've also partnered with bike groups, Carolina Cycling Team, the National Cycling Center in Winston Salem.

### **Code Enforcement and Safety Issues**

**Karen Jensen, 311 Baldwin Avenue** said two months ago I came home to find that my home had been robbed, and this was just the latest illegal assault on my home where I should have peace and safety, but it has been violated repeatedly by the City of Charlotte and the two people that live next door to me. You know them; you know their names. You've seen them on video; you've seen their convictions in court. These crimes are going due to the police misconduct that I have reported to the City. Thanks to the security cameras that I had to purchase for the ongoing crimes I had a video and I reported within less than 30 minutes exactly who came to rob me; it was the City of Charlotte. Of course I had informed everybody prior to that of the threats to come and rob me and the other threats to file criminal actions against me and fine me based on an alleged criminal condition, because I had empty flower pots on my front porch. This harassment; these illegal threats have not stopped. I reported all of that to the City Manager, to the City Attorney, Mr. Hagemann and Mr. Jones sitting right here, many of you sitting up here, the Sheriff, the Police Chief. The denials continue and when I came home to find that my things were gone and reported that I asked for them to be preserved. My art and my furniture stolen from my house by you; I don't have the records of that today, but as a law of the state you are mandated to give me those records, and you haven't much like you haven't on every other incident that I have requested. The men next door to me have been convicted of assault; they have been convicted of threatening to shoot and kill me by jury, by judges, and you keep lying about it. You keep helping them in court; you send the City Attorney to come and defend the men who have been convicted of threatening to shoot and kill me. Over and over again, threatening to put me in jail for asking for these records, either you really love these convicted criminals, or you are really scared of what is in those records. I have a theory on which it is. I'm tired of being lied to; I'm tired of being lied about, and I'm tired of you helping the criminals next door, and you violated my home. You send eight men including an armed police officer to my home to rob me, and you can talk to yourselves and look around all you want to. I'm going to get an answer; it is just how long you are going to torture me and how much harm you are going to do. I don't know why you think it is okay to come to court and have your attorneys, Daniel Peterson and others, swear under oath to false statements, swear there are no crimes. Your Police Chief is swearing there has never been a crime committed against me, and any idiot can look up in the records and see the convictions. Joseph Blakeley has been adjudicated a liar.

### **Charlotte Mecklenburg Youth Council – National League of Cities**

**Jalen Lowery, 5570 Whisperfield Lane** said I go to Hawthorne Academy; I'm the Student Body Vice President, and I'm also a member of the Charlotte Mecklenburg Youth Council, and the Vice President of that also. CMYC is the official and

interconnected Youth Advisory Council for the City of Charlotte, Mecklenburg County and CMS. We thank the City for supporting the amazing and innovating CMYC partnership between local Government Youth Schools and Generation Nation. This program has changed my life. We are a diverse group of youth representing schools and neighborhoods across the City. We have advisory and adult leaders who are active in helping solve civil challenges, which we carry about such as economic opportunity, education, and community safety. Together we are dedicated to making Charlotte a Winning City. Since our last report to you two months ago, Charlotte's Youth Council has been even busier. We interviewed candidates, worked on campaigns, educated students about City government, and engaged them in the local election. We helped host the Community Forum at the Bank of America Stadium about social capital and opportunity and enjoyed seeing the City Manager and other City officials with us there. Our Youth Council, CMPD, and City sub-committees met with and advised Chief Putney and 16 CMPD recruits in our running CMPD toy drives at 20 schools. Our community relations sub-committee is helping the CRC; we are planning student town halls across the City. We hope you will participate. The NLC City Summit was a huge project for CMYC; five of us served on the NLC Youth Delegate Planning Team. Charlotte's Youth Council really stood out. We played a big role in planning the entire NLC Youth Conference, delivered the youth welcome and helped the City host youth at Carowinds and organized or led presentations on topics such as gentrification, affordable housing diversity, inclusion and social medial. Many Youth Council members were involved in NLC Charlotte's activities, with 10 of us representing Charlotte, at the full conference. We welcomed everyone we met; we loved helping host the NLC. We thank our City leaders for making Charlotte Youth Council partnership the big success it is today. Now that the election and NLC are over, we will be in touch to schedule meetings with you and discuss more ways we can connect and work with you about the City's work. We want to work as partners; we can change our City for the better.

#### **Improved Public Safety on Latrobe Drive**

**Sue DuChanois, 5852 Coatbridge Lane** said a year ago, a mob descended on the street in front of the clinic on Latrobe Drive that performs abortions. I observed over 3,000 people flooding the street, blocking the clinic entrance and stopping traffic. Police have been called but they are really unprepared and not able to control the crowd. For years, protestors have been trying to impede women from reaching their appointments by blocking the site going to the clinic parking lot and rushing into the street to confuse drivers and stopping. In doing so, they create a public safety hazard for the driver, the passengers, the protestors themselves, and others trying to access business on Latrobe Drive. For years, requests for assistance from the Police have fallen on deaf ears. Since then, several concerned persons like me have come to talk to you respectfully about this issue. Several of you have started a dialogue about public safety concerns these protest create. I'm here today to thank you members of Council, to thank you City Administration and to thank you CMPD for starting to listen and beginning to take small steps to remedy a problem that has gone on for too long. First a parade permit is now required for these huge crowds. This weekend we anticipate 7,000 to 10,000 people making that same parade on Latrobe Drive. This is going to test CMPD's ability to control a large crowd in such a small place, but I believe they can do it. Next on Saturday's little orange cones are placed on either side of the clinic driveway; this is not totally adequate, but at least it gives the drivers a target to aim for between the parked cars, the RV's and the police and the protestors standing in the street. Finally, on Saturday's police are present and while they do not keep people out of the street they are making more frequent attempts to monitor the noise ordinance; however, adequate monitoring will never be possible without technology versus manual solutions as protestors continue to disrespect the police by alternating between speakers. Like I said, small steps on Saturdays for a six-day problem but change that is appreciated and attention that is very welcomed. There is always room to improve; I look forward to continued efforts to provide a safe environment while insuring the rights of both patients and protestors. I have to say that I am always amused when the protestors complain that laws should not be enforced now because they weren't enforced in the past. I'm not going to try that logic when I'm finally stopped for speeding, because I don't think it is going to work. I'm a frequent attendee to these meetings; I'm always encouraged and

proud when watching how this body functions. You are smart; you are inquisitive. You are congenial; you respect the differences of opinion, and sometimes you are downright humorous. I particularly want to thank our outgoing members: Ivory, Kinsey, Fallon, Roberts, and Smith. Our new members have big shoes to fill; I sincerely hope they are up to the task.

\* \* \* \* \*

## BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina continued with the Business Meeting on Monday, November 27, 2017 at 7:34 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Dimple Ajmera, Ed Driggs, Julie Eiselt, Claire Fallon, Carlenia Ivory, Patsy Kinsey, Vi Lyles, LaWana Mayfield, James Mitchell, Greg Phipps, and Kenney Smith.

\* \* \* \* \*

## INVOCATION AND PLEDGE

**Mayor Roberts** said the invocation is a personal expression by the member, intended to solemnize our proceedings. It is not an endorsement of any particular religious belief, rather we note and celebrate the diversity of our community, including our religious diversity and including those who do not have a religious faith. You are welcome to stand, but you are not required to do so. I will however ask everyone to stand for the Pledge of Allegiance.

Councilmember Fallon gave the invocation followed by the pledge of allegiance to the flag.

\* \* \* \* \*

## CONSENT AGENDA

Motion was made by Councilmember Driggs and seconded by Councilmember Fallon to approve the Consent Agenda as presented with the exception of Item No. 39, which was pulled for separate vote.

**Councilmember Ajmera** said Item No. 30 is for approving the infrastructure reimbursement on the east side. This is a great project, and I do want to give kudos to our staff and developer for redeveloping the Coliseum Shopping Center. Many months ago I met with a developer who wanted to redevelop this site and had faced many challenges and had worked with staff to bring the quality development that I think we can all be proud of. That is going to bring retail and an auto dealership, so I'm very excited about that as are the residents of District 5. I think our development team and our staff for continuing to bring opportunities on the east side.

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

The following items were approved:

### **Item No. 21: Federal Lobbying Services**

(A) Approve a contract with Holland and Knight LLC for federal lobbying services for an initial term of three 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 purpose for which the contract was approved.

### **Item No. 22: Police Helicopter Maintenance Services and Fuel**

(A) Approve a three-year contract with Ascent Aviation Group Inc. for helicopter fuel as authorized by the Gas, Fuel and Oil exemption of G.S. 143-129(e) (5), (B) Approve a three-year contract with Standard Aero (Alliance) Inc. for turbine engine and

maintenance services, (C) Approve a three-year contract with Bell Helicopter Textron, Inc. for maintenance and training services, (D) Authorized the City Manager to negotiate and approve up to two, one-year renewal options with Ascent Aviation Group, Inc., Standard Aero (alliance) Inc., and Bell Helicopter Textron, Inc. and (E) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 23: South End Pedestrian/Bicycle Connector Project**

Approve a contract in the amount of \$283,075 with Kimley-Horn and Associates, Inc. for planning services for the South End Pedestrian/Bicycle Connector Project.

**Item No. 24: Providence Road Sidewalk Project**

Award a contract in the amount of \$456,982 to the lowest responsive bidder Sonny Development LLC for the Providence Road Sidewalk project.

**Summary of Bids**

Sonny Development LLC	\$456,982.00
Zoladz Construction Company, Inc.	\$687,000.00

**Item No. 25: Fire Station 4 Roof Replacement**

Award a contract in the amount of \$208,500 to the lowest responsive bidder Davco Roofing and Sheet Metal, Inc. for the Fire Station 4 Roof Replacement project.

**Summary of Bids**

Davco Roofing and Sheet Metal, Inc.	\$208,500.00
Radco Construction Services, Inc.	\$211,000.00
Rike Roofing Services, Inc.	\$215,000.00
Owen's Roofing, Inc.	\$222,694.00
Johnson's Roofing Service, Inc.	\$253,000.00
Tecta America Carolinas, LLC	\$268,100.00
Interstate Roofing Company, Inc.	\$310,000.00

**Item No. 26: Spectrum Center Architectural Amendment #1**

Approve contract amendment #1 for \$475,000 to LS3P Associates, Ltd for architectural services.

**Item No. 27: Real Estate Appraisal Services**

Approve contracts with the following companies for real estate appraisal services for a three-year term: Locally Funded Projects (totaling \$5,205,000) BBG, Inc. \$450,000; Cushman & Wakefield of North Carolina \$525,000; Fortenberry Lambert, Inc. \$600,000; Integra Realty Resources – Charlotte, LLC \$825,000; JD Parker & Associates, LLC \$450,000; James Owens Appraisal \$600,000; T. B. Harris, Jr. & Associates \$915,000; The Hopkins-McElhannon Group, Inc. \$600,000 and Valbridge Property Advisors dba John Bosworth & Associates, LLC \$240,000. Federal Highway Administration/North Carolina Department of Transportation Funded Projects (totaling \$2,175,000) BBG, Inc. \$150,000; Cushman & Wakefield of North Carolina \$300,000, Fortenberry Lambert, Inc. \$300,000; Integra Realty Resources – Charlotte, LLC \$375,000; JD Parker & Associates, LLC \$300,000; James Owens \$300,000; T. B. Harris, Jr. & Associates \$150,000; The Hopkins-McElhannon Group, Inc. \$150,000 and Valbridge Property Advisors dba John Bosworth & Associates, LLC \$150,000. Federal Transit Administration Funded Projects (totaling \$1,230,000) BBG, Inc. \$150,000; Cushman & Wakefield of North Carolina \$150,000; Fortenberry Lambert, Inc. \$150,000; Integra Realty Resources – Charlotte, LLC \$150,000; JD Parker & Associates, LLC \$150,000; James Owens \$150,000; T. B. Harris, Jr. & Associates \$90,000; The Hopkins-McElhannon Group, Inc. \$150,000 and Valbridge Property Advisors dba John Bosworth & Associates, LLC \$90,000. Housing and Urban Development Funded Projects (totaling \$1,200,000) BBG, Inc. \$150,000; Cushman & Wakefield of North Carolina \$150,000; Fortenberry Lambert, Inc. \$150,000; Integra Realty Resources – Charlotte, LLC \$150,000; JD Parker & Associates, LLC \$150,000; James Owens \$150,000; T. B. Harris, Jr. & Associates \$150,000 and the Hopkins-McElhannon Group, Inc. \$150,000.

**Item No. 28: Real Estate Appraisal Review Services**

Approve contracts with the following companies for real estate appraisal review services for a three-year term: Locally Funded Projects (totaling \$1,695,000) Kathryn Bunker \$225,000; T. B. Harris, Jr. & Associates \$60,000; The Hanes Group, Inc. \$675,000; Valbridge Property Advisors dba John Bosworth & Associates, LLC \$60,000; William R. Morgan Company \$675,000. Federal Highway Administration/North Carolina Department of Transportation Funded Projects (totaling \$600,000) Kathryn Bunker \$150,000; The Names Group, Inc. \$225,000; William R. Morgan Company \$225,000. Federal Transit Administration Funded Projects (totaling \$570,000) Kathryn Bunker \$150,000; T. B. Harris, Jr. & Associates \$60,000; The Hanes Group, Inc. \$150,000; Valbridge Property Advisors dba John Bosworth & Associates, LLC \$60,000; William R. Morgan Company \$150,000. Housing and Urban Development Funded Projects (totaling \$300,000) Kathryn Bunker \$75,000; The Hanes Group, Inc. \$75,000; Valbridge Property Advisors dba John Bosworth & Associates, LLC \$75,000 William R. Morgan Company \$75,000.

**Item No. 29: Real Estate Right-of-Way Acquisition and Relocation Services**

Approve contracts with the following companies for right-of-way acquisition and relocation services for a three-year term: (A) Locally Funded Projects (totaling \$15,750,000) Cityscape Acquisition, Inc. \$3,150,000; Gulf Coast, LLC \$3,150,000; Michael Ryan Realty, Inc. \$3,150,000; Professional Land Management, LLC \$3,150,000; Telecommunication & Industrial Consulting Services Corporation (TELICS) \$3,150,000 (B) Federal Highway Administration/North Carolina Department of Transportation Funded Projects (totaling \$6,000,000) Gulf Coast, LLC \$2,000,000; Professional Land Management, LLC \$2,000,000; Telecommunication & Industrial Consulting Services Corporation (TELICS) \$2,000,000. (C) Federal Transit Administration Funded Projects (totaling \$1,500,000) Professional Land Management, LLC \$750,000; Telecommunication & Industrial Consulting Services Corporation (TELICS) \$750,000. (D) Housing and Urban Development Funded Projects (totaling \$750,000) Gulf Coast, LLC \$750,000.

**Item No. 30: Manchester NC Coliseum, LLC Developer Infrastructure Reimbursement Agreement**

Approve an infrastructure reimbursement agreement in an amount up to \$250,000 with Manchester NC Coliseum, LLC for storm drainage improvements at 3702-3750 East Independence Boulevard.

**Item No. 31: electronic Document Management System Amendment**

(A) Approved contract amendment #3 to the Hyland OnBase Electronic Document Management System for the purchase of additional license and services, (B) Authorize the City manager to purchase maintenance and support under the existing OnBase contract for as long as the City uses the system, and (C) Authorize the City Manager to purchase additional software licenses, services, and hardware as needed from time to time to optimize the City's use of the system and to approve other amendments consistent with the City's purpose for which the contract was approved, including price adjustments.

**Item No. 32: FY 2018 Water Main Replacements**

(A) Award a contract in the amount not to exceed \$1,527,663.69 to the lowest responsive bidder R. H. Price, Inc. for the FY 2018 Water Main Replacements project and (B) Authorize the City Manager to approve up to two renewals in the same amount stated.

**Summary of Bids**

R. H. Price	\$1,527,663.69
Propst	\$2,047,231.20
Dallas 1	\$2,257,129.35
State Utility	\$2,720,928.00
Hall	\$2,911,664.70

**Item No. 33: FY 2018 Water and Sewer New Service Installations #2**

(A) Award a contract in the amount not to exceed \$2,336,510 to the lowest responsive bidder, State Utility Contractors, Inc. for the installation of water and sewer services, and (B) Authorize the City Manager to approve up to two renewals in the same amount stated above, plus or minus possible price adjustments based on Engineering New Record Construction Cost Index, and to amend the contract consistent with the purpose for which the contract was approved.

