

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, November 28, 2016 at 5:20 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, John Autry, Edmund Driggs, Julie Eiselt, Patsy Kinsey, Vi Lyles, LaWana Mayfield, James Mitchell, Greg Phipps, and Kenny Smith.

ABSENT: Councilmember Claire Fallon

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Councilmember Kinsey said I just want to make a comment; I don't want it pulled, and I'm perfectly okay with it. It is number 23, page 86. This doesn't necessarily apply just to Storm Water contracts, but I just noticed that we have one company that tends to get a lot of this work. I just want to caution us; it is public money, and I really think we need to pass it around as much as possible. It is this one company I've heard a complaint about on one job they've done and compliments on the other, so it is nothing against the company itself; I just noticed that we giving another contract to them. As I say, it is all public money, and I think we should pass it around as much as possible, within reason.

Mayor Roberts said you don't need to say that or pull that later; that is your comment now.

Ms. Kinsey said just for our ears only.

Mayor Roberts said staff takes note of making sure we bid those things out, carefully.

Councilmember Phipps said I want to pull Items No. 24 and No. 26, just to amplify those at the dais for my constituents to know what is going on.

Mayor Roberts said instead of pulling them to vote on them separately, when I say comments on general Consent Items can you say what you want to say?

Mr. Phipps said right.

Councilmember Mayfield said the same as Mr. Phipps is doing, I want to do for Item No. 7, because I want to have the City Manager speak to something specific on it. It is not a Consent Item; it is a decision but I just wanted to make sure that you knew to put a star next to that one when we got to it.

Mayor Roberts said it is not a Consent Item, but you would like to talk about it before we get to Consent.

Ron Kimble, Interim City Manager said for tonight's Council Agenda, we have another item; Item No. 7-B, and it is a recommendation coming out of the Governance and Accountability Committee this afternoon, and it is in front of you and it has also been uploaded to your electronic agenda. It is the District 5 Councilmember vacancy and the process that you will use, and it comes as a recommendation out of Committee. We would like to add that as 7-B tonight.

Mayor Roberts said so Item 7-A will be the Snyder/Lance Investment Grant, and 7-B will be the process to fill John Autry's seat.

Councilmember Mitchell said Items 21, 22, 23, 34, 37, and 39 pull for separate vote on each one.

Mayor Roberts said do you want to have a separate vote on each one or do you want to talk about something in all of those?

Mr. Mitchell said separate on each one.

Mr. Kimble said is it anything that we can help in advance?

Mr. Mitchell said no, it is all good news.

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ITEM NO. 2: ANIMAL CARE AND CONTROL SHELTER PARTNERSHIP

Captain Karl Bannerman, Police said I am Animal Control Division Police Captain; thank you so much for having us here this evening to talk to you about what we think is an exciting opportunity to expand our partnership with the Humane Society. I would like to acknowledge some of the Humane Society of Charlotte folks that we have here this evening. We have Shelly Moore, the Executive Director; Bob Story, the Board Chairman; Jared James, Board Vice Chair; and in addition to them we also have some staff members from CMPD of course, Deputy Chief Foster; Major Pearsall with Special Operations, which Animal and Control is a Division underneath that, Mark Balestra, the Enforcement Director; and Shelter Manager, Josh Fisher as well.

I'm going to provide a little background and history on our relationship with the Humane Society of Charlotte, as well as our current situation with our Shelter and then Deputy Chief Foster is going to follow-up with some additional comments. We have a long history of partnering with HSC, and I'm going to use the term HSC which stands for the Humane Society of Charlotte, and Animal Care and Control is ACC. I live in this world, so I just refer to the so interchangeably that way, but that is what I'm referring to when I refer to them that way. In 1981, we began our first partnership with the Humane Society by having the Human Society provide spay and neutering services at a clinic at our old Toomey Avenue location. In 1993, ACC moved out of that location into a new facility on Byrum Drive, and at that time the HSC took over that Toomey Avenue address and has been operating in it for their business offices as well as the shelter ever since. The City has been leasing that property to them for \$1.00 per year. In 2005, the HSC opened another spay and neuter clinic in our existing shelter now on Byrum, providing low costs spay and neutering to the public and also to the animals that are adopted out of ACC.

That partnership was enhanced in 2013 when the ASPCA and the HSC and ACC entered into a partnership in order to improve the live release rate for the community of Mecklenburg County. Since then, we've had some tremendous results; the euthanasia rate has decreased by 57%; intakes have decreased by 30% or adoptions have increased almost 29%, and the live release rate has increased to 69%. To put that in perspective the live release rate was 42% in 2013 when we entered into this collaboration. Let me define what live release rate is, because I use a lot of terms that a lot of other people probably aren't aware of. The live release rate is basically the percentage of animals that get out of the shelter alive, either through adoptions or through other rescue groups.

We recently were informed of the fact that the Airport was going to be expanding and that would require ACC to vacate our current location by 2020. Not only is ACC impacted by this but also the canine unit for the Police Department, which is in the same building as ours, as well as the impound lot which is where we keep all of our vehicles stored for evidentiary purposes.

To give you a little idea of what ACC looks like from an operating perspective our budget is about \$5.5 million per year. The vast majority of that is for personnel expenses, a little north of \$4 million. We have 47 enforcement staff members; those are primarily those Animal Control Officers, as well as the Animal Control Supervisors, and 37 staff members are involved in sheltering. That includes kennel attendants, health technicians; our administrative staff is included in that, as well as our front counter staff. The other operating expenses of a little more than \$1.5 million are primarily for things like animal food, medicine, the spay and neuter services that we receive from HSC, as well as garbage pick-up and things along those lines. I'm not going to read the Mission Statements for each of our organizations to you verbatim, but there are a lot of similarities and overlap in them. You will notice that we are community based, committed, and focus primarily upon spay and neuter programs and adopting animals out to good homes. In addition, ACC is also responsible for protecting the safety of our citizens and the animals within our community.

The HSC facility status; currently the location on Toomey Avenue is unable to meet the needs that the HSC has and that is primarily because of space concerns. They basically have grown out

of that facility. In addition, it is also an antiquated facility, it is quite old. We moved into our facility in 1993, and it was antiquated by our standards at that time. Now Deputy Chief Foster will give you some more information on opportunities.

Vicki Foster, Deputy Police Chief said some of the opportunities for HSC and ACC are currently the Humane Society is designing and building a modern shelter, and we have to relocate. A sell to combine in both operations concern the community's needs cost efficiently by not having two facilities providing the same services. We will continue to make Charlotte one of the most progressive cities in animal welfare nationwide and the positive community engagement and a public perception on the HSC's brand to outreach in community engagement. What are the opportunities for the Humane Society? One of the opportunities for the Humane Society is funding so the City to provide capital assistance for to help with the construction of the facility. They can provide annual budget support, contracted fees for animals that are sheltered and augmented staffing, because we already have staff that are trained that will be able to assist them to continue with operations, also the stability of having a City partnership and last employ nationwide model best practices for public and private partnerships. The opportunities for us at Animal Care Control are it will allow us to focus on our core mission and competency which is enforcement. Currently we are trying to get back to what our core mission is and our core mission is enforcement part of Animal Care and Control; it is not the sheltering aspect of Animal Care and Control. The cost efficiencies services can possibly be provided under one shelter, which could possibly make the Toomey Avenue facility available if we could provide all services under the Humane Society Facility. Last, improve the community life release rate with the expertise of the Human Society. Our partnership with the Humane Society and ASPCA are one of the reasons why we've had such an increase in our live release rate; considerations, the cost to build a shelter for the Humane Society is estimated to be somewhere between \$15 million and \$20 million. The cost to replace our existing municipal shelter is estimated to be between \$16 million and \$20 million, a little bit of a difference in price simply because of the difference in the 20% and the buffers and different things the City requires when it comes to building. The big question is sister city support two state of the art animal shelters built at the same time providing the same services. This could also be a missed opportunity to provide collaborate animal welfare services together.

Here are two service options, the first option is we could house all Animal Care Control sheltering at the new facility, and we could have a separate interest to include animals held for investigations, court and quarantine, which those are the things that we as in CMPD will continue to do. The second option would be to retain the Toomey Avenue facility for any services not undertaken by Humane Society. Last, we will maintain the service agreements that we have with the surrounding towns. The status currently of the Humane Society is the Humane Society currently plans to build a 45,000 square foot facility. Partnering will require the facility size to increase significantly to handle an additional 9,000 animals yearly from Animal Care and Control. HSC currently has non-refundable option on land located on Berryhill Road, which I think is about 11 acres or so, and HSC has a partially completed architectural design and the City would need to consider and pay for any design changes if we were to consider to move forward.

So what is the ask? The part that you all are waiting for, one is to agree that this partnership is something the City of Charlotte is willing to consider. If that is the case our next steps would be, pending Council support, a future agenda items to approve funding to have an architect revise building plans to accommodate and determine a true construction costs estimate and then last authorize City staff to move forward with negotiating a contract between the City of Charlotte and Humane Society for review by Council early in 2017. This concludes our presentation; we are open to questions, but these last steps are kind of what the ask is.

Mayor Roberts said thank you for the presentation; are we voting tonight on this?

Deputy Chief Foster said we are here tonight to see if we can get any type of momentum on moving forward. Part of the issue we have is that the Humane Society obviously already has a non-refundable deposit; they also have a timeline, and they have their capital funding campaign. They are kind of in limbo waiting on us to make a decision on if we will entertain this partnership. We are trying to move as quickly as possible or at least as far as having continuing conversations.

Councilmember Autry said the funding for the services that would need to change with the architecture of the current plan that is being built; is that baked into your budget already or is that an ask?

Ms. Foster said no, that is an ask.

Mr. Autry said so what policy differences between the HSC's mission and ACC's; are there any conflicts there with what, for instance euthanasia?

Deputy Chief Foster said part of the reason, this has been a very long ongoing conversation that we've had over the past year and a half, so initially obviously euthanasia was a major concern to the Humane Society, and what we all came to the agreement is there are certain animals that, unfortunately either due to behavior issues or due to health have to be euthanized, and so in essence they still have a form of euthanasia under their brand, even though I know that we typically look at Humane Society as not performing euthanasia, but in essence they actually do, so we have worked through that over the past year, at least understanding that we all agree there is some form of that that would have to take place.

Mr. Autry said it sounds like you've done a policy assessment, compare what Animal Care and Control's policies are versus the Humane Society's and where they match up and where they conflict. Is part of your ask going to be for any policy changes?

Deputy Chief Foster said yes, I think there are some changes, and I think our leases speak to that, because we discussed earlier with Humane Society a couple of changes that wouldn't necessarily need to occur right away, but a couple of policy changes that would be beneficial for Humane Society that Council would definitely have to take action on.

Mr. Bannerman said we did go through a process of looking at, the Humane Society provided us a very nice in detail spread sheet of what they can and are willing to do and what they cannot do. One of those things was euthanasia, and another thing that was very high on the list of Humane Society was TNR which is trap, neuter, and release of cats which is a way to reduce the cat population within the community. That is something that we cannot do currently, and the Humane Society has requested that we make that part of this policy change if we move forward with this.