**Summary of Bids**

State Utility	\$2,336,510.00
BRS, Inc.	\$2,456,608.00
Propst Construction	\$3,551,075.00

**Item No. 34: Irvin's Creek Tributary Trunk Line Design-Build Services**

Approve a contract in the amount of \$838,276.96 with Garney Companies, Inc. for the Phase 1 design-build services for the Irvin's Creek Tributary Trunk Line Project.

**Item No. 35: Wilmore Drive/Park Avenue and Little Sugar Creek Tributary Trunk Sewer to North Tryon Street Sanitary Sewer Design-Build Services**

Approve a contract in the amount of \$1,979,256.83 with Sanders Utility Construction Co., Inc. for Phase 1 design-build services for the Wilmore Drive/Park Avenue Sanitary Sewer Replacement Project and the Little Sugar Tributary Trunk Sewer to North Tryon Sewer Replacement Project.

**Item No. 36: McAlpine Creek Wastewater Treatment Plant Project Owner's Advisor Services**

Approve a contract in the amount of \$499,465 with CDM Smith, Inc. for Owner's Advisor Services for the McAlpine Creek Wastewater Treatment Plant Nutrient Harvesting Project.

**Item No. 37: Wastewater Lift Station Pump Parts and Grinder Unit Replacements**

(A) Approve the purchase of Grundfos Pump products, as authorized by the sole source exemption of G. S. 143-129 (e) (6), (B) approve a contract with Carolina Pumpworks for the one time purchase of replacement pump parts and grinder units for sic Lift Stations.

**Item No. 38: Waste Removal and Container Rental Services**

(A) Approve a unit price contract with Republic Services, Inc. for Waste Removal and Container Rental Services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to one, two year renewal terms and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 40: Blue Line Extension Construction Contract Amendments**

(A) Approve contract amendment #5 for \$2,900,000 to Balfour Beatty Infrastructure, Inc. Blythe Development Company, Joint Venture (BBJV) to complete civil construction for Segment A of the LYNX Blue Line Extension, and (B) Approve contract amendment #3 for \$900,000 to Edison Foard for the Blue Line Extension Station Finishes contract.

**Item No. 41: Blue Line Extension Support Services Contract Amendments**

(A) Approve contract amendment #7 for up to \$8,300,000 to HNTB North Carolina PC for construction management services for the Blue Line Extension project, and (B) Approve contract amendment #8 for up to \$2,900,000 to STV Engineers, Inc. for design and construction administration services for the Blue Line Extension project, and (C) Approve contract amendment #9 for up to \$300,000 to Kleinfelder Southeast, Inc. for construction materials testing and special inspection services for the Blue Line Extension project.

**Item No. 42: Aviation Building Operating Systems Contract**

(A) Approve a unit price contract with Johnson Controls, Inc. for Building Operating Systems services for an initial term of five 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 purpose for which the contract was approved.

**Item No. 43: Aviation On-Call Electrical Services Contracts**

(A) Approve unit price contracts with the following companies for on-call electrical service work for an initial term of three years: Besco Electrical, and AKW Electrical Contractors, and (B) Authorize the City Manager to renew the contracts for up to two additional, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 44: Airport Terminal Reimbursement Agreement**

(A) Approve a reimbursement agreement between Aviation and XpresSpa in an amount not to exceed \$250,000 for building modifications in the Airport Terminal, and (B) Adopt Budget Ordinance No. 9222-X appropriating \$250,000 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

The ordinance is recorded in full in Ordinance Book 61, at Page 177.

**Item No. 45: Airport Vertical Trash Compactor Electrical Services**

Award a contract in the amount of \$310,633 to the lowest responsive bidder Besco Electrical to provide electrical services for the Vertical Trash Compactor project.

**Summary of Bids**

Besco	\$310,633.00
Watson Electric (No bid submitted)	
Howard Brothers Electric of Charlotte (declined to bid)	

**Item No. 46: Airport Concourse E Design Services Contract Amendment**

Approve contract amendment #4 in the amount of \$858,266 with LS3P Associates LTD for design services for the Concourse E project.

**Item No. 47: Vehicle and Equipment Corporation Purchasing Contract**

(A) Approve the purchase of vehicles from the North Carolina Sheriff's Association cooperative purchasing contract 18-04-0912 as authorized by G. S. 143-129(e) (3) for the term of one year with the following vendors: Asheville Ford Lincoln, Modern Ford of Boone, Cooper Ford, Piedmont Truck Center, Ilderton Dodge, Capital Chevrolet, (B) Approve the purchase of heavy equipment from the North Carolina Sheriff's Association cooperative purchasing contract 18-02-0428 with Carolina Tractor as authorized by G. S. 143-129(e)(3) for the term of one year, (C) Approve the purchase of vehicles from the National Joint Powers Alliance cooperative purchasing contract 120716-NAF with National Auto Fleet Group as authorized by G. S. 143-129(e)(3) for the term of one year, (D) Approve the purchase of sewer cleaning equipment from the Houston-Galveston Area Council Buy purchasing contract SC01-15 with Rodders and Jets Supply Co. as authorized by G. S. 143-129(e)(3) for the term of one year, and (E) Authorize the City Manager to extend the contract for additional one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

**Item No. 48: Refund of Property Taxes**

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$68,950.51.

The resolution is recorded in full in Resolution Book 48, at Pages 523-524.

**Item No. 49: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of October 23, 2017, Business Meeting and Recessed Zoning Meeting.

## PROPERTY TRANSACTIONS

### **Item No. 50: FedEx Cargo and Parking Facility Lease**

(A) Approve a 10-year lease with FedEx Corporation for cargo space, (B) Approve a 10-year lease with FedEx Corporation for a parking facility, and (C) Authorize the City manager to approve up to two additional, five-year renewal terms for each lease consistent with the purpose for which the lease was approved.

### **Item No. 51: sale of City-owned Property on Belmont Avenue and Harrill Street**

(A) Adopt a resolution approving the private sale of two City-owned parcels located at 919/923 Belmont Avenue and 1025/1035 Harrill Street (Parcel identification numbers 081-129-02 and 081-124-10) to MPV II, LLC for \$440,300, (B) Authorize the City Manager to negotiate and execute all documents necessary to complete the sale of property, and (C) Adopt Budget Ordinance No. 9223-X appropriating the proceeds to the Affordable Housing Program.

The resolution is recorded in full in Resolution Book 48, at Pages 525-527.  
The ordinance is recorded in full in Ordinance Book 61, at Page 178.

### **Item No. 52: Property Transactions – Linda Lake Drive Dam & Oakwood Lane Dam Maintenance Project, Parcel #2.**

Approve the resolution of condemnation of 1,159 square feet in Storm Drainage Easement at 6520 Randy Drive from Joseph M. Jones and Deborah W. Jones for \$675 for Linda Lake Drive Dam & Oakwood Lane Dam Maintenance Project, Parcel #2.

The resolution is recorded in full in Resolution Book 48, at Page 528.

### **Item No. 53: Property Transactions – Linda Lake Drive Dam & Oakwood Lane Dam Maintenance Project, Parcel #3**

Approve resolution of condemnation of 6,786 square feet (.156 acre) in Storm Drainage Easement at 7400 Oakwood Lane from Ronald Lee Stading for \$875 for Linda Lake Drive Dam & Oakwood Lane Dam Maintenance Project, Parcel #3.

The resolution is recorded in full in Resolution Book 48, at Page 529.

### **Item No. 54: Airport Property Transactions – 9021 Snow Ridge Lane**

Acquisition of .921 acres at 9021 Snow Ridge Lane from Warner and Ilse Rodriquez for \$130,000 for Airport Environmental Impact Statement Mitigation Land.

\* \* \* \* \*

## **ITEM NO. 39: CHARLOTTE WATER PARTNERSHIP WITH DISCOVERY PLACE**

**Councilmember Mayfield** said Action A is to approve a contract with Discovery Place for the development and delivery of the Charlotte Water Everywhere Student Education Program for an initial term of one year, meaning a new program, and (B) Authorize the City Manager to renew the contract for up to three 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. I had this pulled, because I was asking for additional information, one, as to how it fell into our five focus areas, because we only have two roles with youth: our Out of School Time Partners and the Mayor's Youth Employment Program. I asked our Director, Mr. Gullet earlier; he and I spoke after our Dinner Meeting of which I understand he is about to retire, so I'm going to chock off his response to my question to that piece that he is on his way out the door, but I did not have a clear understanding as to why we are creating this relationship and what is the mechanism that we are going to track, because we are starting with fifth graders to teach them about our water system. The original question was what role or financial contribution is CMS making towards this if the request from the City is an anticipated delivery cost of \$80,128 per year with an estimated contract expenditure over a four-year term of \$353,000. The response from staff was that CMS does not have a financial role that they are contributing to this, so I asked again how does this fit

into our five focus areas for us to allocate these funds, and if we are doing it why wouldn't we focus on high school students since we have the Mayor's Youth Employment Program? We also have our youth program that we just utilized our teenagers, and thankfully they are represented tonight. Why are we not working with them opposed to going to the fifth grade? So, for that staff can feel free to respond, because I did not get a clear answer from Mr. Gullet as to why this is on the agenda tonight unless my colleagues had a conversation prior to tonight to know that we were going to be asked to pay out potentially up to \$353,000, which is a job that really falls into the Board of County Commissioners or School Board, not the City of Charlotte.

**Barry Gullet, Director of Charlotte Water** said the fifth grade is when the school system's curriculum targets education about the water cycle. Charlotte Water believes that it is really important that we reach out to the community and engage our fifth graders, so they can get a good timely message about the importance of water and the water cycle and the environment. This is an opportunity to reach every fifth grader in 94 schools through the experts with Discovery Place in a partnership that they have already established with Charlotte Mecklenburg School System.

Ms. Mayfield said for further clarification and again Mr. Gullet is retiring so whoever will be stepping into that role will probably be the person that can better answer the question. What is our Metrix and the Metrix that we are going to be using to even identify if this is a good investment for us to go into the middle school, which is not our role; it is not in our five focus areas. How are we going to check to see if there is success in this outreach to insure that starting with fifth graders is going to benefit and what is the goal of how it ties into our five focus areas? The role of the City is very clear, so I'm still trying to understand why we would have this as an item to be voted on tonight and it is not a one year, let's look at and consider it. We are also asking to give the City Manager the ability to just renew the contract, meaning it would not come before Council for us to necessarily receive an update. I'm trying to understand and again this may be whoever is coming in to step into this role moving forward to explain.

**Mayor Roberts** said Councilmember Kinsey has done a lot of work with Discovery Place.

**Councilmember Kinsey** said I have and I'm also Chair of the Environment Committee, and I think that is where this fits in; it is a lesson about the environment, and my feeling is when you start children at a younger age, they are going to learn it. So, I support this, and I think there is no better partner than Discovery Place. They are a partner with the City anyway; we own their building, and we are getting ready to hopefully do some up-fit there, so I think it is a logical partnership, and it does fit into our Environment Committee and Focus Area. I just think it makes sense, and I support it, and in fact I was going to pull it for the same reason, and I am partial to Discovery Place. They do a great job. and I think to me it just makes a lot of sense.

Mayor Roberts said I think when you put it the context of our Environment; we know from what has happened in our country and you look Flint, Michigan, and you look at other cities where the citizens do not appreciate the expense and the care that a City has to take to keep its water system updated, to make the investment in stormwater and water filtration, especially in the second fastest growing City in America, and we've also discovered that elementary and middle school is where students and future citizens form their habits and their patterns, which is why we also work with youngsters about things like litter clean-up, about sanitation, and other things that they are going to keep as habits for the rest of their life and absolutely having a clean water supply is in everyone's interest. It is a top priority for us. If the schools already have that in their curriculum, and we can assist with that with a partnership that we've had for decades with Discovery Place, I think it is in our lane, and I'm very pleased to support this even though I don't get a vote.

Ms. Mayfield said this is a conversation with seven years later once that child graduates from high school there is nothing in this language that is tracking in order for us to show that this is beneficial for us going in nor is there anything moving forward. I'm not going

to vote against it, but I do hope that all of my colleagues that feel like this is a good investment when we have so many other pressing issues that are environmentally related today will recognize that later in this meeting when we have a discussion regarding a resolution around protecting our environment that that same support will be around the table for us to move forward and sign a letter to show that we are going to do what we need to do to protect our environment moving forward, because that makes a lot more sense to me than making a partial investment now that is not going to be tracked through the seven year to graduation.

Ms. Kinsey said I just wanted to check with Mr. Gullet; somewhere I either heard, overheard or something that schools used to take the students to our waste water treatment plants - is that true or did I dream it?

Mr. Gullet said no Ms. Kinsey you did not dream it; we have in the past had a lot of school kids that have toured our waste water plants and our water plants, and we've had the opportunity to reach out and help teach them about the environment through that process. For the last several years, that has diminished, and so we really need an avenue and a pathway to reach those students, and we believe this is a very efficient and very effective way of doing that.

Ms. Kinsey said I suspect all of us has toured the waste water plants, and it is fascinating. I think this is when it gets the kid's attention, and hopefully when they do graduate, and they are older they will remember to turn the faucet off instead of letting it run so long, because water is a precious commodity, and there is a limited amount of it, and I think they need to learn that early.

**Councilmember Ajmera** said Mr. Gullet; is this water education program funded from our ratepayers?

Mr. Gullet said yes ma'am.

Ms. Ajmera said do all the rate payers know that they are funding this education program?

Mr. Gullet said our budget is entirely from our customers, and so every expenditure that we have is coming from that revenue source, so to the extent that they have reviewed our budget; this is a budgeted item. This is not something that we are doing ad hock, this is a budgeted item that we are bringing to you for approval of the contract.

Ms. Ajmera said I recommend that this should be part of the budget development process just like other educational programs that we consider, because it is an educational program.

Mayor Roberts said I think he just said it is part of the budget process.

**Councilmember Phipps** I also requested that this item be pulled but for a different reason. I actually applaud this program; I think it shows a good faith effort by the City to participate with our schools inasmuch as we've been operating heretofore in a silo approach meaning that schools are somebody else's responsibility. I think what we heard from the Opportunity Task Force is that we need all hands on deck when it comes to the development of our younger kids, and I think this is a program to help do that. I was wanting to applaud this approach; I've been on several tours of the waste water treatment plant in my district, and I think it is something that would be of worthy import to the students, especially the elementary school students of Charlotte inasmuch as they would be starting out at a young age to be able to understand that water cycle and just how precious our water resources are. I'm going to be supporting it for those reasons.

Motion was made by Councilmember Kinsey and seconded by Councilmember Ivory, to (A) Approve a contract with Discovery Place for the development and delivery of the Charlotte Water Everywhere student education program for an initial term of one year, and (B) Authorize the City manager to renew the contract for up to three 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.

Ms. Ajmera said Mr. Gullet you said this was part of the budget development process; the Charlotte Water budget, not the City annual budget.

Mr. Gullet said it is part of Charlotte Water budget from the Enterprise Fund.

Ms. Ajmera said I don't remember seeing this when we had a discussion for the annual City General Fund budget, general fund.

**Councilmember Mitchell** said is this time sensitive, because I want to make sure that some of the discussion around this dais that we are not sending the wrong message. I think part of the angst is the process and how this came so close to our agenda as opposed to going to the Environmental Committee. I want to make sure that people out there are not saying that City Council is not for educating our youth. That is not the message we want to send so is this time sensitive; do we have to do it tonight or do we have an opportunity to have more policy discussion about it?

Mr. Gullet said I'm not quite sure what the schedule is for implementation, but we would certainly like to move forward if you so choose tonight.

Mr. Mitchell said so it is not time sensitive if I'm reading you correctly.

Mr. Gullet said no sir, it is not time sensitive.

Ms. Mayfield said Mr. Mitchell thank you; I don't want my colleagues to feel that I do not support us moving forward. What I have a challenge with is the process and the way this process looks. This is not information that all the Council had a discussion about. We are looking at allocating upwards of \$300,000 plus; there are a lot of other needs in the community that came from our Community Letter. There are some direct needs with some of our young people, specifically our teenagers who will be coming into the work force very shortly opposed to starting at the fifth grade, without having a clear plan of saying okay this is going to track these students from the fifth on up to high school and/or here are targeted schools that we are reaching out in order to get this information. Nothing is in this information that was presented to us that gave us background on what schools have been a part of it, what school outreach will happen. So, it is not the piece of not wanting to support it and educate our youth because the City has stepped into that role many a time when the County and the School Board were unable to do so. We just passed almost a billion dollar bond as a community and we are now having a conversation for additional funds. We have already allocated funds to Discovery Place. If we are going to look at additional resources then I think it is fair for Council to ask the question of how are these resources going to be allocated as well as how are we going to track success once these funds are allocated before we potentially open yet another line item that we will be committed to, which we have done historically when the County and Schools were unable to fulfil their responsibility. As was said we once had field trips to the waste water plants; those were eliminated. Was there any discussion to say we are financially unable to do that on the school board's side? We are stepping into a role that we need to think about moving forward. Do we have the capacity to add this line item in and if so how do we go to the community and say this is why we are asking you to continuously pay an increase in your water bill that is built in to pay for items like this. We have to have more transparency in the conversation, but it wasn't a piece of saying no don't support Discovery Place; Discovery Place does amazing work. The process is on how this conversation came

before full Council and a request for funding for a project that full Council never had a conversation about.

**Councilmember Smith** said Mr. Gullet, thank you for your service, I have enjoyed working with you these past four years, and I wish you a wonderful retirement. Question: the \$350,000 could that money be applied to fix sink holes?

Mr. Gullet said no sir, the sink hole issue is not part of the water and sewer; that comes out of the Storm Water fund.

Mayor Roberts said the total amount of this is \$353,000 over four years?

Mr. Gullet said over the four-year term.

Mayor Roberts said how many Charlotte Water customers do we have?

Mr. Gullet said we serve about a million people; we have about 290,000 accounts, and this will reach about 7,500 to 8,000 fifth graders every year at 94 different schools in the county.

Mayor Roberts said so it is about a dollar per household over four years or 25 cents per year.

Ms. Ajmera said I do support this educational program; I have personally visited our water infrastructure facility, and thank you Barry for giving me the tour of the entire facility. I think it is a great learning experience for me; however, I would like to look at the enterprise budget for Water and see; currently we have \$353,000 over the four years. While educational component is very important, I guess there are a lot of residents when we had the water rate increase of \$1.73 earlier this years I have gotten e-mails that our residents were upset. I think we need to have some conversation and transparency to Ms. Mayfield's point about how do we balance that in a way that we are not increasing our water bills but at the same time also addressing the education component.

A substitute motion was made by Councilmember Ajmera and seconded by Councilmember Mayfield, to refer this back to Committee.
---

Mr. Gullet said I wanted to also point out to Ms. Ajmera's point that one of the things that we hope to help the fifth graders learn is how they can actually conserve water and help their family reduce their monthly water bill. That is a very important part of the message, and it is something that fifth graders take home to their parents, to their brothers and sisters, so when we are reaching out to fifth graders, we are really reaching out to families. If you've had a fifth grader, you know how much they like to come home and tell you what they learned in school, so they do take this information home and we do see results. We don't have a sophisticated program and process and mechanism set up to monitor and track it, because quite frankly that would probably cost more than this program does, but what we are interested in though is we are interested in results, and we believe that we are getting results. We are seeing water usage go down per capita in our system. That is important in saving us capital dollars; it is also important in saving us that natural resource, which is limited in its volume. I believe this program is very useful and very successful and that it meets a need in the community; that it fits right into the Council's Environment Focus Area. It fits right into community engagement; it fits right into public outreach, and I believe it is a worthwhile investment that will pay benefits back to the rate payers of the Charlotte Water system.

Ms. Ajmera said I do agree with you; I think this is a great program, in terms of sustainability, and also building a City that is going to be sustainable and teaching children when they are young. I'm in full support of our education component; however, we have to look at our budget to figure out how do we best allocate our dollars? Does that mean that we partner with other agencies whether it is County or school board or

non-profits to come up with the funding without increasing our water bills? I think that is something we need to consider as part of the community discussion, and that is the reason I'm made the motion.

Ms. Kinsey said I just want to remind us that three Monday's per month we have Consent Items, and we approve those Consent Items without this kind of discussion. I think it is good to have the discussion, but we are going over and over this one item. We look at the budget every year once a year, so this isn't something unusual, and like I said we have this three Monday nights per month, and I think we need to move and just decide what we are going to do. I will be extremely disappointed if we don't go ahead and okay this program tonight.

Mr. Smith said I support sending it back to the Committee just to make sure that we have a little further study and we do raise rates about 4.5% to 6% at least on an annualized basis. I would feel more comfortable supporting that motion just to make sure it has been fully vetted and that we are comfortable with the expenditure prior to tonight approving it.

**Councilmember Fallon** said why did the school stop bringing the kids to you? That tour that you give is so impressive you understand about the water, how it is tested, the conservation. I think that would be much more effective than sitting in a museum and learning about it. What stopped the original field trips?

Mr. Gullet said I really can't speak for the school system and why they set up their programs the way they do. I can tell you that this is more time efficient than the tours, because this is in classroom and they don't have travel time, and they are getting the message and it gets to every student.

**Councilmember Ivory** said I'm sure that one of the reasons that they might have discontinued the tour is, because you are talking about travel expense that that is an added expense to CMS. I hear and I respect what everyone is saying but this is an opportunity for these kids to learn at 25 cents per years. It is an educational opportunity for environment; I don't have a tracking, but I do have three grandkids who have said Grandma why are you running that water. They have gone through this, and I do feel like come on guys; it is the truth they are learning, and when they are at Discovery Place I'm sure they do more than just this part of it. It is an opportunity to visit Discovery Place and to learn other things. I'm in favor of going ahead and passing this.

**Councilmember Driggs** said I just wanted to say a public utility has to have a public information campaign in order to instruct the public on the use of the resource in question and in order to help the utility achieve the results that it aspires to. Charlotte Water, when you do look at the budget, you will find it is a very intricate balance between the charge on utilization, charge for connection, capital costs allocations etc., so I think we should accept the fact that there is a public information budget within the Charlotte Water budget and if they have made the decision to allocate some of that to this use then I would be in favor of just going ahead and approving this tonight.

Mayor Roberts said there is a substitute motion on the table to send it through the Environment Committee first.

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

YEAS: Councilmembers Ajmera, Eiselt, Lyles, Mayfield, Mitchell, and Smith

NAYS: Councilmembers Driggs, Fallon, Ivory, Kinsey, and Phipps

Mayor Roberts said we will not be approving this tonight and will send it to the Environment Committee and have further discussion.

\* \* \* \* \*

## ZONING

**ITEM NO. 9: ORDINANCE NO. 9224-Z, PETITION NO. 2017-121 BY FLYWHEEL GROUP AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 19.12 ACRES LOCATED ON THE NORTH SIDE AT THE END OF RALEIGH STREET, EAST OF EAST SUGAR CREEK ROAD FROM I-2 (GENERAL INDUSTRIAL) TO TOD-M(O) TRANSIT ORIENTED DEVELOPMENT – MIXED USE, OPTIONAL).**

The Zoning Committee voted 6-0 (motion by Spencer, second by McClung) to recommend approval of this petition. The Zoning Committee voted 6-0 (motion by Spencer seconded by McClung) to adopt the following statement of consistency: the proposed rezoning is consistent with the Blue Line Extension Transit Station Area Plan, based on information from the staff analysis and the public hearing, and because the Blue Line Extension Transit Station Area Plan recommends transit oriented development for the site and the subject site is within a ½-mile walk of the Sugar Creek Transit Station on the LYNX Blue Line Extension. Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the proposed rezoning allows redevelopment of a site zoned for industrial use to be developed with transit supportive uses and the proposal allows for all uses in the TOD-M (transit oriented development – mixed-use) district, which include office, residential, retail, and civic and the network of public and private streets and commitments for the Cross Charlotte Trail will improve both the pedestrian and vehicular travel patterns and design standards beyond the ordinance requirements will enhance the quality of the built environment at a transit station.

The following changes were made after the Zoning Committee's recommendation; therefore, the City Council must determine if the changes are substantial and if the petition should be referred back to the Zoning Committee for review.

- Section 4. I.d. Deleted reference to reserving 27.5 feet of the western edge as it was a carry-over from Petition No. 2017-120.
- Section 5 -
  - Item a.  
North side of Raleigh Street (to the west of Public Street A) and east side of Public Street A setback. Increased setback from 32 feet to 34 feet to accommodate most recent Cross Charlotte Trail cross section.
  - Item b.  
North side Raleigh Street (to the west of Public Street A) and east side of Public Street A streetscape improvements. Increased planting strip from five feet to eight-feet to accommodate most recent Cross Charlotte Trail cross section.
  - Item f.  
Cross Charlotte Trail from terminus of Public Street A (along property line in Development Area 1 and Development Area 2). Increased planting strip from five-feet to eight-feet and reduced space behind the sidewalk from two-feet to one-foot to accommodate most recent Cross Charlotte Trail cross section.

Motion was made by Councilmember Kinsey, seconded by Councilmember Ajmera, and carried unanimously to not send this back to the Zoning Committee.

Motion was made by Councilmember Kinsey, seconded by Councilmember Mayfield, and carried unanimously to approve Petition No. 2017-121 by Flywheel Group, as modified.

Motion was made by Councilmember Kinsey, seconded by Councilmember Ajmera, and carried unanimously that the proposed rezoning is consistent with the Blue Line Extension Transit Station Area Plan, based on information from the staff analysis and the public hearing, and because the Blue Line Extension Transit Station Area Plan recommends transit oriented development for the site and the subject site is within a ½-mile walk of the Sugar Creek Transit Station on the LYNX Blue Line Extension. Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the proposed rezoning allows redevelopment of a site zoned for industrial use to be developed with transit supportive uses and the proposal allows for all uses in the TOD-M (transit oriented development – mixed-use) district, which include office, residential, retail, and civic and the network of public and private streets and commitments for the Cross Charlotte Trail will improve both the pedestrian and vehicular travel patterns and design standards beyond the ordinance requirements will enhance the quality of the built environment at a transit station.

The ordinance is recorded in full in Ordinance Book 61, at Pages 179-180.

\* \* \* \* \*

#### **ITEM NO. 10: CITY MANAGER'S REPORT**

**Marcus Jones, City Manager** said tonight is a very special night mainly, because between November 15th and 18th we had thousands of elected officials from across the country converge on Charlotte to learn more about emerging local trends and innovative approaches tackling issues at the local level. Randy has a little bit of a presentation and then he is going to hand the ball off.

**Randy Harrington, Chief Financial Officer** said it was my pleasure to serve as the Chair of the Host Committee for the National League of Cities City Summit. I want to share with you just a few of the highlights of the week; there were many highlights, and I just want to rekindle your memory of a few of those. Let me first start off by thanking in particular City Manager Jones and Councilmember Mitchell, who like I remember a breakfast meeting in July, and they were very clear about the type of vision that they wanted to have for this national event, a time to really showcase Charlotte and really articulate the expectation and what we were going to do, and I hope that we delivered. It was a lot of fun doing it. So, part of those experiences that we had, we had Queen Charlotte help us kick off the City Summit, our very own Gwen Jenkins did a great job. We also as part of the welcome component, we had a front porch post City area and this was really our opportunity to; you know in the south a front porch is so important; it is where we relax and thank you to Brent Cagle and the Charlotte Douglas International Airport for the rocking chairs they brought out. Just had a great time and folks really took advantage of that to relax while they were at the City Summit.

It was great to see so many attendees; we had close to 4,000 attendees, and you can see almost all of them spread across the halls of the Charlotte Convention Center and they heard great and inspiring topics such as from former Congresswoman Gabrielle Giffords and her husband Mark Kelly. We had the one and only Ervin "Magic" Johnson in town, who gave a very uplifting and inspirational talk at the very end. We also had a lot of fun during the City Summit and one of those components was a version of the "Family Feud" but Queen City Style. It was a lot of fun, and we had a lot of participation and a great way for colleagues across the nation to test their serving knowledge against others. We also had a wonderful opportunity to showcase some local vendors and these were vendors who made their wears, small businesses in Charlotte, and we had 18 vendors who participated. This is at our Exhibit Hall, just some amazing pieces of artistry, crafts and other great items that a lot of the attendees purchased, which was great.

We also had a lot of fun with the closing event, and that was really an opportunity to showcase Charlotte and talk about and show some of the unique features of Charlotte

that makes us so unique and so much fun to be a part of. In one of those areas, we tried to highlight a number of the communities around Charlotte, in this particular case the east side, but you can see the Eastland symbol and Ms. Ajmera up there in the top, but a great way to honor a lot of our neighborhoods. It was also concluded with the Commodores, an amazing performance. I saw many of you out there dancing most of the night, and it was really a great way to finish the conference, and we had a lot of fun with that component.

What I would like to spend a few more minutes on is really to thank the people who did all the hard work and made this such an amazing week. These are some buttons that were produced by Alicia Dasch, one of our host city team members. We had a lot of fun with these and a great way to show that we are here to help and to answer any questions. Let me recognize some of those individuals. The Host City Committee and volunteers: Beth Butler with CRVA. Beth was really the go to person at CRVA to help make sure that everything was done right and her advice to me was just invaluable throughout the whole experience; we really valued that. We had Alicia Dasch and Susan Elkins, who coordinated our volunteers. We had 600 volunteers, and they coordinated all of the components of that; just did a phenomenal job and couldn't have done it without them and they also provided a lot of great assistance to me in coordinating and working through all the planning efforts. We had Tracy Effleurage, who worked a lot on our registration bags and signage. We had Gina Shell who coordinated our mobile workshops, just did an amazing job showcasing all the great stuff that is going on around Charlotte. We had Alvin Burney, who coordinated and developed the Queen City Feud with Councilmember Mitchell and did a fantastic job. Peggy Huffman, the Board of Directors Dinner and liaising with the Mayor and the NLC. We had David Christopher who helped with our transportation. We had Don Hill our youth event and the Market Place. We had Lacy Williams with our youth event; we had Terry Bradley who coordinated our constituent group activity, and also Terry was a great help to me in many other ways, along with him Donna Murrell also assisted with the constituent group. We had Stephanie Kelly, who coordinated our entertainment. We had Wilson Hooper who coordinated our sponsorship follow-up in our Administrative components. We had Kimberly Oliver, our Market Square; we had Rhonda Jackson who also helped to coordinate our constituency service groups. Then we had Kimberly Branigan with Charlotte Destination Group; Kimberly coordinated all the transportation for the event along with our spouse tours and the Board Dinner at the NASCAR Hall of Fame. It was a really special way to get us going that evening, so thank you Kimberly. We also had Clark Allen with Clark Allen Events, who did a phenomenal job and really just replicated what Charlotte is about inside the Crown Ballroom at the NASCAR Hall of Fame so thank you, very much, great job. I want to recognize CRVA and Tom Murray and his team with Steve Bagwell and Mike. You all did a great job operating kind of the back office or events to make sure the week went real smoothly, just a fantastic team. I want to also recognize the rest of our volunteers who could make it here tonight in their blue vest if they would stand.

**Councilmember Mitchell** said so many times you all work behind the scenes but what you all did you deserve to be in front of the camera, so all volunteers in the blue vest please come down and let you have your 30 seconds of fame.

Mr. Harrington said our volunteers were the face of Charlotte throughout the week and always had a great big smile, and it was through their efforts that we were able to do what we did. We would also like to thank our Youth Council who did a great job so we really appreciate the Youth being involved with the conference. Finally, I want to thank our sponsors. Our sponsors really came through to help insure that we had a wonderful event; Wells Fargo, Charlotte Regional Visitors Authority, ICMARC, North Carolina League of Municipalities, AT&T, Duke Energy, Carowinds, Bank of America, Crescent Communities, Holland & Knight, Coco Cola Bottling Company Consolidated, Foundation for the Carolinas, Odell Associates, HNTB, Charter Communications, Intersection Media, Brownstone Construction Group, HMS Host, and Charlotte Center City Partners.

Finally, I do want to recognize the National League of Cities themselves; there were fantastic partners throughout this whole effort. Janice Pauline, my counterpart so to

speaking at the NLC. They really were just wonderful to work with, and hopefully they will come back someday down the road.

**Mayor Roberts** said I just want to say how many times I got stopped in the hallway of the Convention Center and people, said you have a great city I'm having such a great time. All your volunteers are so friendly, and some of them said I think I want to move here. It was tremendous.

**Councilmember Kinsey** said I just want to say I was down there the entire time; it was back to back stuff, and it was wonderful, but I have to tell you Randy Harrington did a good job.

Mr. Jones said I would like to turn it over to Councilmember Mitchell to close it out.