Councilmember Lyles said I wanted to ask a couple of questions about this, but it is so funny to sit here, because there was a time that I actually worked on this project, because at one time the Humane Society actually had an agreement with the City much like what you are talking about today, and they had some issues, and they hadn't matured as an organization, and we worked out the arrangement that currently exists today. I think that anytime we can combine these efforts and make them seamless, really works, so that would be generally from my experience what I would say, but I think we need a couple of things to talk about. In principle, I agree with this. One of the questions I had was whether or not these are two separate facilities; is it a co-location or is it an integration? If we are going to have to move from the Airport the question is are we collocating or are we actually integrating?

Deputy Chief Foster said no, it is co-locating.

Ms. Lyles said co-location so that is part of it, and when you looked at the option for the timeframe that you have to move from the Airport and the costs of the new facility, did you do any calculations of availability of currently zoned property that you could actually put a facility on that the City owns? If I recall, there are not many properties that you can choose to have an animal control facility.

Deputy Chief Foster said we worked with City Real Estate throughout this process, and currently the HSC property has already been rezoned for an animal shelter. We do not have a lot of pieces of property that can be rezoned for that; we didn't spend a lot of time on it, but the pieces of property that we got a list from available properties in the City of Charlotte so that if Charlotte was to actually build their own facility everything would have to be rezoned, which of course you know is a process within itself. Then we also needed a certain amount of land space, so yes we did look at it, and we did not go into any further detail about what that would cost.

Ms. Lyles said I think it is always good to just paper-out the numbers so that you could see it if you had to actually go someplace and acquire the land and build. I would assume there would be some opportunity to find some efficiencies by the co-location versus the separate one, but I think it would be good to pencil it out and then I think the final thing, following up to Mr. Autry's question, while we didn't know about the airport expansion, this is going to be a new capital facility request I'm assuming that would come up. I know that the Humane Society has done a great deal of work and they've got a donor and a capital campaign going on and really want to say congratulations to the Humane Society, because your board and your Executive Director, you guys do a fabulous job and really appreciate what you do for animals in this community. I guess the question I would have is, I think we ought to at least pencil out the numbers and try to do it so we can compare acquisition of the land on the new facility even if is just a rough estimate for the co-location so that we would be able to make that decision. I'm assuming the last time this money came out of COPS I think and I'm assuming that would be the most expedient way to do it again this year.

Ron Kimble, Interim City Manager said Certificates of Participation, is that what you mean?

Ms. Lyles said I'm sorry; it is not coming out of the Police budget but coming out of Certificates of Participation.

Deputy Chief Foster said to answer your question, we do have an estimate for the cost of a new shelter which is not inclusive of land, and it is about \$16.9 million, so we do have that estimate from RFPs that we actually did over a year ago just trying to get an estimate and fine out what it would cost us to actually build a facility. We do have a rough estimate, not inclusive of land.

Ms. Lyles said have you got an estimate for the co-location; could we see that kind of –

Deputy Chief Foster said that is what we are asking for; there is really no way for us to determine that until we can have an architect that can actually go in and give us a cost to construction.

Ms. Lyles said that makes sense to me. I wasn't really sure, so it is really to provide a cost estimate and a plan for a co-location facility?

Deputy Chief Foster said correct; that is what we are asking for.

Councilmember Driggs said looking at these numbers, I was trying to understand; does the City currently have a provision for funding a \$15 million to \$20 million investment? Are we talking about money that is already kind of budgeted in their capital plan or is this going to have to be new money?

Ms. Lyles said when I ask how would they do it, I don't think it is in their five-year plan.

Mr. Driggs said I'm just saying there is a difference between making the decision to find \$15 million or re-designate an existing \$15 million in our plan towards this proposal. We would have to decide for one whether we could commit that kind of money to Animal Care and Control and then whether we like this proposal.

Kim Eagle, Strategy and Budget Director said we would have to find new dollars; we could take that from existing capacity, but that would be a decision that Council could make to allocate that. There is currently nothing programmed.

Mr. Driggs said again, it is almost like a two-step; we have to decide whether we have that kind of money and then we have to decide whether we want to pursue this plan. I think this plan makes sense; obviously rationalization of integrating the services. Do we expect to realize any operating savings from the combination?

Deputy Chief Foster said Josh Fisher can you give us a little more detail on what savings?

Josh Fisher, Police said looking at the numbers based on the operating expenses and just the numbers that we've run, we are looking at about a \$1.5 million a year cost savings in the whole

personnel and operating budget. There is about \$1.5 million in a co-location that would be saved annually.

Mr. Driggs said that is a good step toward servicing the debt right? When the time comes my first thing would be to pursue this a little further. We are going to need more detail to be able to take a real position. I'm interested to see what the contracts would look like, but otherwise I think it is a good move.

Councilmember Mayfield said it was mentioned that this conversation has been happening for a year and a half or is this a recent conversation with the potential of co-locating?

Deputy Chief Foster said what has brought this to a head now is that we just were notified about two months ago that the airport expansion would be coming through in 2020. Prior to that for about a year or little over a year, I've been speaking with the Humane Society about us just looking at this opportunity. We didn't know at that time that we were going to be given information that we would need to move by 2020, so that is how this all came about in this particular time as of now, because we just got the information that we would have to be out by 2020.

Ms. Mayfield said here is the challenge that I have, because the Humane Society's new facility is off of Berryhill which is in District 3. We had conversations months ago about this particular new development. If there was a consideration that we should be co-locating with CMPD, I would think that the initial plan and design should have included the capability for that growth. I have a concern of the amount that we are being asked to consider when, no disrespect for animals, but I'm a people lover first. We haven't allocated that much money to go towards our housing needs for those in the 30% and below. So, to have a conversation months ago with a developer regarding the rezoning for a building and then to fast forward a few months to come back and say oh, well we can bring you in for an additional – we don't know what that additional is going to be yet, but if you all have been working together for years; since 1981 we've had this partnership. If I knew I was going to build something new and I have my in-laws that I have been taking care of, I'm not going to build a new house without having consideration that they are going to be living with me. I have a challenge with the idea of the City now being expected to help pay for any redesign on this development, when it should have been considered when the development was originally designed that you will be co-habituating that space.

Deputy Chief Foster said to answer your question, they started their capital campaign and their architectural renderings over a year ago so we didn't have those conversations because we had no knowledge that we would need to be out of the Animal Care and Control building. So, to be very clear they did not come to us asking for us to come to them; we went to them, because once we found out we had to be out of the building we were trying to look for cost savings, because we also knew that there was no funding to build a brand new facility. We were trying to figure out what is the most effective way that this has to occur, because we have to be out because the runway is coming through. They didn't come to us, so I just want to make that very clear. The other part is they did their part a year ago, and we were just notified within the last 60 to 90 days. That is kind of how the relationship has formed quickly, because they were already on their path, and they still are. Basically we are trying to partner with them on a path so that we don't have to build a facility. I just wanted to be clear and make sure you understood that they didn't come to us and any of that.

Ms. Mayfield said Mr. Kimble, even though you are going to be leaving us very, very soon so there is going to have to be a note somewhere; we have real conversations with the Airport regarding their growth plans and their expansions and how it impacts, not only the community at large but also where the City is already funding departments, because now we have one or two options, well really three options, because the two options that are on here is one to build a new shelter or either partnering, building new or replacing, and part of that is you have already heard the request that we need to figure out do we already own the building that can be retrofitted in order to services need. Which is going to be most cost effective? We have to have a different conversation with the Airport regarding how much time is give, because we are going into 2017; two and a half years isn't enough time.

Mr. Kimble said it is really about four years, to be out by the end of 2020. There is another option that was put up here on the board and that is the Toomey Avenue facility; I think I saw that one up there.

Deputy Chief Foster said you did but that is only if we were to move all the other operations into the Humane Society and then Toomey Avenue, we would be occupying that for our [inaudible] and quarantines.

Ms. Mayfield said that didn't sound like a viable option the way it was presented.

Mr. Kimble said for a long time, it has been known that at some point in time the Animal Care and Control facility would need to be moved. I think now what we are finding with the growth of our Airport, the way that runways have been planned for and designed, we don't know exactly where the runway is going to go, because we are entering into an environmental impact study, that will determine where it goes, but we've got to make sure that our Airport Strategic Development Plan that we have the opportunity for the growth of the Airport. I think now the conversations have occurred, and it is probably more imminent and closer in years out than we had anticipated, and 2020 now is the year that has been discussed between the Airport and Animal Care and Control. I think we have the four years to make the right decision and the four years can be placed into the proper budget with the proper priority placed on it, if that is the pathway that the Council chooses.

Ms. Mayfield said if I am understanding correctly the charge to staff is going to be multifold; part of that being bringing us back a plan to show how to fund it, because this current plan of not really knowing how much we have and having an ask out there, I cannot support when we cannot figure out the funding we need to figure out. We still don't know what the budget is going to look like, and we didn't pass a tax increase, and we have some shortfalls. So where staff is going to be bringing us back three to four different options on how to move forward, before there is an expectation of a decision.

Mr. Kimble said we are not asking you tonight to make a final decision in anyway shape or form; we are asking if you are intrigued and you believe you want to know more information as a Council, and we as a staff about this opportunity and partnership we would need to go forward with an architect that would revise those plans and would come back and provide a cost estimate on what it would take in order to partner with the Humane Society. This is not a final decision.

Ms. Mayfield said what I'm saying is something completely different than that statement. I'm not in favor tonight of moving forward and identifying an architect, because one, that is going to consist of funding without knowing what are our options within the buildings that we may or may not own and whether or not they can be retrofitted to identify architect to go in and see what it would like to redesign a building that is already in the works, for a private business. I think we need more information; I like the idea of us moving forward if that moving forward does not consist of an expectation of the City writing a \$100,000 to \$300,000 check in order to get the designs together. I would rather know what other options we have within our own land to find out if that is a possibility.

Mr. Kimble said I hear a question; do we have an idea of the cost of an architectural service that could get us further into developing a construction cost estimate?

Officer Fisher said yes, we have actually had conversations with the Human Society of Charlotte surrounding that issue, because they have already worked with an architect, so it would make logical sense to just have them kind of expand on those current plans. We are looking at about \$75,000 ask in order to make that happen.

Ms. Mayfield said so basically like I said \$100,000 for architectural.

Councilmember Kinsey said being the animal lover I am and having done business with Animal Care and Control, my main concern is that we do what is best frankly for the animals and not hurt them in anyway. I think we probably are up against a deadline, and even if we were to go and build our own structure it would take a long time and it would cost a lot of money. They are very definite facilities, and I think we have a short period of time, even though we are talking

2020. I would caution on us spending too much time on that. I guess my main question is really selfish; when I go out to get my next dog, am I going to be dealing with Animal Care and Control?

Deputy Chief Foster said no, you will be dealing with the Humane Society.

Ms. Kinsey said that bothers me, because I've had such a good relationship with Animal Care and Control. That sort of stops me, and I have dealt with the Humane Society too; don't misunderstand; they do a really good job. I can't say enough good things about Animal Care and Control, and I don't want to see that service –

Deputy Chief Foster said we will still be doing all the enforcement. We would only be out of the sheltering business, so we would still be doing our normal.