Mr. Mitchell said I don't have a prepared speech, so I'm just going to speak from the heart how special this was; November 15th through the 18th to have over 4,000 elected officials in our City. City staff, you are the best. We heard just so many compliments about friendliness, warmth, southern hospitality, apple cobbler, ice cream. Thank you so much. It is one thing to spend a year planning for an event, but it is another to have people to come and the event to go so successful. We all are receiving e-mails now that people are still talking about Charlotte and what a nice time they had. To each of my colleagues, I'm going to make sure I get it, because each one of you all sacrificed and was there. Councilmember Ivory, Councilmember Ajmera and Councilmember Kinsey I prayed for you because you did nominations, so you had a tough time. Councilmember Eiselt, you came back, you attended workshops. Councilmember Driggs was there. The Mayor did not get off the dance floor with the Commodores. Councilmember Phipps, Councilmember Mayfield thank you all so much. We didn't do it by ourselves; we did it as a team, and Randy you did an outstanding job. I do have a Certificate I want to present to Randy just in appreciation of your outstanding work.

Alicia worked behind the scenes making me look good with Microsoft and all the corporate sponsors; can you please come forward. I have one for Susan Elkins, who was the volunteer coordinator, for all of her hard work and dedication.

\* \* \* \* \*

#### **ITEM NO. 11: CLEAN ENERGY RESOLUTION**

**Councilmember Kinsey** said the action requested tonight is to adopt a Clean Energy Resolution setting an important vision for the City of Charlotte to work towards 100% clean, renewable energy by 2050. Such a resolution fits within the framework of the adopted Focus Area Plan for the Environment Committee which calls for Charlotte to become a global leader in environmental sustainability. Other cities across the United States have adopted similar resolutions including our neighbors Atlanta and Columbia, and one final note this resolution is aspirational in nature.

**Joel Segal, 4568 Randolph Road** said I want to thank our Mayor, Jennifer Roberts for being one of the best Mayors in the City of Charlotte's history. Thank you for your service Patsy Kinsey and all the supporters of the 100% clean, renewable energy resolution please rise. Dimple Ajmera thank you so much for your support; Patsy Kinsey thank you for years and years of public service for this City.

Our resolution is very simple, by the year 2050 we would like for North Carolina and our nation to go to 100% renewable energy. I'm going to give you three reasons why we need to do that, and the rest of the speakers will give the other reasons. Number one, recently 15,000 scientists across the world gave us a very important warning that if we do not transition off of fossil fuels rapidly that we are looking at the possible extension of our world, and that is mainly going to be due to drought, lack of water. Number two, in Puerto Rico the category four and five hurricane that wiped out Puerto Rico was not El Nino that was because of a hurricane and climate change; whenever you say category five that means 500 times stronger than category one. Two of the dirtiest admitters of

fossil fuels from plants come from North Carolina so what we do here in terms of smog emissions impacts what happens in the Virgin Islands and Puerto Rico, and it is very important that we understand that.

Number two, the good thing about going to 100% renewal energy, it is good business. According to Stanford Professor Mark Jacobsen about 99,676 construction jobs and 63,199 operations jobs will be created if North Carolina transitioned to renewable energy by 2050, and since we know that climate change is not a hokes perpetrated by the Chinese, which is what President Trump has stated, Charlotte needs to be a leader and North Carolina needs to be a leader. Let's tell the rest of the nation that climate change is real that we value our children and our grandchildren and that we believe in renewal energy because it is good for business. It will be good for our health; it is going to be good for the economy, and I think it is important that we save our planet.

**Terry Lansdell, 1508 East Worthington Avenue** said your action tonight to approve this aspirational resolution will be the first in a series of dominos that will move us forward to become a global leader in environmental sustainability which is outlined in the resolution itself. An interesting thing that we learned from the National League of Cities Conference that just came it had a breakout session about that. This is not new; this is not a scary thing. You don't need to be afraid of clean renewal energy and committing to an aspirational goal of clean renewal energy. Just know that you are not alone in this opportunity that you have in front of you. Boone, Sylva, Webster, Asheville, Waynesville, Franklin, Canton, Clyde, Hillsboro, Carborra, Watauga County, Chatham County, Macon County, Orange County, all in North Carolina, are committed to this. This is not something that you should be scared of; you are not alone in this in North Carolina and you are not alone in this nationally. The Ciera Club, our partners here tonight and across the state are working together in each individual City and municipality to make this happen. We just hope that you take your position that you want to be a global leader in energy and sustainability and really use this opportunity to take a step forward in this aspirational resolution to become a leader in renewal energy by 2050 and create new green jobs and help transition our community to protect the health, the environment and the economy by adopting this aspirational resolution to move us forward to a plan to move us forward to a renewal energy future that we can be proud of.

**Don Keen, 3009 Park Road** said I have been a member of the Charlotte Business Community for 50-years. I was with Celanese for 32-years; I founded Dilworth Coffee House in 1989. I've owned various businesses that are smaller and less known than those two, but I want you to know that climate change is something I really just got into honestly when I retired and sold my business assets and had time to look into some things about six months ago. What I discovered is that some of the assumptions I had were terribly wrong and the assumption was that there are some steps along the way to clean renewal energy like solar wind and hydroelectric, and the steps along the way actually included what I understood was natural gas. I want you to know that natural gas today is at least 60% frat gas, and frat gas, there is nothing wrong with it necessarily as a product, but the problem is the getting of it; it loose such a tremendous amount of raw unburned methane, that the methane is actually forming a layer and is really adding to our problem which we already knew about which is Co2, and the main thing is that this City can and has been leaders in many areas since I've been here. It's got the best airport in the country and has had for 50-years that I know about. It has been a leader in many areas and we need to be a leader in this area. It is vital to its future because as the climate scientist have pointed out and incidentally I'm not gray rapid to get led down a path, but I'll tell you something; 50-years ago when I came to Charlotte I quit smoking. I'd been smoking for 15-years; science was cloudy, and you had people like some of the people today who have denied the science, and I'm telling you I knew better than that. I quit smoking, because my son asked me if I was going to die, and I said everybody is going to die and he said are you going to die from smoking cigarettes, and I couldn't answer the question, so I said I better stop. That is exactly where we are today, the science seems to be clouded to some people, but it is really not, it is very clear. Ninety-seven percent of the world's scientist all agree; only the one who have some ax to grind would disagree and this City can have jobs, and we can

have small businesses that are based upon doing the right thing, becoming cleaner and actually making it a very profitable change. It is a challenge, believe me; 2050 100% is going to be a challenge and that is great; we are good about challenges. This City has been up to challenges all along and we can be up to this one as well.

**Charles King, 417 Elmhurst Road** said I'm with threefifty.org representing our new local Chapter for Charlotte. There are several other members of the group here with me tonight, can you please stand. We are here to support the resolution, and we hope that you will all vote to adopt it. We think that much of the work of transitioning to renewable energy can be completed long before the year 2050, which the resolution calls for. We hope that you will adopt as a reference NC One's Clean Path 2025 Program, which calls for transition to 100% renewable energy sources for the entire State of North Carolina by the year 2030, just 12-years from now. We ask that in the next few months the City Council draft and adopt another resolution to band any fossil fuel projects from being built within the City and phase our any existing fossil fuel projects with a timetable. We further ask that City Council develop a climate action plan to implement the changes called for in the resolution. This plan could take advantage of the green source [inaudible] program in House Bill 589 to put in place solar power for Charlotte City Government Offices after the Utilities Commission releases its new rules in February. We will also be asking for your support with a variety of policies and bills at the State level in the coming months.

**Jade Jackson, 9416 Grove Side** said as a crowd leader that is working on the poor people's campaign property is a synch. I could speak on pollution; I could speak on hazard environments, being born and raised in Detroit, Michigan. Although the auto industry was great, the pollution wasn't so friendly. As an employee and representative at the University of Michigan, we carefully made sure that we followed OSHA standards, again because of our health. I moved to Charlotte in 1998; my reason for my move was for the fact that Charlotte was the third most progressive City in the nation. My question is, where do we stand today? As a former employee for a company called Red Ventures, I sewed for a company called Just Energy. In that industry the competition nationwide is going green, and the reason why they are going green is because of health concerns, and those states that have gone green can show the profit margin of job creation. We have a problem here in Charlotte, a problem that we face. We have a couple, the first is poverty, the homeless. We have to fix that folks, we have to fix that. How do we fix it? We fix it number one by creating green energy jobs that leads to jobs with infrastructure, solar panels and other job green energy, good paying green energy jobs. There was a study done by the following Universities: Stanford, Harvard, and Berkeley, out of 50-states we have an increase on the poverty level. We have a problem folks; we must fix this problem. Looking at the Hidden Valley Neighborhood, it has at least 50% unemployment rate. That is not good folks; we have a problem, and we must fix that problem. Healthcare, many of you know I have health issues, a lot of medical folks say that it is possible I could have some these health conditions because of the pollution and polluted air in which I grew up.

**Brian Magi, 9514 Fernspray Road** said thank you to members of the City Council for providing this platform. I am a Professor of atmosphere sciences and climate science at UNC-Charlotte, just up the road, a member of our community. My teaching, my research, my service are activities as an academic are all intertwined with climate and climate change and sustainability. I represent myself here of course and not the UNC System or UNC-Charlotte. Now energy and climate change are intertwined, because most of the energy we use is from the burning of fossil fuels; we all know this, and we need to transition away from the reliance of un-fossil fuels to minimize the amount of global warming, and this will in turn help the people of our City and County avoid more severe heat waves, droughts, flooding events, all of which have repercussion on City Systems such as water resources and air quality among other things. Leadership at the municipal level, like in Charlotte, is absolutely needed right now, because this is where the populations are, and this is where we are concentrated, and this is where we can actually talk to each other and there are a lot of us to talk about these issues and try to move forward. Now, I talk with students all the time about climate change; they are concerned, and they are overwhelmed, and there is no doubt about that just like all of

us are when we start to think about the issues and the scope of the problem that we are trying to deal with. One thing that is universal in my experience as a teacher in atmospheric science and climate science is students want to know how they can help. My plea to you is to vote in favor of this clean energy resolution, a non-binding agreement so that students at UNC-Charlotte and Mecklenburg County in general and Charlotte in general at all levels. K-12, college, all the colleges here in our County know that our City wants to help as well. The leadership of our City wants to help as well. I want to walk into the classroom tomorrow morning and tell them if this vote is passed and this is where the aspirational direction that Charlotte is headed, and I hope that is true. Please vote in favor of the clean energy resolution and help set up Charlotte to be a national leader in developing environmentally sustainable energy system. I will say as a Professor if you have any questions my expertise in atmospheric science and climate science might help you to understand. You can find me at UNC-Charlotte's website; I'm the only Brian Magi in the University System, as far as I know. I am happy to talk as a scientist, as a teacher, and as a fellow citizen of Mecklenburg County.

**Peter Wherry, 7103 Strawberry Field Lane** said thank you for the opportunity to stand in favor of this aspirational resolution. I want to say a few things, not as an expert on climate science, nor as somebody with a vested interest of my own, except to say that Manager Jones and I share the love of a City, the City of Norfolk, Virginia. Many times as I served on the Center City Partners counterpart in Norfolk, called at that time the downtown Norfolk Council, we made many pilgrimages to Charlotte back in the 90's to study what this phenomenal City was doing. We viewed Charlotte as our north star in those days for growth and progressivity, and surely it was the truth. I am concerned about that City and love that City for the same reason that probably the residents there now love it. It is sinking; frankly it is not sinking. The water is rising. During rain events there have been articles written about this nationally that there are places in Norfolk one cannot travel when there are even minor rain events now. I stand here in support of this resolution, because I believe it is a gleaming example of the intersectionality it is going to take realize the fruit of our Opportunity Task Force study, which says in essence what is needed to move our City from the dismal place we found it in terms of some statistics is not programmatic things so much as the need for structural and systemic change. This resolution is a study in structural and systemic change; it creates the opportunity and partnership with the phenomenal work the Urban League is doing and even Charlotte Works is doing in preparing a workforce for this new era employment, middle, and upper level jobs. The Opportunity Task Force said it needs to be the focus of our future if we are to get out of where we've been cast. A truly remarkable City that I love now like I have loved Norfolk and continue to love Norfolk I ask and urge you to join together with the other communities across North Carolina and the country in supporting these aspirations.

**Reverend Dr. Rodney Sadler, 5902 Marshbank Lane** said before I say anything today let me say thank you to Mayor Roberts. Thank you to this manifestation of the City Council. Thank you for the work you've put in. Thank you for getting us through those dark days at the end of 2016, your work has been appreciated, and we are grateful for all that you do, and I'm also eager to welcome the new City Council, the new Mayor and see where we will go in the future, but I want to make sure that I acknowledge the good work that you have done. Thank you for your service.

Psalm 24 says that the earth is the Lord's and the fullness thereof; this is a reminder to us that the world that we live in is not our own; it doesn't belong to us; it doesn't belong to Duke Energy to Exxon Mobile, to any other group; it belongs to God ultimately. What that means is that we are here to be stewards of this world; we are here to do the best that we can to make sure that we leave it better than we found it. In part, that is what this resolution is about. How do we make sure that we leave this earth better than we found it; how do we make sure that we are reversing the current tide of rising climate temperatures by this carbon dioxide and methane that are supper heating our atmosphere? How do we make sure that we leave a more sustainable planet? What we are asking for today with this 100% renewal energy resolution that puts this in place as an aspirational goal by 2050 is that we begin to make a targeted shift in the way that we produce our energy. Part of this is significant for two reasons. Number one, it is

significant, because this will really help us to get in front of the tidal wave that is coming for us. This will help us to get in front of all that is happening so that we can be as Charlotte a model of what cities across the country can begin to do. Number two, this is also an opportunity to help us increase opportunity. This business and opportunity begin to focus on green jobs, renewable energy jobs at a living wage and if we make targeted shifts in the way that we produce our energy we will be able to truly lift people from poverty. This is a great opportunity; this climate emergency presents a great opportunity for us all and I urge us to take advantage of it; I urge us to do the work that we need to do, and if we do this work I promise you that not only will we attract green jobs and green industry, not only will we become a model for the whole country to follow, but we will ultimately be doing that which the Lord says we should be doing. I work with a group right now called Faith in Solar, and one of the things that we are trying to do is work in partnership with Duke Energy to begin solarize Houses of Faith to say that our energy can come directly from our creator, and we can begin to find enough power to literally generate enough energy for us all. If we can begin to make these shifts now, if we can work together to make this shifts now we will not only make a better Charlotte but a better future for us all. I encourage you to pass this resolution today.

**Christy Kluesner, 3907 Yorkford Drive** said we the volunteers from the Charlotte Chapter of the Citizens' Climate Lobby (CCL) are retired professionals and workers. We are grandparents, parents, aunts, and uncles. We appreciate so much your reaching across the aisle to adopt a resolution calling for Charlotte to be 100% fossil fuel free by 2050. CCL has a tool for you on the how after the aspirational aspect to help you achieve this. As you may know, current adaptation efforts of home and office buildings retrofitting, transportation infrastructure is a necessary adaptation technique, but alone they won't be sufficient for economic stability and environmental justice and future habitability and our competitive edge. We do need to go further to keep Charlotte on the move to further protect the interest of all people in business of Charlotte from major negative impacts to environment, health, economics, and social consciousness of climate changes. Today, we are urging you to join other municipalities who have now decided to cross the nation and world to support a carbon to end dividend policy that will reduce emissions and remain leaders of the industry. Your support for national carbon to end mitigation policy will have this steadily and annually rising fare carbon fee of \$15 for metric ton. It will not grow government and will help you determine how best to implement your wonderful plan. Your adaptation resolution, along with support for us, we have state letter and a 20-minute power point presentation for you maybe before January for Environmental Committee. Our national carbon fee and dividend policy is a mitigation plan. It will help save numerous Charlottean lives going forward and grow local jobs, especially the statistics in healthcare, retail and of course clean energy, renewable energy innovation. We thank you for all of your efforts.

**Beth Henry, 3066 Stoneybrook Road** said I want to add my thanks and appreciation to all of you for your service to our City, especially to the folks who will be rolling off. Thank you so much for all you've given. I'm speaking in support of the resolution, and I have two main points to make. One, which my husband always tells me not to do, which is be negative, but I have to be honest about what motivates me to come and speak about this topic, but my second point will be more positive. The first is that I have three children and two grandchildren, and I really think we all have a lot of reason if we pay attention to the science to be very worried about what the future holds for our children and grandchildren. Scientist basically are reticent to tell folks the possibilities of how bad things could be, but I wanted to tell you about a recent study from the Scripps Institute of Oceanography at UCSD, a peer reviewed study where the scientist said we have come up with new terms, because the term dangerous is not bad enough for the things we are facing and they've come up with two new terms which are catastrophic and then existential. This study says we have a 5% chance by 2050 of catastrophic or even existential climate change, and I wanted to read you this quote from these scientists that really got my attention because of having grandchildren. "When we say 5% probability of catastrophic climate change people may dismiss it as small, but it is equivalent to a one in 20 chance the plane you are about to board will crash". We would never get on that plane with a one in 20 chance of it coming down, but we are

willing to put our children and grandchildren on that plane; so that is what we are doing. That is what 5% translates into. As other people have said, and you all know we are in a position now where action on climate is going to have to be taken at a local level if at all. The seriousness and urgency are there, and I urge you to pay attention to the science, but the good news is that solutions are there too.

Motion was made by Councilmember Kinsey and seconded by Councilmember Ajmera, to adopt a non-binding Clean Energy Resolution.

**Bob Hagemann, City Attorney** said I've spoken with several of you today, and several of you have asked me what is the legal effect of this resolution and a resolution is not a law; it is a statement or policy or commitment in this case, but part of my job is to think through unintended consequences, and I do see one potential unintended consequence that I want to bring to you attention. A number of the speakers used the word aspirational and non-binding. The resolution is structured with a series of Whereas clauses, which are like premises; they are an acknowledgement of conditions and then the heart of the resolution is now therefore be it resolved, and there are two paragraphs in this draft resolution. The first one, I don't see any issues at all with; it is a commitment to a goal of 100% clean renewal energy by 2050. That is the aspirational goal that has been described by many of the speakers, but in thinking through a potential unintended consequence there is a piece of the second paragraph that causes me a little bit of concern. It is a statement that officials and staff, that means the Manager and all City employee, will consider all municipal decisions in light of whether they will bring the City and its residents closer to the goal. My concern is we make thousands of decisions a day and most of those decisions I would submit have nothing to do with the goal. I'm a little bit concerned that that declaration that all decisions be made in consideration of this aspirational goal could be turned against that and the City by some who want to say we are not doing enough or just to criticize or look for documentation that decisions have been made in consideration of this goal; that part causes me a little bit of concern.

**Mayor Roberts** said can we use different wording that says that staff will consider these goals a guideline in future decisions?

Mr. Hagemann said Mayor I think there are a number of ways you could address that concern. I will just submit in terms of just what the speakers have put forward in terms of aspirational and non-binding I think the first resolve paragraph gets it, so an easy say to do is just to take the second one off the table otherwise we can get into word smithing.

Amended motion was made by Councilmember Kinsey and seconded by Councilmember Ajmera, to delete the last paragraph.

Mayor Roberts said the last paragraph, for those who don't have it in front of you is "Now therefore be it resolved the City of Charlotte should commit to a goal of 100% clean renewal energy for all energy sectors by 2050 and move as quickly as possible to achieve that goal". It will end there and not get into the detail of how staff will use it as a guideline for future decision making because it is pretty clear in that aspiration.

**Councilmember Driggs** said this is a difficult one for me, because I don't like the resolution, and it doesn't mean that I'm not supportive of the goal of clean energy. We haven't had a single Dinner Briefing to talk about what sort of commitment the City would need to make in order to move us closer to these goals. We've had no analysis, and when President Kennedy went up and announced that he wanted to put a man on the moon, I don't think he just got up in the morning and walked up to a microphone. I think there was some work in the background; I think we owe it to the supporters of renewal energy to give more substance to a resolution like this by doing a little more research about what it really is. This is a feel good statement and then we can go off and forget about it, but the truth is that we have not had on Council to my knowledge

any in depth conversations about what actions we might need to take, what investments we might to be prepared to make, so it is very nice to call it aspirational, but are you thereby saying don't worry about it, we don't really mean it, it doesn't signify anything? For it to signify something it just requires in my mind a little bit more and again not even just in the context of this particular resolution, I haven't heard conversations on Council about the whole subject. We did have one about the buildings; we talked about wanting our buildings to be green, but in terms of what it means in practice to put this goal out there we don't know for example, what the current status is of our renewal energy use, so I think it would be more respectful to the environmental community and much more significant as an action on our part to come up with a resolution that is backed by a little more research and a better understanding of exactly what we intend to do in the near term in order to move us towards this goal. On that basis and not because I don't believe in a clean environment or renewal energy, I'm not going to support this resolution.

**Councilmember Eiselt** said I take this very seriously; I believe in climate change. I believe that renewable energy and clean energy is actually an area that can create jobs and create a whole industry at all sorts of different skill levels. I think it is an incredible opportunity for us to be, and because of that I share your concerns it is the first we've heard of this. I am trying to get more into the area [inaudible] for sustainability. I understand that our director, our sustainability group really hasn't been involved in what this means and how we would get there, and that bothers me that we have sustainability group, and we haven't heard from them as to how we would become a sustainable clean energy City. I would like to take it more seriously and say what is the blue print; what do we need to do to get there? I recently had a conversation with Microsoft because they have gone 100% clean energy and said how do you do that? How do you even do that especially when you are in a City where Duke Energy kind of controls what happens on the grid or completely controls what happens on the grid? They trade energy; they buy and sell energy on the grid. I don't know if we can do that as a municipality so I think it is more complicated than that, and I'm just afraid that if we pass this now we lose the opportunity to really say let's get serious about this and figure out how we get there and have the conversation.

Ms. Ajmera said this was actually brought up in our Environment Committee about two weeks under Councilmember Kinsey's leadership. I think there are lots what and how, and I think we can discuss that all day long, but I think the overarching goal is to actually commit to having Charlotte a sustainable place to live and raise a family. I think this is the first step that we have to take in the right direction where it shows our commitment and our leadership in being 100% sustainable place and 100% clean energy. I think we owe it to our residents, our children, our grandchildren and great-grandchildren that this is a step that our Council took to make Charlotte a good place and sustainable place to live. Until we do this and until we set a goal we are never going to work out all the details; we can talk about it all day how we are going to get there. We are not going to have every detail, just like we had the tree canopy. Saving tree canopy was so very aspirational goal, but we actually had committed to that and we had put resources so this is the first step that I think we have to take in order to go 100% clean energy. There is a great proverb from Native American community that says we do not inherit the art from our ancestors; we borrow it from our children, and I think this is something we owe to our next generation, and I am in full support of this resolution. I think we should pass it and eventually work with our Environment Committee to take concrete steps as to how we can obtain it, because we can talk about it all day today how we are going to get there, but until we have a goal we are not going to get there.

**Councilmember Phipps** said I too when I saw this was surprised by it in as much as it not seem to provide enough detail in my mind for a decision such as this. I've had the opportunity; I've been to China. I've seen firsthand what they can do with renewal energy and just how serious they are. I think they are ahead of really as a county in terms of developing renewal energy and resources and solar wind and such as that. I'm a firm believer in it, but what I don't see is where are we now with our renewable and sustainable energy program to say in 32 years that we are going to reach this goal? What I'm looking for is what are the incremental steps for us getting there; how do we

measure it? The speakers mentioned that there are going to be other resolutions that they want to come before us but when are we going to get the information to see how do we implement this unless we are just saying that it is an aspirational goal but I guess the time arising has been set that when are going to get there which is 32 years from now so I don't know what it all means in terms of our current structure. How do we transition from what we put in our cars now? Where do we go; what is the timeline of how we are supposed to get to this unless we are basically saying this is a non-binding agreement, and we will just figure it out as we go along that nobody is really serious about the 32-years from now? One thing I'm confused is how it got out of Committee when it didn't receive the appropriate votes to get out of Committee. That was one thing that threw me off. I'm for renewable energy; I think there are a lot of opportunities there for jobs and sustainability, but what steps are we going to get to incrementally to get to the 100% and what it would mean for our business, our economy and what our normal way of life is right now. That is what I don't see in the documentation for this presentation.

**Councilmember Fallon** said I'm going to tell you allegorical story; when I first came on Council six-years ago, I was Vice Chair of the Environmental Committee. I brought to them the ash ponds, and I warned everybody that they were going to be a problem and I was told I didn't follow the process; it had to go us first and then Council, and we wouldn't vote on it. Six years later Duke Energy is trying to stick us all paying for it when I warned and no-one wanted to listen. Do you remember James; I was put down by the Deputy City Manager and the Chair of the Environment Committee who sits in Raleigh now. It was a warning, because I knew it was polluting the earth and killing the water table and I was right, but no-one wanted to listen. This has to go back to Committee so that the whole Council can be informed properly so then they can vote on what they understand and then take it from aspirational to giving us goals.

A substitute motion was made by Councilmember Eiselt and seconded by Councilmember Fallon, to refer the resolution back to the Environment Committee; the Committee will bring it back to the full Council with a plan for next steps.

Ms. Eiselt said I agree with you; the vote was 2-2 in the Environmental Committee; why didn't the Council hear this and why didn't it get out of Committee.

Ms. Kinsey it did.

Ms. Eiselt said yeah, but it was 2-2.

**Councilmember Mitchell** said I wasn't present at the meeting, but I was supportive.

Mayor Roberts said I was there and I agreed with the Chair to send it to the full Council.

Ms. Eiselt said I would like to know what was discussed and for that reason I would like to have a motion to say let's come back with an actual plan even if it is 30,000 foot level because I think it is too serious to just let it drop or forget about for a couple dozen years.

Mayor Roberts said so you are sending it back to the Committee again?

Ms. Eiselt said to come back with a plan for Council to say these are the next steps; here is a little bit of background about what we can do and what we can't do. I have no idea what we can and can't do.

Mayor Roberts said I would like to speak to the first motion and the second motion; I think it is clear how it did follow the process and how it went to the Environment Committee and got on the agenda and people had a chance to look at that resolution. I'm glad that we are looking at the first ending and take out that second paragraph that was maybe not worded as well as it could have been. I'm been working in the environmental field for over two decade and one thing I've seen is that when you do set

goals much like the Paris, much like other countries who are ahead of us in setting goals, you actually lead the private sector, and when you make a bold step and set a goal just like we want to be a walkable and livable community, that is a goal. Do we have every single sidewalk planned out to be walkable; every single bike path planned out? No, but we know we are making steps and progress, and the same way we know we are making steps and progress in cleaning our air and reducing our reliance. I will give you a few steps this Council has talked about, has voted on, has done for years. We have hybrid vehicles; we have hybrid busses. The MTC voted on when I was on the County Commission like a decade ago. We have electric vehicles. We just added 160 electric vehicle charging stations; we all voted on that. We've talked about North End Smart District; we are solar array there, and we are going to be adding; we talked about a micro-grid, again powered by solar array. That is all on part of our City plans to make the North End Smart District relying on smart City technology, which is energy efficient. We also started Envision Charlotte; again, 2009 I was on the County Commission and Anthony Foxx and Jim Roberts, and we started a plan that has been copied around the world by cities and countries to reduce energy usage to reduce water usage.

We sent 4 people to Europe two weeks ago to look at the source of our economy; that is all about energy reduction, energy efficiency, trying to reach a goal of reducing climate change in every way possible. All these environmental goals go hand in hand with renewable energy with clean energy. We have adopted LEED Certification on any new building; that involves reducing HVAC electric usage, reducing energy usage working toward clean energy solutions. I could go on. but these are all things that have been voted on that have been discussed in public that have supported by wonderful groups like the Ciera Club, like the Citizens' for Climate Change, the Mayor's for 100% clean energy, the Mayors against climate change supporting that. These are movements that have been going on around the country. Orlando has a goal for its city to be 100% clean energy by 2030. That is where Disney World is; think of all the electricity they use. That is the city operations and then they have the whole city by 2050. Salt Lake City, San Diego, Columbia. has its goal 2036; our neighbor to the south, Columbia, South Carolina. St. Louis by 2035; the State of Hawaii by 2045, but of course they have a lot of sun. We also have so many of our neighbors in North Carolina have already adopted this: Hillsboro, Carrboro. You heard them earlier and there are cities who currently claim they are already on 100% clean energy, including Burlington, Vermont; people read about that, Aspen, Colorado and Rock Port, Missouri. So, again these items have been talked about.

We know we want to be environmentally sustainable; we know that we are a leader in clean water. We know that we want to be a leader in clean air. Our City and County have been working on this for years. This is the logical next step and we know that Duke Energy is continuing to build its solar arrays; we know that they are competing. We know that we are looking at wind and thermal. We know they have hydro and we know it is achievable. We do not have all the steps. We didn't have all the steps for a lot of that we set as a vision and goal for our City; it is my hope that this Council will think about the leadership that Charlotte provides in our State and in our Country and we just saw that with the National League of Cities. We had several of the discussions around climate change, around what cities are doing. Coastal cities are very concerned about climate change and they are very eager to have more inland cities join them in taking up the standard of doing what is right for our future and our kids. We can follow this with a climate action plan; you heard a speak talk about that. You set the goal; you follow that with a climate action plan, which is the steps you are talking about going back to Committee to look to work with Rob Phocas to work with our sustainability folks who have worked with envision, to bring in someone from Duke Energy. Look at the actionable steps where we can measure our progress, that is a climate action plan, but right now what is my hope this Council will do, because I'm pretty sure the next Council will definitely do it, but it would be nice to have this one do it, is to set that goal and to say we are going to stand with our City.

Mr. Phipps said I agree with a lot of the things you said, and looks like to me they were incremental steps that we are taking towards the goal, but what I would want to know is

there anyone on staff who could tell us briefly where we are now in terms of our sustainability efforts are we at 10%, 40% toward our 100% goal, or where are we, and what would it mean for us to get there?

**Rob Phocas, Sustainability Director** said Mr. Phipps, I don't have exact numbers for you but what I can tell you on the City operations side, we do have solar arrays; we do have renewal energy that we are using. A lot of that is put back on the grid or sold to Duke Energy, as opposed to use for our own facilities, is a small percentage and when you look at the energy mix. Where do we get all our energy sources; where is Duke getting the energy from? The leading sources are still nuclear and coal. Natural gas has been making an increase over the years, but renewals are a smaller percentage of that. I don't have the exact numbers for you, but I could get those.

Ms. Fallon said Rob, how difficult would it be to give us, if we pass this or talk about it, goals, and how set goals that we could get to by 15-year increments?

Mr. Phocas said I think we could do that Councilmember Fallon; this is an effort that would not be undertaken just by staff; it is going to involve working very closely with Duke Energy, because they are our energy provider. One of the unknowns right now is a recent law that was passed by the General Assembly that impacts renewal energy, and those regulations haven't come out yet. So, I think like a lot of cities and corporations as Ms. Eiselt mentioned are working with their staff; they are working with consultants to figure out what those plans look like and putting together a timeline and putting together a cost analysis.

Ms. Fallon said and putting together a priority list what should be first, what should be second.

Mr. Phocas said yes.

Ms. Fallon said I would go with it if we had something like that as an addendum.

Mr. Driggs said I just wanted to say you mentioned that several cities have adopted plans, and they involved the year 2035, year 2045 etc., and that goes to my point. I'm pretty certain that those cities arrived at those years through a thoughtful process; I'm pretty sure they didn't come up with the number 2035 or 2045 in this last minute, kind of knee-jerk fashion. They put some work into this thing, and they decided exactly how to articulate what their goals are, what their aspirations are, and they gave themselves a little time in order to give it some meaning and some substance. My problem with this is, as presented in this fashion and without the benefit of any preparation or Dinner Briefing or any input from you before now, this is the first time I've heard you talk about this. I'm just saying I think this should be done in a way that is supported by a little more research and a little more responsibility, so that the people that you are handing this to as you leave aren't saddled with something that they can't deliver on to the people in the audience here. This is a serious subject; this is not something that we do as a little gesture so that you guys will feel happy on the last day of Council. This has not been worked on the way it should be; there is plenty of time for us to do that work subsequently send it back to Committee. I'm not saying we shouldn't establish a goal like this for ourselves; I'm just saying the problem is that we pass this thing, and we say look what we did; we haven't done anything yet. This does not constitute anything.

Mayor Roberts said Councilmember Driggs, your characterization is really not fair.

Ms. Ajmera said again, I think we are talking a lot about how. This is an open commitment that will be followed up with additional steps from the Environment Committee, and this is a beginning not an end, and on the first day we cannot have an entire plan laid out. It is like putting the cart before the horse. We need to work out the plan and specific details with our staff and our non-profit partners and other partners and other government agencies, but we need to commit to this; we need to show leadership and we need to show that we are serious about this. The way that we show that we are serious about it is by committing to this.