Ms. Kinsey said the sheltering business is what is so much fun. I do caution us to make sure we do what is best for these animals.

Councilmember Eiselt said I guess this is bringing me full circle. We know now roughly what it would cost for architectural services; can we get to the back of the napkin estimate on what it would cost to exercise our other options knowing that we have to move out of there anyway. I guess the issue is we are going to have to move so there is going to be some cost to that move so when it comes forward for the vote can we have a financial comparison as to what all of our options are?

Mr. Kimble said and we can elaborate on the other option of going and building our own facility with the \$16.9 million, plus we would have move out expenses and we would also have land if it is not a current City facility. I heard Ms. Mayfield say have we investigated all current old, abandoned, City facilities; I would say the answer is yes, but we will confirm that too.

Deputy Chief Foster said can we just address that real briefly just on the reference to retrofitting facilities?

Officer Fisher said so just to keep in mind on retrofitting facilities; it is very hard to retrofit an existing facility to make an appropriate Animal Care and Control shelter. They are very unique structures in the way they are designed and built as far as disease control and that kind of thing, and if you try to retrofit a facility that is not designed in that manner and has the proper air flow, you can actually do substantially more harm than good as far as having a great deal of infectious disease spread and then having to manage that, which in and of itself can either incur a great deal of costs or can result in a great deal of euthanasia.

Councilmember Austin said you just answered my question, but I did have another question regarding the Humane Society; in terms of your timeline, when do we need to make a decision? I'm sure that you have pushed forward to do your capital campaign; when would we need to make a decision on whether the City is in or out?

Deputy Chief Foster said I don't think we have an exact date as far as when the City is in or out but the fact that they have a non-refundable deposit and they are holding off on their architectural renderings because if everything has to change they are at a halt. It is really about being respectful if we are considering this to at least consider getting the architect to get some numbers to see if it is something that we would consider doing. We said by early 2017, only because you are talking about almost three years to build a facility, and so the longer we go, now we start to push off a timeline for their building, so if we do something different we do something different, but they don't have the time to wait six months for us to decide if we would at least like to partner in this partnership. I can't give you like January 1 but as quickly as possible.

Councilmember Smith said how big would this joint facility be?

Deputy Chief Foster said it has to be at least 70,000 plus square feet, and currently they are building 45,000 square feet.

Mr. Smith said so you are looking about \$265 per foot for construction; that is kind of the cost for a medical office building, and that seems to be a pretty steep.

Ms. Kinsey said that is what it is.

Mr. Smith said but my only point is that is a pretty steep building, and you look at Club Canine and Doggy Day Cares that board, they are able to go retrofit older buildings and provide some of the services. I'm not necessarily against it; I'm just trying to get my hands around that and then the timeline gives me a little pause too. Presbyterian Hospital over on Hawthorne is building a 33,000 square foot medical office building in about 18 months. I don't feel like our timeline may not be quite as urgent; I think we should be able to get it done in three years easy.

Ms. Lyles said if you go to Doggy Day Care you select tough selections; these are animals that we enforce by ordinances, and I'm assuming that and John asked the question about policies, but the ordinances are first and foremost that you are going to have to make for. I don't know the square footage; I think that sounds, but I don't know until we do something that we can find out.

Deputy Chief Foster said I do want address your comment about the 18 months; I think there are two things you have to consider. One is that for Humane Society, when we start talking about three years, they also have a capital funding campaign that takes time in order to raise that capital in order to do that, whereas if you have funding.

Mr. Smith said that answers that portion of the question.

Councilmember Phipps said in listening to the cost preliminary estimates, it seems that this particular building will cost more than maybe a Division Precinct, so how can we have assurance that given the sudden notification that you have to move out and something has to be done; does this preempt our regular budgeting process that we would have for precinct construction? Could this leap frog those given the urgency of this particular facility at the expense of funding for new precincts around the City?

Mr. Kimble said it would be taken in the context of the entire capital campaign of which Police is a part, but it is not the only part. Again, you would be the ultimate decider of what the priorities were in the capital program about got spent, how, and for what purposes. It wouldn't be just confined to Police; it would be the entire capital program.

Mr. Phipps so, it is conceivable then that this could be evaluated within the context of our total capital expenditures for the Police, which would include precincts and the need for this new structure and could be reprioritized.

Mr. Kimble said it would be taken in the context of entire capital program for the entire City general operations of which Police Precincts and this facility would be weighed against all the other capital needs of the City.

Mr. Driggs said from the data we have, it looks like the cost to the City participating ought to be in the \$13 million to \$14 million range and just extrapolating for the size of the proposed building to the size of the building that would be required. Before we spend \$75,000 on an architect, can we bracket that a little better? We really just have no idea what we are talking about, and it doesn't seem like we would need to spend \$75,000 just to get to the closest million or two on what it would take. It looks to me like there is a good case that we could save \$5 million, compared to the center that we would build ourselves, but I don't see it yet.

Mr. Kimble said I would hesitate to give you that ballpark number without going through more of the plan of how the facilities would be integrated as they were co-located; where are the synergies, where are the common spaces and I think spending \$75,000 when you are talking about a \$16 million new facility I believe is worthwhile to get to an answer that is more definitive rather than just putting a number out there broad based. I think that there is a great idea here about the possible combination getting more information through an architectural contract of that amount of money, I think will give you the right information for you to make a go or no decision. I think the Humane Society really wants a go or no go decision, because they will move on either with us without us, and they are looking for that go/no go. I think getting the

bet information and the most information for that architectural contract amendment is in our collective best interest.

Mr. Driggs said Council, before we spend the \$75,000 we need to decide whether we have \$17 million that we feel like spending on this right now. That is a question that we can sort of consider, without spending the \$75,000, and if we decide yes, we recognize that this is something that we are going to have to do and is a great opportunity I just think we could get a little deeper into this without incurring that expense.

Ms. Lyles said I understand and I think it is tough when we get these things like today, not really seeing and having the context for it, because the discussions are moving quickly. I know that the Animal Control folks learned and then you also have the Humane Society who has been working on this for a long time. I don't know that we have a way to get at this any better, because if we were doing just a regular capital project the staff would go out and do some feasibility work, and I don't know how much internally you can do to do that. The question is to come back with a future agenda item, spending up to \$75,000 to work with the architect that is currently doing the Humane Society's building, to see if there is an opportunity to put a co-location facility together. Is that the ask?

Deputy Chief Foster said yes ma'am.

Ms. Lyles said I think at the last minute to come in and do that is really hard, and we are just hearing about it. No fault I guess of blame, so the question that I have is what questions do we have as a Council, because I think we have the rules about Animal Control, so we have to have a place to do that and we are going to have to have a facility where all these people work. I think it looks like 79 people work in that facility right now, so we are building basically, as you said, an Animal Control Division. It is just like Metro or anything else and something that we perhaps didn't know about. I don't know how to get there from here, so I'm going to ask Mr. Kimble if we were doing this just as a Police; what is the difference in this process coming forward and what we would ordinarily do, and is there a way to go back and expedite what we ordinarily do or not?

Mr. Kimble said I think the change here is an opportunity for a partnership. If we were going on our own I think we've done what Mr. Driggs suggested; we've had a little bit more time to do that \$16.9 million estimating. Maybe what we should do is quickly put together a report, talk about how we came up with that \$16.9 million as the estimate for a new facility, talk about the savings and how we determined the \$1.5 savings that were talked about tonight if we went to the partnership and try and do some estimate broad brushed about an extra 25,000 square foot, if it was added to the existing Humane Society building and do that in the form of a report to you as quickly as we can put it together and then see if there is any more comfort than there seems to be right now.

Ms. Lyles said I agree with that; I think it is very difficult as I said. We are getting it pretty quickly, and I understand the opportunity. I would also add there are Animal Control facilities all over shelters and there are best practices, so even just doing a little bit of a comparison of what we are like, the size of the city, the number of animals that we have and saying who else has that facility? That could help us give us some comparison points of someone who has recently built one of those. That would be helpful to add. Could we have that two-step report before we come back on the agenda, so that we would have an opportunity to talk about it? I think we've raised some good points; is it a medical office building or not and some square footages and some comparisons would be helpful.

Mr. Kimble said I think that is what I'm hearing you asking for as a body, so we will provide that.

Deputy Chief Foster said we do have some of that information already that Josh can speak to you about other cities that have co-located and the sizes.

Ms. Lyles said I think the difficulty is the quick absorption on a night that you are asking us, and I think this gives us a two-step way for us to learn more and for you to give us more information before we go further in between.

Mr. Smith said as we look at co-arrangement and we look at the capital campaign that the Humane Society will have to endeavor, what happens if they fail to meet their fund raising goals, because not all capital campaigns are successful, and that can be an answer we get as part of the follow-up. I think Mr. Driggs pointed out, there could be some savings and we may end up being able to get our facility at a cheaper cost, which I think we would probably all agree to, because we are going to have it. I just need to have a better idea; if they are \$4 million short; \$2 million short or whatever their target is does that then get shifted to the City, because we are partnering? Then do we end up maybe not utilizing some of those savings and they are very worthy non-profit and it is in critical need. I just need a little more understanding, so when we come back try to include that.

Mayor Roberts said I know we have asked more questions and we will get that information as soon as possible; I would hate to see us lose an opportunity for a great partnership for something that we have to do by ordinance anyway and that would save us some money. It will be great to get the information as soon as possible. I think it is a great opportunity, and I really appreciate the wonderful relationship between the Humane Society and Animal Care and Control, because that is a symbolic relationship, and we absolutely want to make sure there is a safety issue to animals, and there is also a care issue, so we really appreciate that partnership. Let's not lose that opportunity.

Mr. Phipps said are we saying we are going to co-locate all of the existing activities we have under this one roof, even for the cars you said were in storage or just the animal piece?

Deputy Chief Foster said just the animal piece. You referenced canine impound, no.

Mr. Phipps said so does that mean you have to have a separate facility for the impound?

Deputy Chief Foster said the Airport has already told us they can find more land for the impound lot. [Inaudible] the impound lot is not a major concern for us, and for canine, we only have 14 animals; they go home with their handlers. We have a place where we can put them at work, but they go home with the handlers at night.

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ITEM NO. 3: CITY ENTERPRISE TECHNOLOGY PRACTICES

Jeff Stovall, Chief Information Officer said for one, I will tell you we are not asking for any decision. This is an opportunity to talk about some of the things that are going on in Innovation and Technology across the City and get you familiar with these topics. We will be having more discussions on this topic during the Budget Workshops so your February/March timeframe so I wanted to pre-stage that. Often times we talk about our technology, and we don't talk about our people behind our technology and our people are really the focus of what we bring as a department to bear on technology. I want to give you at least a framing before we get started on issues of the scale and scope of the information and what we do with Innovation technology across the City as well as the Innovation and Technology Department. It was formed in 2014, and we brought together sections from other parts of the City to create the first Department for Technology and Innovation in 20 years for the City. We have 138 employees and we provide the central services for all of the City Departments and our drive as a Department is to really drive Charlotte as a world class digital City. I'll come back to that point a little bit later as we go through.