**Councilmember Mayfield** said I'm trying to understand how this conversation is dissolving quickly around the resolution, which it clearly states that the clean energy resolution is a non-binding resolution, in which the City of Charlotte resolves that the City should commit a goal of 100% clean energy for all energy sectors by 2050. We are in 2017; the Environmental Committee had conversations. You have five members on the Committee. Unlike the conversation for the item that I pulled out earlier, where I asked where was the conversation around this? There were conversations around this, and this isn't new, as my colleague Ms. Fallon said, and there are plenty of times throughout the years where we have been on opposite sides of this conversation on so many issues, but this one when she first shared her concerns regarding our environment many years ago when we both came on in 2011, the conversation started then. This isn't a new conversation that was held in the Environment Committee; this is a conversation that has been happening repeatedly over at least six and a half years that I have sat around this table, not being on the Environment Committee, but the Committee had these long detailed conversations. I'm not understanding why we have gotten to the point where we've spent 15 plus minutes discussing this resolution when if we agree that as a City we want to continue to be welcoming. We want to continue to be environmentally sound. We are Tree City for a reason; we have made environmental control impacts and made decisions through our policy that has helped with development.

You look at my district, and you look at the River District, and you look at what is happening because of the development of the Charlotte Premium Outlets and the environmental controls that we put in place to try to protect our water. We need to protect our air. We know that there is so much damage we are creating to the environment. I am not understanding why we are having this long conversation about doing the right thing. At some point, you have to make a stand, so the idea of saying no, I am not going to support going back to the Committee, the Committee has had a conversation. The Committee has discussed it and there is a challenge when any of say well, it is political related. Why it is political related when we are talking protecting the environment, when there are so many other decisions that we make that are clearly politically related? We've got to figure out if this is clearly stating this is a non-binding resolution; this is an aspiration. We took out the final paragraph, because our City Attorney said he had a challenge with that and felt like he would not necessarily be able to defend that. I respect that, but if we are going to move our City forward I don't see why there is a challenge for us to say we actually care enough about the environment that we want to protect it for those fifth graders that we want to teach about water. As much as I fuss and as much as I challenge us just co-signing off on things, I am in support of this, because we need to figure out how to make a clear decision on what is going to move our City forward, because I'm not sitting here for 25-years and hope it works out right. We are making decisions based on the best information we have, but if we don't make some clear commitments now while we have the ability to do it we cannot wait for future Councils to get caught up you to try to learn and try to figure out if you want to do this; we need to make that commitment now. I am in support of us moving forward with this resolution this evening.

**Councilmember Smith** said I want to say a couple things; one is I appreciate everybody coming down tonight. You are a very passionate crowd and you've been a long time and I appreciate that. It is maybe non-binding in nature; it is going to be held up as a benchmark. It is going to be held up as a vote in a resolution that this body took to achieve a goal. I have voted for a handful of environmental measurers when we are on the Committee; one with the compressed gas motors for vehicles, LED lights, things in which I could say alright we are going to help the environment. We are going to reduce our costs over the long run, but there was a measure and a metric in place that I could come out, and I could take the data and arrive at a conclusion that worked for the City from a budget standpoint and work for the environment, all of which I supported. My problem with this is we don't know who our private sector partners are; we don't know what technology will be made available. We don't know what cost of those technologies will be made available. We don't know the possibility of actually doing a lot of this stuff, and I think that is the kind of background information I would want to

make a commitment like this, because I guarantee you the passions and energy that has come here tonight is not going to go away, because it is non-binding. We are going to be held accountable for this vote. I'm not going to be here but those of you who are going to be here you are going to be held accountable that you make the measures to get there. They are going to say you voted to support this, now is the time for the action. We don't know the costs; we don't know if we can even get there. We heard things from other resolutions that are going to come down, and for me I think it needs more study than this; we need more of an ability of an action plan from Rob so I'm not going to support it. I would be willing to send it back to Committee if my options are vote for it or send it back to Committee; I'm going to vote against the measure if my options are to send it back to Committee, then I will vote to send it back to Committee and let future Environmental Chairs and Rob. Let it come through a process; let it come through a Dinner Briefing and let everybody make an educated decision.

Mr. Phipps said in this resolution, is this just concerning what the City of Charlotte is going to do, because I don't think we could do this by ourselves? Have we even talked to the County about their input, and have they adopted a resolution similar to this that they are going to help us achieve the goal or this is a unilateral goal that we are seeking right now?

Mayor Roberts said the implication is it starts with the City and what the City can control and then work with our partners to go beyond to call upon and join with other cities that have already committed to this to work with them to continue to focus on renewal energy.

Ms. Kinsey said can I just say one other quick things; it is interesting listening, and I think I know where it is headed. I have a very short picture, and I think we all got this earlier on, of what the Environment Committee has done just in one year. We've been working toward a sustainable City for years; James and I remember when we actually started the Environment Committee and already everything that we do. The environment just surrounds everything that we do. There are a lot of things that happen that get started and then they finally grow and we started, well we didn't although I was involved in it, with one little section of the Sugar Creek Greenway and now, because the City has joined with the County we are going to have it. We didn't have it; it was an aspiration to have it, but we didn't have it. I remember when I was on County Commission a long time ago we talked about we need to set aside property for light rail. We didn't have light rail; there was no money for light rail but the City, and the County were talking about that. I think if we don't say this is our goal; we can always come back and say this is how we are going to reach it. I'll be disappointed if this is not adopted by this Council, but I think it will be adopted eventually.

Mayor Roberts said I think the motion before is to send it back to Committee.

**Councilmember Lyles** said I heard part of the discussion Mayor, but I haven't heard it all. I have a copy that staff has given me that says the last paragraph has been taken out, so I can support this motion, but I cannot support the section that says for all energy sectors by 2050. I don't know what that means actually, and so what I agree with is that we should for the City to commit for a goal of 100% clean renewal energy by 2050 and move this quickly, but I don't know what all energy sectors means, so I need an explanation of what that is.

Mr. Phocas said my understanding here is that it is focused on primarily on the electricity that we are using, the power that we are using to power the buildings. There are some cities however who have broadened that to include transportation sector as well, so it is broad here. I think that is a good point that Ms. Lyles has made as well.

Ms. Lyles said I have to say in response to that; that is what bothers me. I don't know what it means and when we say, I understand the resolution, and I understand the whereas but the wording for all energy sectors – does it mean all of our sectors, all of what we do? I'm struggling with the language in this resolution and if we don't know if it is broad or us then it is very difficult to say well what does it mean, so I'm trying to say,

well now therefore it be resolved that the City of Charlotte should commit to a goal of 100% clean renewal energy by 2050 and move quickly, but if it means that we are going to do that for our organization, and if you can't tell me which it is then that is a concern for me. I don't know whether you guys discussed that in the Environmental Committee or not, so I'm asking what this means. That is what I'm voting on.

Ms. Kinsey said I'll be honest with you; I don't know exactly what it means either except this is only for the City; however, since we don't know, I am perfectly willing to amend my motion again to delete that portion – for all energy sectors. I'm fine with that; we can come back and deal with that later once we get into this.

Mayor Roberts said the original motion is amended to take out that phrase. The City of Charlotte is capitalized and so my understanding is that this is just for the City operations but certainly the aspiration and hope is that it would extend through our partnerships to include the entire City. We can't commit the entire City; we can commit the City of Charlotte operations, and so this is the first step. We may come up with a climate action plan that includes joining more partners and using envision to spread more renewal, more energy conservation, but for right now with the way this is written it is just for City operations. We are in the middle of a vote Ms. Lyles on whether to send this back; it has already been to the Environment Committee, but there was a person missing so the substitute motion was to send it back to the Environment Committee and talk about it some more before coming back again to the full Council. If that does not pass then we go to the original motion which has two amendments now and we vote on that.

Ms. Lyles said I can tell this is a very awkward situation for me to come in not hearing everyone, but I'm going to say this; many of the people in this audience are really good friends of mine, and they've talked with me a number of way at different times about this idea of how do we get here. I am the kind of person that when I look at these things, I take them very seriously, and it is not something as a resolution that I'm going to be able to just say, well I can do it and we can come back to it later. When we talk about the goal of 100% clean renewal energy and the person that actually wrote this and put it on our agenda says, but we don't know what that word for all energy sectors means, and the motion includes that right now. Let me ask the Attorney, what is the motion, because I thought there was a motion, and there was a vote and it included it as is.

Mr. Hagemann said here is my interpretation of where we are procedurally. The original motion was for the resolution as proposed; the maker of the motion amended her motion to take out the last paragraph and that was seconded. Before you now is a substitute motion to refer it to Committee. The maker of the motion has indicated a willingness to accept a friendly amendment, but that can't procedurally be done until you dispose of the motion that is on the table, which is to refer to Committee. There is a willingness to accept a friendly amendment; that technically hasn't happened yet, because the main motion is not before you; the substitute motion to refer to Committee is before you.

Ms. Lyles said if I vote and it passes to go to Committee, what is the next motion and if I vote not to do that what am I voting on next?

Mr. Hagemann said if the motion to refer to Committee does not pass then the main motion is on the floor, and there has been conversation about the maker of the motion being open to a friendly amendment that would have to be handled and incorporated and then you would have a motion before you on the original motion as amended.

Mayor Roberts said the last paragraph would read "now therefore be it resolved that the City of Charlotte should commit to a goal of 100% clean renewal energy by 2050 and move as quickly as possible to achieve that goal." It would end there.

Mr. Smith said Ms. Eiselt's motion wasn't merely to go back to Committee, because there weren't people there; it included going back and creating an action plan and coming up with an actual plan that we think we can achieve. That was my interpretation of the substitute motion. It was not simply to go back because of the two to two tie.

Ms. Eiselt said Rob, are you involved in the way that this resolution was worded?  
Mr. Phocas said yes.

Mr. Eiselt said so, if it goes back to Committee do you feel that it is possible to even aspirational to put some kind of high level plan in place, because that is sort of the point of making that substitute motion? If you feel differently I would want –

Mr. Phocas said I believe we can do that; I also believe that we can, working with Committee members, address some of the concerns around the language, like Ms. Lyles has voiced tonight.

Mr. Driggs said I just want to point out, when we say this has been to Committee, the Committee met you were presented with this document; we did not receive any kind of a briefing from staff. We read the document and there was a discussion that resulted in a split vote of two to two. I don't call that due process; I don't feel that you can say this has been vetted by the Committee. The Committee looked at, and some of the concerns we are discussing tonight were raised, but it hasn't had the benefit of any briefing or staff input on what it is that we should do and how we make this mean something, how we give it substance, and what I don't get is why didn't this come up a month ago or why can't we do it in a couple of weeks? Why tonight? If you don't like the tone of my suggestion about I feel that the only significance of tonight is we have a last minute opportunity to pass this thing, and I don't see why we should have to do it on the gun like this. Why couldn't this have come up a month ago or six months ago?

Ms. Ajmera said Ms. Lyles the next steps can also be done after we pass the resolution especially removing for all energy verbiage. So, that would be a subsequent next step if you move voted to move forward with this resolution. I think Ms. Mayfield had mentioned several times in her comments about how this has been a continuing discussion even before I got on Council. This is not something we decided to do out of the blue at the last Committee meeting.

Ms. Fallon said this is the prototype of what we've always complained about; things brought to us at the last minute, and we are pushed. There is no discussion until we get here, but there are ramifications of everything we do.

Mayor Roberts said I thought you were supportive.

Ms. Fallon said I will not support it without a goal; I will not vote for something that doesn't give me priorities and goals.

Mr. Phipps said in looking at the title of this resolution, it says that the resolution of the City of Charlotte City Council in support of a State and National Goal of 100% clean energy by 2050 or sooner and the creation of green jobs. Now, is there a State or National Goal of 100% clean energy?

Mayor Roberts said there is.

Mr. Phipps said well I haven't seen it. That should have been a positive because they would have more of a description of what we are attempting to do here.

Ms. Lyles said I do think that is a good question Mr. Phipps. Is there support of a State and National Goal? Our State and our Country has a national goal; Mr. Phocas is that correct?

Mr. Phocas said I'm not aware of the federal administration having a 100% renewal energy goal. My understanding of this is that there are cities and states as the Mayor mentioned earlier who have made this commitment and that the City by passing this resolution would be joining a movement that is occurring at the federal level across states and cities.

Ms. Lyles said before I left the meeting, I'm sorry I had another meeting within a meeting, and before I left the meeting basically what I had said to the folks that had put this proposition forward is that I did feel like the resolution was confusing and not understandable and not fully defined. I asked the question of Mr. Lansdale if there was a possibility that we could have something that would work and that would actually have some goals in it that would make a difference, and this is really difficult for me to step in.

I haven't heard all of the conversation; I know what aspirational means but the resolution in front of me isn't aspirational. It says the City of Charlotte should commit to a goal; it doesn't say will attempt, will aspire to or any of that. I'm really still struggling with that statement, now therefore be it resolved. I am not questioning this Council's commitment to the environment; I'm not questioning when we started or how we've gotten here either, but I wonder if really what we are saying, and I'm not a should or could and shall person. I'm sure Mr. Hagemann could help me with this, but I think one of the things we have to be really clear on is what are we trying to do. I had much rather this statement read differently. and if it takes going back to Committee I think that is important to do. because I'm trying to say now therefore it be resolved that the City of Charlotte will aspire to commit to a goal of 100% clean renewal energy by 2050 and will move as quickly as possible to achieve that. That is what I could live with, with this resolution. I feel very strongly, and I've said this many, many times this Council's work is so important to this community. We should be clear and able to explain what we are trying to accomplish and the word should follow the voices that are being spoken, and I don't think that these words do. This is not going to be what we've been talking about around the dais to do. It isn't aspirational, it says we should commit and that concerns me. I would rather it be right than fast.

Mayor Roberts so, does that mean that you are voting to send it back to Committee?

Ms. Lyles said Mayor, let me be more clear. I'm just going to say this I am going to vote not to support this, and I'm going to tell you why. I know there is going to be repercussions and there is going to be conversations, but I'm going to say this because it says a resolution of the City Council in support of State and Nation Goal. We know there is no National goal, so no national goal and when it says should commit instead of aspires to accomplish, where it says all energy sectors. The wording isn't right. The commitment of what we are trying to do is right, and if it is just as simple to say all of these things that whereas that the City should commit to the goal or aspire to the goal of 100%, but the document as we have we presented before us tonight is not as clearly stated as what the words around this dais have said, and sometimes you have to take a stand that is not popular. I hope that no one in this audience will see that anybody around this dais is doing any more than trying to do the right thing and do it in a right way. Everyone that supports it as well as trying to get it right is trying to do the right thing, and you don't do it at 10 minutes till 10:00 p.m. with a pencil being marked and struck through without staff working through it. I commit that we should come back; we should do it right, and we should do it soon, so I will support the motion that moves it to Committee.

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

YEAS: Councilmembers Driggs, Eiselt, Fallon, Lyles, Phipps, and Smith

NAYS: Councilmembers Ajmera, Ivory, Kinsey, Mayfield, and Mitchell

Ms. Mayfield said just for clarification can we put a time limit on it so it doesn't get lost and at the end of 18-months we are having this conversation again? Is that another amendment, or is that just letting it be known for the City Manager that we want a time limit on it.

Mr. Hagemann said the maker of the motion to send it to Committee was Ms. Eiselt; your rules and this is a very seldom if ever used rule, there is a rule in your Rules of Procedure that allows the maker of a motion to send an item to Committee to request after 60 days through a motion to bring it back to the Council. The idea behind that rule

is when something gets send to Committee you have at least 60 days to work on it but then the maker of the motion to send it to Committee can in front of the Council make a motion to take it back. The idea is that the Committee should not be just sitting on it to kill it, if the full Council wants some kind of action.

Ms. Mayfield said but here is the thing; we are at a point where we don't know who is going to be on what Committee, because we are going to have all new Committee assignments, and we don't know who is going to be in charge, so is there a way for us to protect the motion by saying the expectation is that the Committee brings it back within 60 days, so it is not the maker of the motion because the maker may or may not be in that role?

Mayor Roberts said is that a second motion Mr. Attorney?

Mr. Hagemann said I don't think you need a motion; the reason I asked who made the motion is I wanted to know if the maker of the motion is going to be on the Council after December 4, 2017, and the maker of the motion is going to be on Council, so there is a vehicle after 60 days through your rules to bring it back even if the Council has not made a decision. That doesn't mean you have to bring it back after 60 days; it protects the Committee for at least 60-days to give them a chance to work on it.

Mayor Roberts said she is asking the opposite question; she is asking can you require it to be looked at and discussed under a certain amount of time.

Mr. Hagemann said I can't think of any precedent for that.

Ms. Mayfield said just for clarification Mayor, I just wanted to make sure that there was nothing in place that said that it can't be done, because we again are going to be bringing on new member, and I don't want this getting lost in translation if we go ahead and state tonight that 60 days it should be brought back, so give it time to get to the Committee, go through the process and we put a limit on it now. That way we don't have to worry about trying to remember that we want to have this conversation again.

Mr. Hagemann said I think you could do it; I can't think of any precedent and I think you can do it. I caution you a little bit to be thoughtful because typically when there is a change over on Council it takes a period of time to get committees appointed and for them to gear up and I would be careful to not put such a tight timeframe that they don't have a chance to meaningfully work on it.

Ms. Mayfield said that is okay; it happens to all of us. That is your downfall of two-year term; they will catch up. So if that is agreeable for the Council to put 60 days; that should be enough time to get the information together; that shouldn't be a problem. All Councilmembers are going to have a window in which you have to play catch up.

Mr. Smith said I will agree to a time period; I'm not agreeing to 60 days.

Ms. Mayfield said well you are going to be gone anyway.

Mr. Smith said in order to get it off of this dais you need unanimous consent; you can't just –

Ms. Mayfield said it is already off; it is already going to Committee I'm just asking us to put a timeline on it so it just doesn't linger there.

Mr. Hagemann said again I'm thinking this through; having not had to do this before, if you make a motion requiring a committee to report back within 60-days and they don't do that, you are in the same position as your rules, which allow the maker of the motion to refer to have the full Council take it back. I think a request by this body that the Committee report back within 60 days is fine but how you bind them to take action and you have a vehicle to pull it back to the full body if you want to do so.

Ms. Lyles said I think that I clearly understand the urgency of this and I don't think we have to worry about the 60 days. I think the City Manager understands clearly the urgency of this, and for the Committee if we are open to the idea that there are priorities in life, we can make one. I would say that I think we've all understood that, and I don't know that any action would be required if we know this is important, and it obviously is because we very seldom have six/five votes on this Council.

\* \* \* \* \*

**ITEM NO. 12: MINORITY AND WOMEN BUSINESS ENTERPRISE DISPARITY STUDY ADOPTION**

**Councilmember Mitchell** said I've got a lot of speaking points, but in light of 10:00 p.m. is approaching us, I will first thank my Committee, who received the BBC Report and then we did a Dinner Briefing as well. This program I think is very important; I know we have some speakers, so I don't know if you want the speakers.

Motion was made by Councilmember Mitchell and seconded by Councilmember Mayfield, to adopt the Economic Development Committee recommendation to (A) Accept and adopt findings and analysis of the 2017 City of Charlotte Minority and Women Business Enterprise (MWBE) Disparity Study Report, and (B) Amend Part A, Section 8 of the Charlotte Business INClusion (CBI) Policy to extend race-conscious measures and/or gender conscious measures through January 1, 2023.

**Vilma Betancourt-O'Day, 208 Whitmyre Court, Fort Mill, SC** said I am Public Policy Director for the National Association of Women Business Owners in Charlotte, and I am also a member of the Disparity Study Advisory Committee. I am on Councilmember Mitchell's Charlotte Business INClusion Advisory Committee as well. I am speaking today on my own behalf, and I'm not speaking on behalf of the Advisory Committees that I participate in. Thank you for the opportunity to speak to you today; I would like to give a shout out to Mayor Jennifer Roberts and her Assistant Amanda Birch, who went way beyond the call of duty to make sure that the Mayor had a proclamation in front of her within two days after I requested it. It was to make October 2017 as Charlotte Women Small Business Month, so thank you Mayor Roberts. A huge thank you to Councilmember Mitchell who came up with the idea in October 2016 and decided that every October is going to be Charlotte Women Small Business Month, so next year I will put it on your calendar so I don't mess up again.

My focus today was to encourage you to vote yes for the Disparity Study, which you have already done. I wanted to bring to your attention that minority women are not counted in this Disparity Study, which is why I have my shirt that says I Count, because I'm a refugee, and I'm not being counted and neither are the other minority women. We are lumped together with the minority men, whereas the white women get their own classification, so we don't know how many contracts the minority women are getting or not getting. Based on the Disparity Studies that I have seen from other cities, minority women get the smallest amount of contracts. Another point that I wanted to make was that I can visit the US Census website and find statistics on how many immigrants are in North Carolina, their respective ethnicity, how many of them own businesses, their respective industries, how many employees they have, their sales numbers, how much they are making every year. There are 15,917 immigrant entrepreneurs in the Charlotte region, and we are 9.1% of the population; however, I cannot go the City Business INClusion website and download information on the certified businesses and sort them by gender and ethnicity; that is impossible to do. Nowhere within the City of Charlotte website can I get a breakdown of City vendors by gender and ethnicity and this includes the Disparity Study.

**Stephanie Berwald, 4337 Howie Circle** said first of all, I want to thank you for the opportunity to be able to speak with you this evening. I know many of you, but those of you who I don't know, I am President of the Metrolina Minority Contractors Association, also known as MMCA. We are a local non-profit construction trade association who has

been around for 30-years right here in the City of Charlotte. We started here in Charlotte, and we represent minority owned businesses with a focus on African American businesses right here in our City, and we do education, advocacy, networking, and we focus on business opportunities. So I'm here to speak on behalf of MMCA; I also have the pleasure of serving with Velma on your Charlotte Business INClusion Advisory Committee as your Chair, but I am speaking to you today on behalf of MMCA.

We also stand in support of the findings for the Disparity Study; glad you all passed that and we do want to make sure that you focus and pay close attention to the recommendation that BBC put forward in the study. That would be maintaining the race based goals, increasing the City-wide MWSBE Goal to 20.9%, setting MSBE Goals on all City funded projects, both informal and formal. You currently do it on all formal, but not informal, so we are definitely looking for you to consider that and also unbundling bid packages to allow for increase participation on those packages. Over the course of the last 15 to 20 years the City has done a couple of Disparity Studies, and each one has really yielded just about the same results. There is a significant disparity in African-American, Native American, Hispanic, and Asian owned businesses. We feel that we can do better than that as a City. We need to be setting the example; we need to be the leader. When new businesses come to Charlotte, we need to be able to stand up and say this is how we expect you to do business in our City. So, as an organization, we want to make a commitment to you to this Council, to the incoming Council that we are here to support your efforts in any way possible to move the vision of Charlotte forward, but we also want to make sure that we come up with real achievable and obtainable goals and objectives. So, with that, we definitely want you to focus on those four points, but we also want you to consider the following: as you are looking at the goals break those goals down. The County breaks them down to 10% minority, which is people of color, 6% women and 5% small business. Let's take it a little bit further than just setting one goal. Also, we want to see us improve the contract review process.

Mr. Mitchell said let me just make two comments, one to thank my Vice Chair Ms. Eiselt and members Ms. Mayfield, Ms. Ajmera, and Ivory for all being in support of the BBC Research and support of the MWBE Disparity Study. It is time sensitive, because our current program will expire December 31, 2017, so I would like this current Council to take action tonight.

**Councilmember Ivory** said first I just want to say Thank you to Thomas and the staff, I had a concern, and they were able to converse with me for the next phase I just want to make sure we have public input on how to rectify this disparity when it comes to minority women being identified and also having the opportunity.

**Councilmember Driggs** said I've talked about this before, and it is late, and I won't repeat myself. I think it is unfortunate that the situation we are in requires that we self-identify as a City that underutilizes minority women owned businesses, with the connotation that we discriminate against them. It is just too bad that that is the only way it works, and I also on a more academic level disagree with some of the methodology of the report and the way in which it purports to demonstrate what it does; however, I am very mindful of the problem we are trying to address and the circumstances, and if we have a legal opinion that this works and that we are safe, that we are protected, then I'm prepared to vote for it.

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

\* \* \* \* \*

#### **ITEM NO. 13: CHARLOTTE WALKS: SIDEWALK CONSTRUCTION ORDINANCE REVISIONS**

**Councilmember Lyles** said actually the Charlotte WALKS Program went through Committee, came to this Council and was adopted. In the adoption of that plan, it included addressing these things, and I believe at the presentation that the staff gave us

at our Dinner Briefing, as a follow-up to this, it was felt that this was an amendment to the construction requirement and the ultimate goal of having the connections made where there has to be change or development that this was a part of that program. Whether or not you support it or agree with that, the intent was our big goals were to have a walkable City by connecting with sidewalks, and in order to accomplish that the staff brings forward the ordinance amending the sidewalk construction, so it depends on your point of view and I know some of them are not the same.

**Councilmember Mitchell** said I think all of us should have a copy of a letter signed by Julie Porter of the Housing Partnership, Fulton Meacham and a young lady with the Mosaic Development Group as well as Joe Padilla, with REBIC, reached out to us about the impact on affordable housing this could have. I think one question was the impact it might have on those we have already have won Housing Trust Fund dollars, and now for them to have to go back and adjust construction prices based on this ordinance. Ms. Wideman can you share some light on how we will handle that please?

**Pam Wideman, Director of Housing and Neighborhood Services** said I think the letter that was sent and the concerns that were raised were about if this would increase the price of affordable housing, and the answer is yes. With that said, from a staff perspective, we are not asking to relax that because you all focused on quality affordable housing, and so we want the affordable housing to look as good as the market rate. What we do suggest from a staff perspective is that we look at other programs that are already in place, like our sidewalk program and other infrastructure programs to help make up the cost of future projects. I think if you go back you might be opening up a can of worms for developments that have already been provided and most times it is in a construction cost, so I think going forward this would be something for us to look at.

One last thing, at Dinner, I acknowledged the outgoing Councilmembers who really help with affordable housing and failed to acknowledge two very important people, that is Ms. Fallon, thank you for your work and the Mayor, Mayor Jennifer Roberts, thank you so much.

**Councilmember Phipps** said I have a question about some language in the things that are going to be done. It says a new requirement that any new development, which removes more than a half of a sidewalk along a thoroughfare, shall be required to bring all sidewalks along that thoroughfare into compliance with current City standards. What are we saying there; if it is a new development would it have sidewalks yet? What sidewalks are we removing?

**Councilmember Mayfield** said a perfect example of that would be on West Boulevard. We have a new Family Dollar that was built a couple years ago; that Family Dollar built not under our new sidewalks standards with setbacks but under the old standards, so we and we being the residents along the West Boulevard corridor, and I went out on two of the occasions; there were a couple of different tours, where we physically walked along West Boulevard. You have sidewalks that are narrow enough where if you and I as two adults were walking we would not be walking side by side down the sidewalk. So, you had this new development that came in and opposed to building under the new standards and having the wider sidewalks including the setback and the protections whereas any additional new development that comes along will be connecting to the new wider sidewalks, you have this older sidewalk that is in place under the old six-foot sidewalks that we put in which is not conducive to the walkability plan that we have aspired, and we have committed to throughout the City in other projects. So you look at South End at the same time and every time there is a rezoning of TOD that is under the new standards so you are creating these new wider sidewalks that give more protection and more space for pedestrians but at the same time as that older development is being redeveloped we are now connecting. If you ride through parts of South End, you will see the new wider sidewalks, and you will see the older, so as new development is coming in it is connecting to the new sidewalks, which is giving us more accessibility and safety. That is just two examples of how it plays out if you were driving down or if you were walking along and saw it and experienced it.

Mr. Phipps said what I'm trying to figure out is if they remove a section of sidewalk that is in front of their development, what we are saying is not only do they have to replace their sidewalk but they have to replace the sidewalk of the whole corridor. That is what I'm trying to get my arms around; why would they have to replace the sidewalk for the whole corridor when theirs could be limited to just their development?

**Scott Curry, Transportation** said that interpretation is not exactly correct; the portion of sidewalk that would be required to be replaced in that instance would only be the sidewalk within the boundaries of that property, not along the entire corridor.

Mr. Phipps said okay, that is how the language is written in our packet; it says that it has to bring all sidewalks along that thoroughfare into compliance with the City street standards. Are you saying then that that is worded wrong or not what we really wanted it to say, because that is what it says under the legislation text?

Mr. Curry said I believe it says sidewalk along a thoroughfare, which amounts to more than 50% of that property's frontage. It is a very narrowly constrained ordinance to just that property's width; it is not chasing sidewalk up and down the corridor.

Mr. Phipps said okay, I'm looking at Page two of our packet, the second bullet. That is where I'm getting that language from so are you saying then that that bullet means only in front of their property. That is what I was confused about.

Mr. Curry said that is correct; it is only in front of their property.

Mr. Phipps said and that says that?

Mr. Curry said yes Sir.

**Councilmember Driggs** said we voted for a general kind of goal of sidewalks, and it was aspirational, or it was a statement of kind of general policy and now this comes back which actually for some people is going to create quite a burden. You are taking 14 feet away from them, and there is no test as to whether this is in a location where anybody is actually likely to walk. So, you have the possibility of kind of a silly outcome where you've created this beautiful planting strip and sidewalk at considerable expense to a property owner who acquired this property under the assumption that he had certain rights, and it may not be necessary, so I would just like to give Council a little more time to think about whether a more differentiated implementation of our sidewalk policy, which I fully support, would make sense given that there are costs associated with this as it is proposed. Do you have any idea how many locations for example would be affected by this in the normal course of events?

**Danny Pleasant, Assistant City Manager** said formerly Director of Charlotte Department of Transportation, a long history on work with the City Council to produce a more walkable community and have a cohesive sidewalk program. In 2007, the City Council adopted Urban Street Design Guidelines, where the standard sidewalk and planting strip widths were 14 feet for the planting strip and six feet for the sidewalk. That was in recognition of the City's commitment to wanting to have tree-lined streets as a part of its tree goal, also recognizing that wider sidewalks are necessary, particularly in commercial areas and remember these provisions only apply to major thoroughfares and most of your affordable housing is not. We are not building units in affordable housing, we are building neighborhoods which typically are not lined up along the commercial thoroughfare streets. Council has a long history of those dimensions being the standard through your sub-division ordinance for building sidewalks and planting strips. This simply is to fill a couple of loopholes, one that requires developers to replace back of curb sidewalk on their frontage, usually four-feet wide, generally agreed in being unsafe to replace that sidewalk to standard that is required of everybody all across the City. The second provision is to fill in sidewalk gaps, where development has been allowed not to build a sidewalk on their frontage if they developed, I believe less than 50% of the tract so what you have is you have a developer can develop 50% of the tract and a few years later that next 25% would come and the next 25% would

come and still no sidewalk. It is just to try to fill those couple of loopholes in the current ordinance. That was anticipated and talked about quite a bit in the Charlotte WALKS Plan that you all considered and voted unanimously to approve.

Mr. Driggs said so you are however imposing a cost on anybody who would develop their property if they have to contend with – is there any idea of a fee in lieu type of solution like in stormwater, because on some sites this is going to eat up a big chunk of the land with sidewalks on either side. You will have them on one site and smaller sidewalks on the other side, and you are saying I need you to create this little strip of Eden on your site. Again, I get the idea and I think to try to move in that direction makes sense; I just have a feeling that as written this thing could result in some non-sensible outcomes.

Mr. Pleasant said there is a provision in the language that allows the City Engineer to make an interpretation of when the standards aren't reasonable standards for a number of reasons, and you can read through those in the actual text so that there can be some diversion from that strict standard.

**Councilmember Smith** said where I struggle with this is we keep throwing the word developer around as if these folks are going through the typical rezoning process that developers often go through. It says right here if the total built upon area of the site reaches 25% or more that the total area of the property sidewalks and drainage facilities shall be required. How I read this is, we are telling the existing landowner that has an existing zoning and the right to build on their property that we are going to layer in an additional regulation they will have to comply with. Again, for the policy for which somebody is coming along and they are asking the City for rezoning, I think it is more than fair to say part of that process we are going to grant you the rezoning, but you are going to have to meet this new standard. As I read this, this is going to be punitive to landowners and it is not just developers; it is just small businesses that may have a quarter of an acre site; they've got a 3,000 square foot building, and they want to add 2,000 square feet on it, which is not going to be a big deal, but the sidewalk may cost more than their addition. That is where I'm struggling with this; to me we are asking individual land owners that have a right to build on their property to subsidize our sidewalk program.

Mr. Pleasant said you are correct; you get sidewalks with almost every rezoning. You build that in as a condition.

Mr. Smith said and I agree with that.

Mr. Pleasant said this is intended to capture the by right development that is leaving those gaps in the sidewalk system.

Mr. Smith said and I think if that by right, and aside from Mr. Driggs' concern, about how much land they are taking? This is just me pure and simple. They own the property; they have a right to build something on it, and if they have already asked us for a conditional rezoning and then have to come back through the process, but this is taking somebody say on Park Road that owns O-2 land that by right they could put a 40,000 square foot building on there, and now we are going to say yeah, but if you do that you've got to build these sidewalks when it is their right to build on their property. If this is such an issue for the City we need to figure out a way that we pay for plugging in the gap, but I don't think we should put that burden on the individual landowner. Again, for the rezonings, we are asking the developer who wants something from the City and I think that is a very fair exchange. I love these new sidewalks that are being built; I don't mind the 14-feet; I like the buffer; we all feel save, and we get the trees but we are getting something in exchange for that. We are going to grant you the right to rebuild on this. To me this is punitive to individual landowners, and I can't support it.