Again scale and scope, we have over 300 applications that we support across the City with many of the vendors that you see up here, so we support a lot of different applications across all the departments for the City. We support over 7,600 personnel and we put a plus, because that does include personnel in other counties. We do provide radio services for other counties as part of what we do with our public safety radio system. Over 4,600 personal computers; 5,000 phone lines, 800 enterprise servers, 2,200 network nodes, and 100 million annual information security events, and I'm sure that is one that you might want to know a little bit about. What that is is every time we have an external entity that is probing our networks, probing our systems, in order to find a vulnerability that they could possibly exploit those are generally automated types of scans. That is called a security event, whether or not it actually turns into something we have to take action on or not. We record every single one of those; we see over 100 million of those

every year. There are 20,000 public safety radios in five counties; we don't provide that many radios, but we support that many radios, 950 public safety vehicles. That is our Fire and Police vehicles; we have broadband capabilities in our vehicles, and we support those directly in I&T. We do not actually do the fleet maintenance; we support the technology that is in those vehicles and 5,400 cell phones, just as way of getting a scale and scope.

As we are talking about technology we want to follow-up on earlier discussions and questions that the Council has had around what are public sector norms, what are the public sector most for technology deployment; how does Charlotte compare to other cities? What are some of the technology needs that we have to address, and what are some of the next steps to address those needs? Let's talk norms for just a couple of minutes, because we are always talking about investments in technology and what we do with those investments in technology and how do those play out across the City as well as what we do around innovation. The software and the hardware that we provide for our departments and insure for our departments we want to make sure that is always currently supported. We want to make sure that we are sourcing technology from well established players. Where there is not a lot of jurisdiction difference we want to use off the shelf software. A good example of that is our ERP system; some off the shelf software from Tyler Technologies. We don't do municipal finance very differently from other cities so that is something that we source off the shelf but there are occasions where we actually will deploy and develop technologies in house. The CMPD developed KB Cops as a records management system and it is developed in house, and it is continually maintained in house. It is something that is custom to CMPD and for the needs of CMPD, and it has been continually maintained. We source and use technology differently across the different departments in different ways in order to make sure the mission of the City is supported.

So how do we compare to some others? There aren't any definitive benchmarks for technology deployment across cities but there is the digital city survey and it just so happens that I happen to have this here and we got it at the National League of Cities. We were awarded that at the National League of Cities recently. We placed in the top 10 of the Republic Digital Cities survey every year that we've participated, and that is a comparison of cities across the United States of similar size for their capabilities for deploying technology for public service. That is one way we benchmark and see how do we compare against other cities in technologies that we employ and how effectively are we doing it.

What are some of the needs that we have specific to Charlotte that we need to address? One, the demand for technology is outpacing capacity delivered because there are needs that are continually coming. Secondly, the City needs predictable and ongoing funding training for major technology projects; the way that we fund projects typically today is ad hoc, we do it on a basis of what is available either in a departmental budget or through reserves or through excess that we have in our coffers after everything else is paid. When we find that we have opportunities to invest sometimes those opportunities don't match up with a predictable funding stream and that was also a finding that we found out of the 2010 Mayor's Efficient and Effective Government Task Force, and that is something that is still true today; finding those predictable and ongoing funding streams is difficult. Funding has not always been available to keep up with increasing replacement needs which drives innovation investment. How do we continue to be cutting edge; how do we continue to be at the point where we are deploying the latest technology that is available to solve municipal problems. That funding hasn't always kept pace, and we will talk a little bit more about what that means. Just to give you some examples, technology project volume has grown on a trend line of about 20% per year since FY-2008. So that foreshadows the need for additional staffing and contractors in order to deliver those projects, but we see that is a trend that is continuing, that we are continuing to have more and more technology projects at the City. If you turn it from just the total number of projects into the dollars associated with projects you can see over the years that we've had peaks and valleys in terms of the investment that we see on the annual basis, but one things that is notable in fiscal year 2016 that we had the first year we had investment in new technology projects that actually exceeded what incurred during the DNC. That was a notable benchmark and watermark for us in the City. As we see that continuing investment that also creates some upward impacts on annual maintenance and support costs, because as you continue to develop that asset base, as you continue to develop more and more technology for the City that tends to push up your costs to maintain and support those technologies.

Let's talk about innovation for a little bit, because this is a point that came up earlier I believe in some of the conversations that you've had previously around services around how do we manage our innovation and the innovation activities. What we typically look at and the way that we are funding projects is the high visibility, high risk projects tend to be funded first, and the way that we have created the strategic operating plan in the five-year technology plan for the City, we make sure to identify those high risk projects and delineate them from projects that carry lower risks. The problem that comes along with that is when you a fixed bucket in terms of how you invest, it also means that the projects that tend to push innovation tend to be crowded out by the projects that keep the lights on, because the projects that tend to push innovation are the ones that tend to not be absolutely necessary in order to maintain the current operations. We've seen some decrease in the Innovation Technology targeted funds; we had funds that were reduced in the past fiscal year but some of the challenges we see in terms of innovation, things that people would like to see mobile app development, City owned gigabit fiber; we don't have gigabit fiber that we own within the City. Those are provided by external providers; a cloud store, you hear about cloud and cloud applications more and more often, big data and open source. Those are the things that tend to fall into the low risk category and compete in that low risk category for funding where most of the funding as you can see from the right side on this tends to go to the high risk types of projects.

As we look at what we deploy in terms of projects; this is just a snapshot and I'm not going to walk through all of these projects. Just to give you a sense for how do we look at projects relative to their risk and how do we compare projects over time; we make sure to look at the operational risk as well as the citizen impacts but the things that are in red, those things that tend to have the greatest citizen impact and the greatest operation impacts are the ones that we tend to target first, then we will move through those things that are of a lower risk. Again, the challenge that comes with that is when we start looking at innovation and trying to drive innovation funding those tend to be things that are not very high risk for the organization. So, there is always this balance of how do we continue to fund the activities that are ongoing and deal with these surplus of demand, because you may have noticed in one of those previous slides, that total demand we are looking at from all those risk categories is over \$100 million. There is no way that we are going to fund \$100 million worth of projects in a five-year period, but that is what has been identified for either replacement or new technologies or things that are needed in order to continue to deal with the growth of the City. Those have been identified by the departments so this is not just an INT view; this is a complete City view of all the technology demand that has been identified at this point.

When we start talking about the summary of where we are, our rate of adoption and the way that we adopt technology is consistent with what other local government; we do prioritize to make sure that we have a supportable environment for anything that we are deploying and keeping out there right now, but we are also limited by the competing risks, the risks of the high risks, versus medium risks, versus lower as trying to manage those to make sure that the things that are the highest risks are handled first. That demand for technology use continues to increase; we are seeing more and more technology projects. You see more and more technology projects; you will see a lot of projects coming from our departments; you will see more projects coming in a year because all of the departments are much dependent on technology to be able to accomplish their basic goals and meet their missions. They are all dependent on technology utilization to do so, but this other notion of recurring source of technology fund is something that has been missing for quite some time. Again, the way we've done funding up to this point has very episodic, but if we are going to be able to maintain and deal with old applications, old infrastructure that needs to be replaced and continue to increases the utilization of technology, we have to figure out how to do that, and that is something we should be exploring through our budget cycle this year.

I'm going to run through these next steps just to give you an overview of what is happening and what are some of the challenges and getting your feedback on questions that you may have going into the next round of activities. In the February/March timeframe, we will be coming back with a funding model to identify the things that are in the five-year plan that can and cannot be funded, so that you will have an opportunity to ask more in depth questions about the tradeoffs that are being made that are going to direct that and understand how that technology really links up to accomplishing the goals that the departments have set up and flow directly from the Council priorities. Then in the July timeframe, after we've gone through the budget cycle we

will be publishing a new strategic operating plan and a revised five-year master technology plan. We look at our five-year plan every six months; we do an every six month check of the plan, because things are very fluid, and we cannot do that just once a year. We check it every six months and revise the plan once a year with a published master technology plan that covers all of the activities that are going on across the City. I tried to be very quick and very abbreviated considering the time that you have, and I know that you were planning to go into closed session, but I will pause here, because I've been speaking non-stop and offer any questions that you may have about where we are with our technology and some of the challenges that we are facing.

Councilmember Driggs said I would just make the general comment that, as we look at the needs and the funding, it would be nice to understand exactly how we measure the tradeoffs between out of reduced expenses because of improved deficiency or improved customer delivery to have some concept of a return on investment. Right now, I'm not sure how you would arrive at any particular number in terms of what we need to invest.

Mr. Stovall said return on investment is very tricky in the public sector anyway because we don't have a benchmark like profitability to use for ROI type calculations; we do look at benefits, and sometimes benefits can be subjective in terms of which benefits are preferable to other benefits. What we are doing with the five-year plan is we are going back out to the departments and asking what are their priorities by department and then filtering that through a process where we can try to normalize those priorities against everything that is in the City, that is the way we come up with the high, medium, low categorizations. When we really start talking about return on investment it really is about what type of benefits are you driving and then generally are not driven by a strictly numerical cost saving perspective, because if you are only looking at cost savings you are not looking at other benefits that are also driven.

Mr. Driggs said I'm not necessarily talking about a percent return on investment; I'm just talking about a basis for us to decide is this the Cadillac plan or what? We hear a number, and we don't know where that puts us in terms of the benefits that we realize.

Mr. Stovall said I think the best way that we can address that is through the budget process; we can actually talk about specific projects and the options that exist with specific projects, rather than the categorizations that we have more broadly and that we are presenting today.

Councilmember Phipps said if we were having an IT audit would the fact that our Business Continuity and Disaster Recovery Plan is out of date, would that not be a significant deficiency?

Mr. Stovall said not necessarily because the IT audit, Business Continuity and Disaster Recovery Plan out of date, because the plan is out of date does not mean that we can't accomplish Business Continuity and Disaster Recovery. What it says is that we need to revisit that plan and make sure there are no gaps. What can be found in an audit, typically what an audit is looking for is not whether certainly the presence or absence often; the first thing they are looking for is whether or not you have a plan and whether you are conforming to plan. That is the first thing they look for. If there is no plan then you really have an audit finding associated with that if you are looking at an IT audit. The second thing they are looking for are there material deficiencies in the things that you are actually doing today. Those are things that really get assessed on an assessment like this so what we are highlighting is that it has been a long time since we've done a true Business Continuity and Disaster Recovery Plan. It has really been since the DNC since we did a full plan and it is really time to revisit that. We do specific IT audits on aspects of our business all the times; we've not failed an audit yet; however, when we start looking at the overall plan and all of the aspects of what we are trying to accomplish I think that broader plan is something we need to revisit, and it was really made evident as we had the protests in the past couple of months. The protest really caused us to say okay, if we got into a major problem does our plan cover us under these circumstances, which is why we moved it up. Last year that was shown as a medium risk; this year we are showing it as a high risk.

Mayor Roberts said thank you for that update, a lot of data to access.

Ron Kimble, Interim City Manager said one suggestion for the Council and Mayor, we are supposed to be in the Council Chambers at 6:30 p.m. We can do the Closed Session after your meeting, if that is that is the pathway that you would like to choose.