Ms. Lyles said I understand the arguments that are being made, but I also think we have to think about this in the context of if you are rebuilding and development is happening, often times it is because of the investments that we are making and the

development and growth that we are having in our City right now, and one of the things that we think about is when we are having all these opportunities to create there is a sense that pedestrian safety and our vision zero is connected to being able to have walkable sidewalks that are not right up against the curb. There is a balance that has to be taken, and yes I understand that there is an argument that you could make that says well I'm on Park Road; I've had this place for a long time. I developed it in 1950 and now it is time to upgrade, or I have the opportunity to do that, and I want to keep the sidewalk to the curb. I just remember very much the presentation of where that happened and the sense of safety and how people walk in our community, so yes, there is a cost to it. I understand that, but I wonder what is our cost if we don't actually take this action to say we are going to try to create that pedestrian safety and maybe it is the size of the strip, but a large part of it if we are going to get there it is going to be something that we are going to have to figure out how to do and most of the ways that we get sidewalks done is regulatory. It is not from sidewalk funds that we have in our bond referendum. I'm going to support this, because I think it relates to especially those parts of our community that are being developed or redeveloped even without rezoning, because it is accomplishing something as a community and the growth and the opportunity that we have that takes what we did in the 1950's and 1960's and changes it, that I think will last this community a lot longer and the cost is there. I recognize that, but I think it is thing that we are going to actually try to accomplish if we are going to make the City safe for people to walk.

Ms. Mayfield said thank you for your comments Ms. Lyles. The challenge that I have is when we talk about by right and we talk about the realities of language that we have put into place regarding policy, we opened the door for five-year plus vested rights, so how does that play out on the ground. I can tell you multiple instances throughout District 3 where it is not playing out in a positive light. People love the idea of Bryant Park now, which started out at one price point and is now at a very different one. Well, Bryant park is a prime example of something that was approved many years ago by a previous Council that had so many years of vested rights on it, so you had a development that was 640 plus apartment units that now has been completed redeveloped without doing any upgrades to the sidewalks. So, it is the same broken up old sidewalks that are along and then what is going to end up happening is government is going to be looked at to come in later and figure out how to make an investment to put in wider sidewalks when the developer had an opportunity when they completely leveled 640 plus units and redesigned the area to make that investment, because you have benefited off of all the funding and infrastructure that this Council and previous Councils had invested all along the Freedom Drive corridor and Freemor West, so we can't continue to have the conversation where you always want the win/win of well by right used to be able to do this. Well, when you purchased that and I agree we need to have a different conversation regarding our language in our policy. Staff already knows I'm not a fan of seven-year vested right or five-year vested rights, because the world changes every two and a half to three-years, but because that language is in place we are not getting the connectivity, the accessibility, and the walkability that we are aspiring too. I believe this language would help to fill in those gaps as development is happening, and it doesn't get triggered until you are looking at doing a new development. Unless we are going to go back and say any new development that comes before us starting tomorrow is going to have to be a conditional rezoning so that we can make sure that it comes back before some form of Council whether it is tomorrow or four years from now where it can be addressed, this is one of the best ways for us to try to have the connectivity and accessibility and to be this walkable community that we say we want to be. We can't have it both ways.

Mr. Smith said this isn't just development, this [inaudible] to if you make an addition on your property as well. In the scenario you described, I would love to see it carve out to how you capture that. If we gave somebody a rezoning that allowed them to make the changes to me those are the exact type people that we've granted you something, and so they should be held to that new sidewalk standard. That is where I would love to see it go back to Committee. The larger context came through Committee; the policy didn't come through Committee and I supported the sidewalk program, and Scott has been out and helped us on Sharon Acres and a couple areas in the City with sidewalks. We

need them in SouthPark, and we need them everywhere so I'm a big fan of trying to make things more walkable, but I think there is a better way to do it that is less punitive to landowners as opposed to developers. I think we are looking at this in the context that this is going to impact developers; it is going to impact landowners and individual small businesses, just as much as it is going to impact somebody else. If it goes back to Committee and you can figure out a way to retroactive this to say we were granted this; those are the people where you want and we don't want to have those breaks.

Motion was made by Councilmember Mayfield, seconded by Councilmember Lyles, to adopt an ordinance amending the sidewalk construction requirements in Chapter 19 of the City Code.

A substitute motion was made by Councilmember Driggs and seconded by Councilmember Smith, to send this issue back to Committee for further deliberation.

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

YEAS: Councilmember Ajmera, Driggs, Eiselt, Fallon, Ivory, Kinsey, Lyles, Mitchell, Phipps, and Smith

NAYS: Councilmember Mayfield

\* \* \* \* \*

#### **CITY MANAGER'S COMPENSATION**

**Mayor Roberts** said we had a meeting this afternoon about the City Manager's compensation and we had a good discussion among the Council and Mayor with the City Manager about his progress in this first year; it is hard to believe it has not been a complete year yet; a few days away from being a complete year. I know Councilmember Smith has the actual numbers and what we voted on and agreed to but I want to say that we pretty much agreed that it has been a terrific year. We appreciate the City Manager; he jumped right in and faced the challenges that our City had as a growing City with a lot going on. We are greatly appreciative and we hope that the compensation packages means that you will be wanting to stay and do some more hard work because we greatly appreciate your commitment. We are so glad that you family enjoys it here.

**Councilmember Smith** said I am proud to make the motion; it has been an absolute joy and pleasure to work with you this past year; you continue to do great things for the City.

Motion was made by Councilmember Smith and seconded by Councilmember Mayfield, to approve a base pay increase of 6% effective December 2, 2017 in recognition of his performance since his hire date of December 1, 2016; his new salary will be \$318,000. In addition, the City Manager's 401A contribution will be increased from \$20,000 to \$21,611 effective December 2, 2017.

Mr. Smith said the additional \$1,611 into Mr. Jones 401A account is due to legal cap on the amount of the City's contribution to his 401K account, and this would keep us within the contract that we hired him.

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

YEAS: Councilmembers Ajmera, Driggs, Eiselt, Fallon, Ivory, Lyles, Mayfield, Mitchell, Phipps and Smith

NAYS: Councilmember Kinsey

\* \* \* \* \*

**ITEM NO. 15: SOLID WASTE SERVICES MULTIFAMILY REFUSE COLLECTION SERVICES**

This item was pulled by staff and will be brought back at a future business meeting.

\* \* \* \* \*

**ITEM NO. 16: APPOINTMENTS TO THE BICYCLE ADVISORY COMMITTEE**

The following nominees were considered for one appointment for a partial term beginning immediately and ending December 31, 2019:

Jack Cameron, nominated by Councilmembers Driggs, Fallon, and Mitchell  
Nadine Ford, nominated by Councilmembers Ivory, Kinsey, and Mayfield  
Brian Geathers, nominated by Councilmembers Lyles and Mitchell

Results of the first ballot were recorded as follows:

Jack Cameron, 1 vote – Councilmember Fallon  
Nadine Ford, 6 votes – Councilmembers Driggs, Eiselt, Kinsey, Lyles, Mayfield, and Mitchell  
Brian Geathers, 3 votes – Councilmembers Ajmera, Ivory, and Phipps

Nadine Ford was appointed.

\* \* \* \* \*

**ITEM NO. 17: APPOINTMENTS TO BUSINESS ADVISORY COMMITTEE**

The following nominees were considered for one appointment for a full term in the At-Large category beginning immediately and ending November 26, 2020:

Damiko Faulkner, nominated by Councilmembers Ajmera and Phipps  
Brian Geathers, nominated by Councilmembers Driggs, Ivory, Mayfield, and Mitchell  
Thomas Rothrock, nominated by Councilmembers Fallon and Lyles

Results of the first ballot were recorded as follows:

Damiko Faulkner, 6 votes – Councilmembers Ajmera, Fallon, Ivory, Lyles, Mitchell, and Phipps  
Brian Geathers, 4 votes – Councilmembers Driggs, Eiselt, Mayfield, and Smith  
Thomas Rothrock, 1 vote – Councilmember Kinsey

Damiko Faulkner was appointed.

\* \* \* \* \*

**ITEM NO. 18: APPOINTMENTS TO THE CHARLOTTE HOUSING AUTHORITY BOARD**

The following nominees were considered for one appointment for a three-year term beginning December 18, 2017 and ending December 17, 2020:

Sheila Jones, nominated by Councilmembers Driggs, Ivory, Kinsey, Lyles, and Mayfield  
Carlenia Ivory has declined the nomination.

Results of the first ballot were recorded as follows:

Sheila Jones, 10 votes – Councilmembers Ajmera, Driggs, Fallon, Ivory, Kinsey, Lyles, Mayfield, Mitchell, Phipps, and Smith.

Ms. Jones was appointed.

\* \* \* \* \*

#### **ITEM NO. 19: APPOINTMENTS TO THE CIVIL SERVICE BOARD**

The following nominees were considered for one appointment for a partial term beginning immediately and ending May 15, 2018:

Harvey Katowitz, nominated by Councilmembers Fallon and Smith  
Carolyn Millen, nominated by Councilmembers Ajmera and Kinsey  
Victoria Watlington, nominated by Councilmembers Driggs, Ivory, Mayfield, and Mitchell

Results of the first ballot were recorded as follows:

Harvey Katowitz, 3 votes – Councilmembers Driggs, Fallon, and Smith  
Carolyn Millen, 2 votes – Councilmembers Ajmera and Kinsey  
Victoria Watlington, 6 votes – Councilmembers Eiselt, Ivory, Lyles, Mayfield, Mitchell, and Phipps

Ms. Watlington was appointed.

\* \* \* \* \*

#### **ITEM NO. 20: MAYOR AND CITY COUNCIL TOPICS**

**Councilmember Ivory** said I just want to make sure that everyone knows about November 29, 2017 at 8:00 a.m. that the Charlotte Rescue Mission is having a ribbon cutting; it is going to change the lives of so many and so deserving, and it is for the café.

**Councilmember Ajmera** said I understand this is the last Council Meeting for our current Council, and I appreciate working with all of you. Some of you I will not be serving alongside of you, and I will miss all of your leadership. I understand it takes a lot of sacrifices to serve so, Ms. Kinsey, Ms. Fallon, Ms. Ivory, Mr. Smith, and Ms. Roberts, I will miss you on City Council. So, thank you for your service and leadership.

**Councilmember Kinsey** said I'm just awful proud of our City for the National League of Cities Conference; it was just absolutely wonderful. The staff was great; Randy and everybody there, it was really wonderful; thank you so much.

**Councilmember Fallon** said I just want to say good-bye; the greatest joy I've ever had was being above able to help people and from this seat you could.

**Councilmember Eiselt** said I want to say to the outgoing Councilmembers and Mayor that it has been an honor to serve with you all. This is my first Council and for everything that we've been through, as I've told people, the best part of it was the people that I served with so thank you all.

**Mayor Roberts** said next Monday will be the swearing in of the new Council, and there will actually be a little bit of time for outgoing Council to say good-bye there as well. The outgoing Mayor and Council start and then we hand the reins over to the new ones to get sworn in. There are also two Mayor's awards that I give out and everyone will get a running show for how it goes next week, but this is our last full meeting for those of us who are rotating off. I will also add my thanks, and I'm really glad that we ended on a couple of heated discussions; it was like a really meaty meeting tonight, and that is what policy is all about. It is about getting in the arenas, a great Teddy Roosevelt quote about those critics who were sitting there, and they are like watching and they are cold and heartless, but it is actually getting into the arena that makes a difference and we are all in the arena. I appreciate serving and working with all of you on some really terrific things our City has accomplished. We have a lot more that we can do, and it is going to be a great new Council coming in, and I look forward to welcoming them.

**Councilmember Lyles** said I would also add my kind words of sentiment; it has been a great opportunity to work with everyone, and I look forward to perhaps a little bit more

fun and congratulations as we hopefully have supper together soon and for next Monday. I do want to ask the City Manager; the woman that came and spoke about the sink holes today and the issues there, I think this is the second person that we've had to come in and talk about this where actually houses and homes were in danger. I know we get those reports back, and it is a long list, but we get so much information. I would actually like to see more than just the column that has the follow-up but something that really is responsive and how those two issues are being addressed. I think one of them is in Councilmember Mayfield's district; the one I'm thinking about is Toni Tuffinon and her spouse. When people come in and we've got those kinds of issues I don't know what we are doing with them and perhaps I need to learn a little bit more, but if this is a question that we have a responsibility to respond to because of development or issues that we've created with growth or if it is something that is just occurring naturally, somehow I would like to have a better understanding of those issues and would like a report on that.

**Marcus Jones, City Manager** said actually I had our Deputy City Manager follow her out, because we agree with you; there needs to be a bit more high touch when people come and bring their concerns here.

Ms. Lyles said I agree with you, and thank you for doing that and thanks to the Deputy City Manager, but it is almost like a list of chronic issues brought to us by citizens that need to have a solution. It is like a chronic condition that we've got, especially around these kinds of things, that I think we ought to be thinking how many people are coming down with this problem, and what is the institutional response to that problem?

Ms. Ivory said the only thing I wanted to say about that there was a major sink hole in District 2, and staff responded, and I've gone there repeatedly and they said it would be done by November and believe it I've been several days and they hopefully will be finished by this Thursday. They are fixing it if you bring it to their attention.

**Councilmember Mitchell** said I just wanted to let each of the outgoing Councilmembers that I will be embarrassing them next Monday. I wrote a song for each and every one of you, so I will be singing a song next Monday, and you have to dance.

**Councilmember Phipps** said I want to also echo my sentiments as well to the outgoing Councilmembers and look forward to some comments on next Monday night, but I do want to announce two events that have come up in the District. Saturday, December 2, 2017 the Hidden Valley Community Parade and Festival will be going on from 11:00 a.m. to 4:00 p.m., and you will be getting one in your packet this week. It is rumored that we've got the Grand Marshall here sitting around on this dais today that will be the Grand Marshall at the Hidden Valley Parade and Festival. Also, a week from Saturday on December 9, 2017, we are going to be having Reconcile Charlotte; this is the second event that Samaritan's Feet is putting on at Martin Luther King Middle School. This will be in your packet as well for December 9, 2017 from 9:00 a.m. to 1:00 p.m. I know the last Reconcile Charlotte we had several Councilmembers, and the Mayor came and participated in that event. They helped us out a lot in the aftermath of the Keith Lamont Scott shooting, and this is their way to continue that effort of healing in our community in view of some of the officer involved shootings that we've had. Look forward to you all coming out and these will be in your packets, so I hope you will open them and be guided by these announcements.

**Councilmember Smith** said it has been an honor and a privilege to serve with everybody at this dais. It has been truly the best four years of my life. I will miss each of you; I won't miss you so much that I will be at the dinner, because I'm going to see the Tar Heels play. Sorry. The Tar Heels are playing Davidson Friday night. If my trash doesn't get picked up, I'm calling LaWana.

**Councilmember Mayfield** said I am a public servant, so I will help you sir. I want to make sure that everyone is aware that tomorrow evening at St. Paul Baptist Church the National Coalition of 100 Black Women, Queen City Metropolitan Chapter is hosting a series of events. It is titled the Knowledge Series; where do you go for help when

seeking affordable housing whether purchasing or renting. They have a really good line up of speakers. I have the opportunity to also be sharing what we are doing on behalf of the City as the Chair of Housing but want to invite everyone and that will be tomorrow evening starting at 6:00 p.m., as well as reminding the residents near Tuckaseegee, the Greater Enderly Park area, the entire community at Beatty Ray Thomas Center at 701 Tuckaseegee Road on November 30, 2017 at 6:30 we will be having our latest update on the Tuckaseegee/Thrift/Berryhill roundabout between the Five Points. I would love to congratulate all of my colleagues; some of us have been together since 2011, some 2013 and 2015. We fuss. We fight, but I know that ultimately we love this City. We do the best that; we can with the knowledge that we have. You have been amazing people to work with; hopefully we've learned a little bit from each other, and I wish you nothing but continued success and Happy Holidays.

\* \* \* \* \*

### ADJOURNMENT

Motion was made by Councilmember Mayfield, seconded by Councilmember Ajmera, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 10:49 p.m.



Stephanie C. Kelly, City Clerk MMC NCCMC

Length of Meeting: 5 Hours, 15 Minutes  
Minutes Completed: December 5, 2017