Mayor Roberts said do you want to stay on time with our speakers, etc. on our agenda and have the Closed Session afterwards? What is the sense of the Council?

Councilmember Lyles said stay on schedule for the public.

Mayor Roberts said then we will have the Closed Session at the end of our meeting.

The meeting was recessed at 6:30 p.m. to move to the Council Chambers for the regularly scheduled Citizens' Forum and Business Meeting.

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BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, November 28, 2016, at 6:41 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, John Autry, Ed Driggs, Julie Eiselt, Patsy Kinsey, Vi Lyles, James Mitchell, Greg Phipps, and Kenny Smith.

ABSENT UNTIL NOTED: Councilmember LaWana Mayfield.

ABSENT: Councilmember Claire Fallon.

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INVOCATION AND PLEDGE

Councilmember Smith gave the Invocation followed by the Pledge of Allegiance to the Flag led by Boy Scout Troop No. 9.

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CITIZENS' FORUM

Giving Tuesday Charlotte

Kelly Brooks, 223 South Sharon Amity Road said I am the Founder and Executive Director of Share Charlotte; we are a one stop shop for getting involved with our local non-profits. All of the work we do is grounded in uniting our City through good. In Charlotte, like many other US towns, we've recently experienced our share of unrest and protest, and I think everyone agrees that the best way to move forward is to come together to create conversation and better understanding. Thankfully, that is happening little by little. Right now, our City is uniting through one common goal to give good and rallying big around our communitywide giving campaign, Giving Tuesday CLT, which is presented this year by Google Fiber and Wells Fargo. We are lifting up and shining a spot light on the non-profits that are doing the hard work every day here in Charlotte. They truly are the backbone of our City and the megaphones for the daily needs that surround us. We believe that the stronger the non-profit community is the stronger and happier our City will be. Our third annual Giving Tuesday CLT campaign kicked off on Tuesday, November 15, 2016, which began two solid weeks of coming together through giving. Last year, we raised \$4.2 million for 108 non-profits, so we thought we would push ourselves even further this year and set a huge goal of raising \$8 million. We know the only way we will be successful is by bringing our City together, so with 174 non-profits this year over 80 partners which are corporations, foundations, small businesses, sports teams and other community partners and countless advocates with one message, we will do this. Giving Tuesday CLT is one of those really unique opportunities for us to all come together to rally around goodness and show the world how special Charlotte really is. Since November 15th, we've challenged everyone in our community to give to local non-profits in whatever way they can. Giving is personal and circumstantial so \$5.00, \$5,000, five hours of volunteer time pledged or purchasing much needed items for these non-profits, they are all equally impactful to us. At the very least, we can all show kindness by sharing a smile or holding a neighbor for a neighbor. It is truly doesn't matter how much you give; it is just that you take part in some way. Tomorrow is

Giving Tuesday, and it is the end of our campaign. I hope that you all will participate and everyone here will participate. Go to givingtuesdayclt.org, and give in whatever way you can then jump on social media and your e-mail and tell the world about it. Help us share this opportunity with everyone in Charlotte so they can all be part of something good, just good.

CMPD Animal Control

Peggy Stradford, 2401 Crestview Drive said my issue has been solved with the help of Mayor Roberts' Office. I am a disabled senior, and I had a problem with feral cats in my yard where I moved, and I called 311, and they informed that Animal Control could not bring me a trap to pick up these animals. I had to drive to the shelter and pick up the trap myself, and I said well I'm unable to do that. I made a few phone calls, and I was still getting nowhere, and I said well let me go to the top of this totem pole, and I called Mayor Roberts' office, and Peggy called somebody over the Animal Control, and they brought me the cage, but my question was now that that person that did that job retired, why does the burden of that job roll over to the citizens of Charlotte? It looks like to me if only one person – and then I heard they don't have that many traps. The Animal Control Officers have to go to the shelter anyway; what is the big problem of bringing a trap back for the citizens to catch these feral animals, because I don't have any pets, but I know some people do have domestic cats that are out there walking just eliminate themselves and these feral cats out there running around with feline aids that could infect a domestic cat and then the owner has to pay that out. That is my biggest concern with a department that is getting paid to do Animal Control, why is it the citizens' burden now because one person retired. The officer informed me when I said what do you all do do you just do dogs? He kind of chuckled and that really didn't set well with me because I didn't find anything funny about it. Then the animals stay in the traps so long that it is inhumane to leave an animal trapped where it can't eliminate itself; it can't get water. I went out there with a water bottle and a rubber glove and pinched holes in the bottom so the animals could get water. I'm thankful it wasn't 100 degrees for me to watch out my windows at the animal that was suffering. I don't know what they are doing but I used to do transportation and Charlotte ain't that big that you can't get across town within 12 hours, and I know they get other calls, but I did taxis too, so within driving the taxi I know I could get around town and pick up all these many different calls and still get back to where I needed to be.

City's Upcoming Legislative Agenda

Representative Rodney Moore, P. O. Box 44107 said it is very refreshing to be here among my colleagues at the City and Mayor Roberts; you are the first Mayor that got my name right, you didn't call me Representative Monroe, so that is a star for you. I just wanted to come briefly and congratulate the Council on a very tumultuous time that we had in our community with the riots and the unrests and wanted to advocate for an item that is very near and dear to me for consideration to be added or to look at your State Legislative Agenda, which is strengthening the powers of the Citizens' Review Board. I know that Charlotte is only one of four municipalities in the State of North Carolina; there may be others that come on line, that have a Citizens' Review Board which is great, because we have to begin to get public trust back in the process as it relates to our law enforcement and how they interact with our citizens. I'm here tonight to advocate for subpoena power and investigatory power, because you can't subpoena anyone if you can't investigate them, for the Charlotte City Citizens' Review Board. I think it would set a great precedent as so goes Charlotte so goes the rest of the municipalities of this state. We really need to show some leadership, show our public that we have their best interest at heart and show that we can have equal access and transparency across the board when it relates to those instances that are not common; they are very rare, but they are very volatile when these things happen. I ask that you help me advocate for this; I advocated for it in the last session, and I plan to reintroduce House Bill 193. I don't know what the number will be this time, but this is an issue that is very close to me, and it should be to all of us as elected officials and community leaders as well as. I would like to just implore you to take that into consideration and say to my new colleague to be, Representative Autry I look forward to working with you, and we are going to make some good things happen in Raleigh for the City of Charlotte and Mecklenburg County.

Mayor Roberts said later in our Agenda this evening, Item No. 9 in fact, we will be talking more about our Federal and State Legislative Agendas.

Brandy Haynes, 1210-1 Green Oak Lane said I am here speaking today on behalf of the American Civil Liberties Union of North Carolina, where I serve with the statewide Board of Directors. The demonstrations that followed the fatal police shooting of Keith Lamont Scott brought us increased attention to something too many Charlotte residents know all too well. There are wide spread concerns about the Charlotte Mecklenburg Police Department's ability to affectively investigate and appropriately discipline officers if they engage in excessive use of force or racially biased policing. While Charlotte does have a Citizens' Review Board, its powers are very limited, and not once in its history has that Board ever ruled in favor of a member of the public. Not once. At events earlier this year made clear much more is needed to improve police community relations and that must start with increased transparency and accountability. A more empowered community oversight board would give Charlotte an opportunity for substantive change and police and community interaction, by helping to restore public faith in the system by which police are held accountable for misconduct. The ACLU joins those urging City Council to request from the General Assembly as a priority issue on its Legislative Agenda the authority to bestow additional powers on its Citizens' Review Board, including the ability to one, receive and investigate complaints by members of the general public who allege misconduct by officers; two, review and internal investigation and discipline of an officer who is alleged has committed misconduct; three, subpoena witnesses, administer oath and [inaudible] the production of evidence; four, make findings of fact and substantiate allegations of misconduct that are binding on the head of law enforcement officer; and five develop a discipline matrix that will be used by the head law enforcement officer to discipline officers who have committed misconduct. These are best practices that have worked well in other cities across the country, and we urge you to specifically look at the model used by Newark, New Jersey. Such changes can improve police and community relations and how our residents inject real substantive accountability and transparence into the process by which the policy are investigated and disciplined.

Hate Crime Hotline

Ana Sanjur, 774 North Davidson Street said I am a resident of Charlotte and currently I am working with a Coalition of Charlotte Organizations and Concerned Citizens to request that the City Council create a 24-hour hate crime hot line and pass a resolution to state their policy positions on LGBT rights, reproductive rights, religious freedoms, immigration, and criminal justice reform. According to the Southern Poverty Law Center, there have been 700 hate crimes reported since the election. As a result, many cities and states like New York, Maryland and Massachusetts have launched 24-hour hate crime hot lines for residents to report hate crimes and harassment; therefore, we are calling on our City Council to work with our state leaders to create a 24-hour hate crime hot line for NC and Charlotte residents. We also want a resolution to explain the administration and Council's position on LGBT rights, for example, Mike Pence is supportive of conversion therapy; religious freedom, for example, they are trying to implement a Muslim registry; immigrant rights, for example mass deportation and rounding people up. A question could be will CMPD be asking about their residential status, and women's rights President elect is against women's reproductive rights, and a criminal justice reform. Will the CMPD be implementing stop and frisk? I think this is all great information to have and a great thing to implement for the residents of the City of Charlotte.

Jesus

Reverend Phil Benham, 761 Harris Street, Concord said sometimes it feels when I come here it is like skin diving in a sewer. I struggle with you, and perhaps the worse place that I could imagine that I would come is this place with this City Council, with you that are sitting on this Council and what you have done to our City by opening the gates of hell and just tearing our people apart. Now my head spins when I look at you in your work meeting and all the things and the stuff and all the stuff that the folks are asking over here. We need to do this, and we need to do that; I can't even deal with it, and I don't know how your brain can comprehend all the stuff and all the solutions that you have coming at your saying that you should do this, and you should do that and you shouldn't do this and you shouldn't do that. You know what? Our police are not the problem. It is not our policemen that are the problem or the first responders or anyone else. The problem is deeper than that. In Psalms 33:12, it tells us blessed is the nation whose God is the Lord, that He is the bottom of everything, that He is really our answer, that if we shed blood in the womb we are going to reap blood in the streets, and you have three abortion

mills in this City. Already this year from January 1st to this day, November 28th, we've had 378 moms that have changed their mind at one of the three abortion mills in this City. We have sonogram units out there for them; we are able to throw them baby showers and able to get them involved in a church. The answer is the Church of Jesus Christ; it isn't you guys. You can't figure this out, and God is fixing to get you into a fix that you can't fix, so that he can fix you and that comes by repentance. If my people who are called by my name shall humble themselves, you've got to stop the arrogance; you've been shaken down by black lives matter. They got money from you – a million dollars, you are going to educate 150 kids. We are going to give you 500 affordable, you are just giving them money. You've been shaken down; you've been blackmailed, and you don't even realize it. You don't have the courage to stand upon the real problem is that we have deserted Almighty God, and ma'am you know very well that you have, and we've done things that we shouldn't do. So here is the answer; on Saturday, December 3, 2016 we will have over 4,000 people out at that abortion mill at 4220 Latrobe Avenue, I invite every one of you to come. It is going to be 9:30 a.m. in the morning, and you are going see what it is like for the Church of Jesus Christ to rise up and do what you ought to do because the problem is with the church in the City of Charlotte. You can't fix this. The gates of hell will always prevail against you, so I invite you to come and see what it is like and then we don't want a place at your table. We want to kick the table over in the name of Jesus Christ.

* * * * *

CONSENT AGENDA

Motion was made by Councilmember Kinsey and seconded by Councilmember Eiselt to approve the Consent Agenda as presented with the exception of Item Nos. 21, 22, 23, 34, 37, and 39 which were pulled by Councilmember Mitchell for comment.

Councilmember Phipps said I wanted to comment on Item Nos. 24 and 26. Item No. 24 dealt with the University City Boulevard Extension Phase II Landscaping Service. That stretch of new road, the University City Boulevard Extension has just opened up to the relief of many of the constituents in that area, and it is not finished yet because this particular Consent Item funding will allow for the planting of landscaping along that beautiful boulevard there, so you can look forward to that. With regards to Item No. 26, the resurfacing of University Research Park Roads, the North Carolina Department of Transportation will be transferring to City control about 11 internal streets to that Office Park there and before they do that they are going to use their funds to resurface those roads for that Research Park, and I just wanted to make sure that these discussions have been in talks for a long time. They are finally coming to fruition now, and I think that is something that the University City Partners and the businesses and corporations that are headquarters in the Research Park are grateful to have happen.

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

The following items were approved:

Item No. 19: 2016 Urban Area Security Initiative Grant Acceptance

(A) Authorize the Charlotte Area Homeland Security Director (Charlotte Fire Chief) to accept a grant for \$2,368,600 from the United States Department of Homeland Security for the 2016 Urban Area Security Initiative Grant Program, and (B) Adopt Budget Ordinance No. 8185-X appropriating \$2,369,600 from the Department of Homeland Security to the General Grants and LTD Projects fund.

The ordinance is recorded in full in Ordinance Book 60, at Page 458.

Item No. 20: Solid Waste Services Collection Vehicle Lubrication and Related Services

(A) Authorize the City Manager to negotiate and execute a unit price contract with No Limits Lockwood, LLC for collection vehicle lubrication and related 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 City's business needs and the purpose for which the contract was approved.

Item No. 24: University City Boulevard Extension – Phase II Landscaping Services

Award a contract in the amount of \$297,022.64 to the lowest responsive bidder, Roundtree Companies, LLC for landscaping services to the University City Boulevard Extension Project.

Summary of Bids

Roundtree Companies, LLC	\$297,022.64
Champion Landscapes, Inc.	\$369,680.41

Item No. 25: Central Avenue, Kilborne Drive, and Norland Road Pedestrian Improvements

Award a contract in the amount of \$189,600 with Alta Planning + Design, Inc. for engineering planning services for Central Avenue, Kilborne Drive and Norland Road Pedestrian Improvements.

Item No. 26: Resurfacing University Research Park Roads Municipal Agreement

(A) Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation for the road resurfacing within the University Research Park, and (B) Adopt Budget Ordinance No. 8186-X appropriating \$675,005 from the North Carolina Department of Transportation to the Power Bill Fund for resurfacing activities.

The resolution is recorded in full in Resolution Book 47, at Page 728.

The ordinance is recorded in full in Ordinance Book 60, at Page 459.

Item No. 27: Pedestrian Traffic Signal Equipment for the Visually and Hearing Impaired

(A) Approve the purchase of pedestrian signal equipment and parts, as authorized by the sole source exemption of G.S. 143-129 (e)(6), (B) Approve a contract with Temple, Inc. for the purchase of pedestrian signal equipment and parts for the term of three years, and (C) Authorize the City Manager to renew the contract for up to two additional, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

Item No. 28: Private Developer Funds for Traffic Signal Modification

Adopt Budget Ordinance No. 8187-X appropriating \$69,582 in private developer funds for traffic signal modification from the Steele Creek (1997), LLC.

The ordinance is recorded in full in Ordinance Book 60, at Page 460.

Item No. 29: Bridge Repair Design Services

Approve a contract in the amount of \$435,204 with Parsons Brinckerhoff, Inc. for design services associated with bridge repairs.

Item No. 30: Spectrum Center Traffic Control Services

(A) Approve a contract with Parking Unlimited, Inc. for Spectrum Center Traffic Control Services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year renewal terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

Item No. 31: Airport Concourse D Roof Repairs

(A) Award a contract in the amount of \$143,880 to the lowest responsive bidder Davco Roofing and Sheet Metal, Inc. for the Concourses D roof repair project, and (B) Adopt Budget Ordinance No. 8188-X appropriating \$143,880 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

Summary of Bids

Davco Roofing	\$143,880.00
Mecklenburg Roofing	\$255,884.40
Radco Roofing	\$368,400.00

The ordinance is recorded in full in Ordinance Book 60, at Page 461.

Item No. 32: Airport Energy Infrastructure/South Campus Fiber Ductbank

(A) Approve a contract in the amount of \$7,998,435.61 with Brooks-Berry-Haynie & Associates, Inc.* for Energy Infrastructure/South Campus Fiber Ductbank, and (B) Approve a contract in the amount of \$198,683.75 with On Spec Engineering, PC for quality assurance testing services.

Summary of Bids

*A complete summary of the bid is on file in the City Clerk's Office.

Item No. 33: Airport U. S. Customs and Border Protection Reimbursable Services Agreement

Approve a Reimbursable Services Program Agreement with U. S. Customs and Border Protection.

Item No. 35: Airport Warehouse Lease Agreement

Approve a two-year amendment with Direct Link Logistics, Inc. for warehouse space in the amount of \$364,159.92.

Item No. 36: Runway 18R/36L Improvement Design Services

(A) Approve a contract in the amount of \$306,080 with Talbert, Bright and Ellington, Inc. to provide design and construction related professional services for Runway 18R/36L improvements, and (B) Adopt Budget Ordinance No. 8190-X appropriating \$306,080 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.

The ordinance is recorded in full in Ordinance Book 60, at Page 463.

Item No. 38: Water Laboratory Instruments and Supplies

(A) Approve the purchase of water quality analytical instruments and lab supplies, as authorized by the sole source exemption of G.S. 143-129 (e)(6), (B) Approve a contract with Hach Company for the purchase of water quality analytical instruments and lab supplies for the term of one years, and (C) Authorize the City Manager to renew the contract for us to two additional, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

Item No. 40: Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvement Project

(A) Approve a five-year reimbursable contract with Barclay Properties of Southpark LLC. In the amount of \$1,750,000 to include the Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvement Project, and (B) Amend the previously approved Budget Ordinance No. 8191-X appropriation of \$350,000 from Liberty Healthcare to an appropriation of \$350,000 from Barclay Properties of Southpark, LLC for Fiscal Year 2017.

The ordinance is recorded in full in Ordinance Book 60, at Page 464.

Item No. 41: Sugar Creek Watershed Water Quality Assessment

Approve a contract in the amount of \$297,000 with CH2M HILL North Carolina, Inc. for the completion of a Water Quality Assessment for Irwin Creek, Sugar Creek and McAlpine Creek wastewater treatment plants located in the Sugar Creek Watershed.

Item No. 42: LYNX Blue Line Extension Civil B/C Contract Amendment

Approve contract amendment #4 in the amount of \$5,000,000 with the Lane Construction Corporation for the Civil B/C Construction contract as part of the Blue Line Extension Project.

Item No. 43: CATS Paratransit Minivans

(A) Award a unit price contract to the lowest responsive bidder Ilderton Conversion Company for the purchase of paratransit minivans for a term of one year and (B) Authorize the City Manager to renew the contract for up to four additional, one-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

Summary of Bids

Ilderton Dodge Chrysler Jeep Ram	\$75,428.00
Creative Bus Sales	\$78,802.00

Item No. 44: Blue Line Extension Fare Collection System Contract Amendment

Approve contract amendment #1 for \$1,600,000 to SPX-Genfare for the Blue Line Extension Ticket Vending Machine contract for additional equipment and services.

Item No. 45: Solar Panel Ground Lease with Momentum, LLC

(A) Approve a ground lease agreement with Momentum, LLC, for solar panel installation and operation at the Statesville Avenue Landfill property (parcel identification number 077-181-01) with an initial term of 20 years and six months and four five-year renewal terms at an annual lease rate of \$350 per acre, subject to 1.5% annual escalations, and (B) Adopt a resolution authorizing the City Manager to execute all necessary documents to complete the Agreement between the City of Charlotte and Momentum, LLC.

The resolution is recorded in full in Resolution Book 47, at Pages 737-738.

Item No. 46: Microsoft Premier Support Services

(A) Approve a contract with Microsoft Corporation and Microsoft Premier Support Services for the term of one year, and (B) Authorize the City Manager to approve up to four additional, one-year terms with possible price adjustments, contingent upon the company's satisfactory performance.

Item No. 47: Technology Help Desk Services

(A) Authorize the City Manager to negotiate and approve a unit price contract with Intratek Computer, Inc. for technology help desk services for an initial term of four years, and (B) Authorize the City Manager to renew the contract for up to two additional, two-year terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

Item No. 48: Ongoing Software Maintenance and Support

(A) Authorize the City Manager to negotiate and approve contracts with those companies listed in Attachment A* to provide ongoing software maintenance and support for the software systems associated with each of the companies in Attachment A, (B) Authorize the City Manager to purchase maintenance and support for as long as the City uses the software, and (C) Authorized the City Manager to purchase such additional software licenses and services as needed from time to time to optimize the City's use of the software, and to approve other amendments and contracts consistent with the City's business needs and the purpose for which the contracts are approved, including price adjustments.

* Attachment A is on file in the City Clerk's Office.

Item No. 49: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$52,021.86.

The resolution is recorded in full in Resolution Book 47, at Pages 729-736.

Item No. 50: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of November 7, 2016, Council Workshop and Citizens' Forum.

PROPERTY TRANSACTIONS

Item No. 51: Property Transaction – 9120 W Steeleberry Drive

Acquisition of 2.03 acres at 9120 W Steeleberry Drive from Kenneth Honeycutt for \$206,600 and all relocation benefits in compliance with federal, state, or local regulations for Airport Environmental Impact Statement Mitigation Land.

Councilmember Mitchell said I think sometimes we ask staff to work hard on the MWBE Program; they do an excellent job and in this particular case I want to thank Nancy and the CBI for exceeding the goals on all seven of these items I pulled. We have exceeded the percentage of MWBE, so thank you staff for doing an excellent job.

Motion was made by Councilmember Mitchell, seconded by Councilmember Smith, and carried unanimously to approve Item Nos. 21, 22, 23, 34, 37, and 39.

The following items were approved:

Item No. 21: Parkwood Phase 1 – Brevard Street Culvert

Award a contract in the amount of \$1,578,906.60 to the lowest responsive bidder Sealand Contractors Corp. for the Parkwood Phase 1 – Brevard Street Culvert.

Summary of Bids

Sealand Contractors Corp	\$1,578,906.60
Carolina Cajun Concrete, Inc.	\$1,701,184.65
Blythe Development Company	\$1,865,724.93
Sanders Utility Construction Company, Inc.	\$1,959,659.23

Item No. 22: General Community Investment Plan Surveying Services

Approve a unit price contract for surveying services with the following companies for a three year term: AMEC Foster Wheeler Environment & Infrastructure, Inc., Bowman Consulting Group, Ltd., Calyx Engineers and Consultants, Inc., Cardno, Inc., Concord Engineering & Surveying, Inc., Dewberry Engineers, Inc., Dunbar Geomatics Group, PLLC, E.S.P. Associates, P.A., GEL Engineering of NC, Inc., Lawrence Associates, PA, Merrick & Company, SEPI Engineering & Construction, Inc., Stewart Engineering, Inc., The Isaacs Group, PC, The Schneider Corporation, and The Survey Company, Inc.

Item No. 23: Storm Water Maintenance Contracts

(A) Award a contract in the amount of \$1,975,915 to the lowest responsive Bidder B & N Grading, Inc. for the Storm Water Maintenance (Fiscal Year 2017 A) project, (B) Award a contract in the amount of \$2,024,285 to the lowest responsive bidder Onsite Development, LLC for the Storm Water Maintenance (Fiscal Year 2017 B) project, (C) Award a contract in the amount of \$2,140,608 to the lowest responsive bidder R. H. Price, Inc. for the Storm Water Maintenance (Fiscal Year 2017 C) project, and (D) Authorize the City Manager to approve up to two renewals and to amend the contract consistent with the City's business needs and the purpose for which the contracts were approved.

Summary of Bids FY2017 A

B & N Grading, Inc.	\$1,975,915.00
United of Carolinas, Inc.	\$2,265,690.61
Onsite Development, LLC	\$2,331,820.00
R. H. Price, Inc.	\$2,383,804.00
Blythe Development Company	\$2,473,867.50

Summary of Bids FY2017 B

Onsite Development LLC	\$2,024,285.00
R. H. Price, Inc.	\$2,219,164.00
United of Carolinas, Inc.	\$2,302,458.99
Blythe Development Company	\$2,321,614.50

Summary of Bids FY2017 C

R. H. Price, Inc.	\$2,140,608.00
United of Carolinas, Inc.	\$2,208,121.84
Blythe Development Company	\$2,229,216.00

Item No. 34: Airport Terminal Office Level Restroom Renovations

(A) Award a contract in the amount of \$195,360 to the lowest responsive bidder Encompass Building Group, Inc. for renovations to restrooms in the Terminal, and (B) Adopt Budget Ordinance No. 8189-X appropriating \$195,360 from the Aviation Discretionary Fund to the Airport Community Investment Plan Fund.

Summary of Bids

Encompass Building Group, Inc.	\$195,360.00
McFarland Building Group, LLC dba McFarland Construction	\$241,703.00
The Bowers Group, LLC	\$228,800.00

The ordinance is recorded in full in Ordinance Book 60, at Page 462.

Item No. 37: Doby Creek Sanitary Sewer Replacement Professional Engineering Services

Approve a contract in the amount of \$784,346 with Hazen and Sawyer for professional engineering design services for Doby Creek Sanitary Sewer Replacement project.

Item No. 39: Sanitary Sewer Rehabilitation (Fiscal Year 2017)

(A) Award a contract in the amount of \$3,483,476.95 to the lowest responsive bidder Atlantic Coast Contractors, Inc. for the Sanitary Sewer Rehabilitation Project (Fiscal Year 2017), and (B) Authorize the City Manager to renew the contract for up to two additional terms with possible price adjustments and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

Summary of Bids

Atlantic Coast Contractors, Inc.	\$3,483,476.95
State Utility Contractors	\$4,357,524.15

PUBLIC HEARINGS

ITEM NO. 7-A: SNYDER'S LANCE INC. BUSINESS INVESTMENT GRANT

Mayor Roberts declared the hearing open.

There being no speakers either for or against, a motion was made by Councilmember Mitchell, seconded by Councilmember Austin, and carried unanimously to close the public hearing.

Motion was made by Councilmember Mitchell and seconded by Councilmember Smith, to (B) Approve the City's share of a Business investment Grant to Snyder's Lance, Inc. for a total estimated amount of \$631,166 over five years, (C) Approve a contract in the amount of \$100,000 with the North Carolina Department of Commerce and Snyder's Lance, Inc. from the One North Carolina Fund grant, and (D) Adopt Budget Ordinance No. 8184-X appropriating \$100,000 from the North Carolina Department of Commerce One North Carolina Fund Grant to Snyder's Lance, Inc.

Councilmember Smith said typically, I do not support Business Incentive Grants, and in fact, this may be my first one that I have voted for, but I do plan on voting yes. The reason I typically oppose them, I think they are paid for on the backs of middleclass homeowners, but I great appreciate Snyder Lance's commitment to the City of Charlotte. Over the last nine months there has been a lot of negative pressure asserted on companies looking to relocate in Charlotte from special interest in Washington, DC, and Lance has been here since 1915. I appreciate their reaffirmation of their commitment to our City, and nothing beats a good cream cheese chive captain's wafer made here locally. This and Neccos are really my favorite; I'm not going to call them nabs, because that is the generic version but these are my favorite snack food. I really do appreciate their commitment to the City of Charlotte, and they are a long standing corporate citizen, so with that I support them.

Mayor Roberts said I will add it is 130 new jobs every five years and a \$138 million investment. That is a lot of cheese crackers.

Ron Kimble, Interim City Manager said Mayor and Council, you know at dinner Ms. Mayfield said she wanted a question answered on this; she had to step away, but she wanted to know the minimum threshold for jobs investment. I think it is 20 jobs minimum and \$3 million in investment to qualify for consideration of a Business Investment Grant and the Business Investment Grant Program is referred to Committee along with your Tax Increment Grant at this time. She wanted you to state that for the record, and this meets all those minimum qualifications.

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

The ordinance is recorded in full in Ordinance Book 60, at Page. 457.

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POLICY

ITEM NO. 7B: APPROVE THE PROCESS AND SCHEDULE TO FILL DISTRICT 5 COUNCIL MEMBER VACANCY

Mayor Roberts said Councilmember Autry will be going to Raleigh to advocate for the City of Charlotte so comes from the Governance and Accountability Committee chaired by Councilmember Smith.

Councilmember Smith said we are going to talk about you while you are in the room Mr. Autry. Typically, we do not have a lot of appointments, but today during committee we reviewed the process that has been put in place or acted upon over the past three to four appointments. As such, we determined a timeline that the committee voted unanimously to support that we think would be the best way to move forward on this. I will outline this real quickly for the general public. On Monday, December 12, 2016 the Clerk's Office will put an application online that will be open to all registered voters within District 5 that are in the registered party of the departing Councilmember, so that will be Democrats that live in District 5. On Monday, January 2, 2017 we are going to close the application process, and on Wednesday, January 4, 2017 we will have all completed applications provided to Councilmembers. On Monday, January 9, 2017 during the public forum for qualified applicants, they will have the opportunity to speak up to three minutes and address Council and on Tuesday, January 17, 2017 Council will make the appointment and then we will have a swearing in on January 18, 2017, and they will join us in the meeting on January 23, 2017. We have a few questions asked today and answered and by in large this is in keeping with how we have done this in the past. We opted not to have a formal process, because appointments may be different. We had special circumstances with Councilmember Burgess a few years ago, and we did not want to lock ourselves into a metric that we would have to follow all the time. We wanted a comprehensive review of how it has been done in the past, and this is what the committee came up with. I will be happy to answer any questions from those that were not at the meeting, or if any of my colleagues from the committee which are Councilmembers Phipps, Autry, Mayfield, and Councilmember Kinsey was not in the meeting, but I believe that she has been added to the committee.

Councilmember Kinsey said I am sorry I didn't make the meeting; it didn't get on my calendar. In the past when a short-term vacancy on Council has occurred, City Council has made the statement that the person appointed would not be eligible to run for the seat at the next election. They would be eligible however two years later to run for that same office. We have followed that practice on several occasions, as Mr. Smith just mentioned in the case of Jason Burgess. Another one some years ago was when David Erdman was appointed to fill an at large vacancy and then more recently when Malcolm Graham was elected to the North Carolina Senate, Greg Phipps was appointed with the same understanding that he would not run at the next election. As you can see Greg is back; he waited a few years, and now he is back with us. Also when a prior Council appointed me to the Office of Mayor, I made the same commitment to not run for Mayor at the next election. I firmly believe that the citizens in District 5 should select a Representative.

I believe appointing someone who can run in the next election could take that option away from them. The power of the incumbency can be great, and I just don't believe the Council should be taking away the right of District 5 citizens to elect their next Representative. I urge us to adopt a statement that the appointee would not be eligible to run in the next election.

Mr. Smith said I agree with you; we had that discussion today, and what we arrived with was the ability for Council to enforce that and I turn to the Attorney; we had no legal mechanisms for enforcement, so it was the general consensus, the mood of the committee that those conversations would take place on an individual basis. I like you Patsy, struggle with giving somebody a leg up and that would be a question I would ask to any perspective candidate. I may let Bob address sort of the larger issue, at least from the legal enforcement that we discussed.

Bob Hagemann, City Attorney said Councilmember Smith is correct; requesting somebody to pledge, not to run, is a political pledge; it is not a legal one. Somebody who may give that pledge but decides to run anyway, there is no way legally to stop them from doing that. So in the past, as I understand it, when those conversations took place it was a gentlemen's/gentlewoman's agreement, which certainly is your right to pursue, but if you do that either on an individualized basis or on a collective basis as a Council, legally such a pledge is not legally enforceable. It is politically enforceable obviously, but it is not legally enforceable.

Ms. Kinsey said I think what we can do, those of us who feel that way, we vote for the person who has agreed not to run, and I think that is what we've done in the past. I understand the legal issue.

Mr. Smith said I want to make sure that Ms. Kinsey is on the calendar now that she has been added to the committee, because we could have used her today.

Councilmember Autry said would that request apply only for running for the position of the District 5 Representative, so if someone was appointed to fill out the term in District 5 how would you feel about them running for an at large position next year?

Ms. Kinsey said that is up to them; it is really for the District. That is what we've done in the past.

Councilmember Lyles said I agree with Ms. Kinsey; it is the power of the incumbency, and I think all of us really want to respect the votes of the people of District 5 more than anything.

Mr. Smith said this was the longest portion of our discussion today Patsy. We discussed and hashed over it, and again I think you are spot on in the example when you were appointed Mayor and the pledge you made. You lead by example, so we appreciate that. It will be a question I'm going to ask for everybody that is out there watching; it is something that is important to me to not give somebody a leg up.

Mr. Phipps said as far as the timeline goes; it was stated that the new Council person who was appointed that they first Council meeting would be on January 23, 2017, but how about between the time that person is appointed and the 23rd if they have any Committees could they come to those committees, or would they be assigned committees at that time? The question is could they come to a committee meeting that is before the general Council meeting or would that first meeting have to be officially at the dais of the Council meeting?

Councilmember Mayfield arrived at 7:20 p.m.

Katie McCoy, Chief of Staff said you will see at the bottom of the timeline that while the appointment is made on Tuesday, January 17, 2017, the next day there is a swearing in and this is done in the office after the Councilmember can participate in just those committee meetings that Mr. Phipps mentioned. The more ceremonial swearing in would of course happened Monday, January 23, 2017, but technically that person would be a member of Council beginning the next day which would be January 18, 2017.

Mayor Roberts said in terms of committee assignments, since that is the Mayor's appointment, I will have the conversation with whoever it is and with existing committee members, and if we

need to fill exactly what Councilmember Autry is leaving we can do that, and if there needs to be a little adjustment we can work on that as well in conversation with all the folks on the different committees. I think the person that is applying would probably assume that most of the committee assignments would be the same as Councilmember Autry's but open to adjustment with everybody's agreement.

Motion was made by Councilmember Smith, seconded by Councilmember Kinsey, and carried unanimously to approve the process and schedule to fill the District 5 Councilmember vacancy.

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ITEM NO. 8: CITY MANAGER'S REPORT

Ron Kimble, Interim City Manager said tonight I would like to defer to Councilmember Mitchell; we are hosting the National League of Cities 2017. Several of you returned from a very successful 2016 National League of Cities meeting in Pittsburg, and I think there are some items to cover and some issues to present, so Mr. Mitchell, past President of the National League of Cities.

Councilmember Mitchell said Mayor and Council it is indeed an honor for those to be in Pittsburg representing the City of Charlotte. First of all, let me turn it over to Dawn Hill, and I would like for Dawn to introduce 13 of our brightest youth who represented us in Pittsburg and let her elaborate on their activities as we get prepared for the Youth Summit here in 2017.

Dawn Hill, Neighborhood and Business Services asked the Charlotte-Mecklenburg Youth Council to stand. Also, I will recognize Amy Ferrell who is from Generation Nation and Krishana Routt-Jackson, who is part of our City staff, who attended the Council as well. This is the delegate that joined us at the NLC Conference in Pittsburg, and I will tell you that it is with enthusiasm and just great pride that I stand before you this evening on the heels of what can only be described as a phenomenal opportunity for our youth. Thanks to your commitment of resources, we were able to send the 13 delegates; we don't have all of them present with us here tonight, but we were able to send 13 delegates. We had one of the highest amounts of delegates at that conference in Pittsburg, and they were able to attend the Youth Track at the National League of Cities Conference in Pittsburg, PA for three days, November 17-19 of this year. The 13 students who are represented here were in the City of Bridges in Pittsburg, PA, and they were basically gathering information about how they may best serve us for 2017 in the Queen City. I want to share briefly just some of the highlights of that conference. They did join our City staff members in the exhibit hall and gave a rousing welcome to over 3,000 attendees in the youth delegates from across the nation as they joined us at our Charlotte City Exhibit Booth. They also were inspirational in planning equity for the next generation workshop which they also attended with youth delegates from across the nation with their peers learning about etiquette training and skill building at that workshop. They had a great visit at Carnegie Mellon University where they learned about the collage experience, and they were able to join with stakeholders from CMU and then I think they all really enjoyed learning about the youth officials, the young elected officials at a networking breakfast and that was something they enjoyed tremendously. All in all the trip was a very successful one, and I think that you will find that when we host for 2017 that Charlotte will be able to provide nothing less than what they provided in Pittsburg, but we are preparing to join with Carowinds to form a welcome event that will be unrivaled; we will be creating a winter wonderland in NLC and Queen City Welcome that will encompass rides and indoor and outdoor activities. We are already joining with our local University of North Carolina in Charlotte to do a tour and workshop and also a What A Truck Saturday event, so they can really have the Charlotte experience and some other things to come, but it will be a special opportunity so thank you all for joining our Councilmembers and City staff, our Assistant City Managers for this trip. We really did enjoy having you there and you represented Charlotte very well.

Mayor Roberts said while they are shaking our hands, can you tell folks that are watching, including our Boy Scouts, how you become a member of the Youth Council?

Ms. Hill said absolutely, the Youth Council is open to all youth, especially high school youth who are in Charlotte Mecklenburg. You can actually go to the CharMeck.org to the Mayor's Youth Employment Program in the Youth Program page and gather more information from Generation Nation and you are able to do your application. It is open to students in high school district wide, so we welcome your participation. Generation Nation is the power behind our Charlotte Mecklenburg Youth Council, and we certainly want to thank Amy Ferrell and her staff for the wonderful collaboration with the Council.

Mr. Mitchell said let me echo, Council I think in our last budget cycle we allocated \$60,000 for this event, so I would like to thank each and every one of you for doing this for our youth. Let me talk briefly about what a special time it was in Pittsburg; there were several Councilmembers who received achievement during this conference, and I was fortunate enough to be there and to represent them. Councilmember District 2, Al Austin received a Bronze Certificate for NLC University; District 4, Greg Phipps received his Bronze Certificate for NLC University, and these Councilmembers made sacrifice to make sure they could be available for public service and the Bronze Certificate means they received 18 credit hours of classes, so thank you for your commitment. Then the woman who is going to lead every female elected official across the United States is one of our very own. Councilmember Patsy Kinsey got elected as President of Women in Municipal Government for 2017. Then Councilmember Mayfield, District 3, who did a one-two punch, first she was elected as Second Vice President of MBC Leo, Black Elected Officials across the United States. Then at breakfast on Friday morning the Mayor, and I and Patsy joined LaWana as she received the Democrat Municipal Official of the Year Award as given to the best Democrat leader across our Country who has exemplified public service, one of our very own, Councilmember LaWana Mayfield. I would like to recognize Assistant City Manager, Ann Wall for speaking at a Workshop called Making a New Development into a Win For All in Our Community. Very well attended, Ann did a great job for the workshop. Then the Mayor, myself and Dawn Hill and Angie, we were on a conference call how to fund afterschool in your city. The Mayor did an excellent job about her vision for the City, staff Angie and Dawn did a great job of What Does Charlotte Do to Make Sure we Put Our Funding in Top Priorities and After School Being One. Of course the new date here in Charlotte is November 15 – 17, 2017 we will be hosting the National League of Cities City Summit. Our Executive Committee is led by Ann Wall along with Hyong Yi, and they have already found a closing act for us. We have signed The Commodores so thank you Ann and Hyong for making sure that we end the conference in style. We are trying to make this a regional feel as well, so we asked the Mayors from Mooresville, Huntersville, Davidson, Rock Hill, and Monroe to join us and to make sure that we can show the best that Charlotte has to offer.

Sponsorship for our conference bags have already been signed, sealed, delivered. ICMARC has agreed to sponsor our conference bags, and so we are looking forward to a very successful conference. Councilmembers you are not off the hook, two things we need to practice the NLC theme song, we are the NLC, so we are going to the studio in January to practice and secondly we are going to have video messages throughout the year, so I'm going to ask Councilmembers. Women in Municipal Government President during your month of April, Patsy to give a shout out; Kenny during the month of March; Greg you got large cities the Month of June. Vi you have the month of February. and so each one of you will be assigned a month to do a video encouraging NLC to be in our Great City. Thank you all so much. As past President, it was special, but this is really special to invite them to our City again like we did in 2005.

Mayor Roberts said any corporate partners who might want to help sponsor some of the meals and events that will go on November 15 to 18, 2017 feel free to contact us and we look forward to working with you.

Mr. Kimble said that concludes the best Manager's Report in the last six months.

Mayor Roberts said we appreciate our Youth Council being here, and you all were terrific ambassadors for our City. Thank you, we appreciate you being here. You did a super job welcoming people to the Charlotte Booth and getting people excited about next fall.

2017-2018 FEDERAL AND STATE LEGISLATIVE AGENDAS

Mayor Roberts said this has gone through our Intergovernmental Relations Committee Chaired by Councilmember Driggs.

Councilmember Driggs said Mayor and Council, you remember on November 14, 2016 Dana Fenton briefed us on proposed agendas for our Federal and State Legislative Agendas, and on the 21st the Intergovernmental Relations Committee met; that is myself, Councilmembers Mitchell, Eiselt, Fallon, and Smith and considered the agenda further and came up with two proposed changes from that date. One was to the Federal Legislative Agenda and that was in response to reports that the new Congress is considering repealing exemption of the interest on municipal debt in this coming session. We are proposing to add to the agenda that was already described to you and is in your meeting agenda for today that we work with Congress and the Administration in support of the municipal bond tax exemption. In addition, I think it was Councilmember Mitchell recommended that we write to the National League of Cities and request that they continue to prioritize this issue in their federal advocacy priorities and therefore you should find a letter that we propose to send from Council and the Mayor to the League of Cities, asking that they continue to maintain that priority, and if there is no objection tonight, that letter will be sent out in the next couple of days.

On the State Agenda we made an addition related to HB-972 and in that we said there is an opportunity for us to engage with the General Assembly and other Stakeholders when and if adjustments are made to the law; meaning that we will work with them to address a couple of issues that Charlotte has identified that affect our ability to implement HB-972, such as the question of whether or not Council can view videos. Without defining specifically what changes we are looking for, we just want to work with the General Assembly which we understand will be actually visiting these issues themselves. I should mention, Representative Moore, we have not yet put the subpoena powers on our Legislative Agenda, and it is not because we have abandoned the issue. It is because we feel there is still work to do with stakeholders, and we want to be careful to formulate exactly what the ask is. I think if you noted tonight from the ACLU the suggestion that we actually adopt much further reaching changes, we would like to work that out before we define something to add to the agenda. So, Council for tonight we are asking for your approval of the agendas as previously discussed with those two additions, our Federal and our State Legislative Agendas.

<p>Motion was made by Councilmember Driggs and seconded by Councilmember Mitchell, to approve the 2017-2018 Federal and State Legislative Agendas.</p>
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Mayor Roberts said I just want to mention that since the Legislature will be meeting for several months, this is an initial legislative request that issues develop and as agenda items and legislation gets introduced, we may indeed have additional things to request and to work with our State and Federal Delegations on.

Mr. Driggs said we are working in fact very actively on some of these issues to come across with a clearly defined request.

Mayor Roberts said correct, so this is not the final for the year; this is the start.

Councilmember Autry said Mr. Fenton, when is the cut off for introducing legislation?

Dana Fenton, Intergovernmental Relations Manager said the cut-offs are usually during the month of April; that is for the long session. The long-session will start on February 1st and typically the cut-off for introduction of legislation will be sometime during the month of April.

Mr. Autry said the first half, the second half?

Mr. Fenton said dates range from the first half to the second half; there are different types of bills, local, or statewide or financial type bills that have different dates for filing.

Mr. Autry said I would ask the Chair then regarding some of these open issues like other changes to the Citizens' Review Board, the HB-972 issues, we feel like there is enough time to address those issues, have them in a form that can be added to the agenda before the cut-off would take place?

Mr. Driggs said absolutely, I think we have quite a lot of time until the session even begins to continue to work on it, and I think that timeframe is very easy. I don't expect this to take months and months; I think we want to work with stakeholders and define exactly what it is that we are pursuing and we should have something by January or February.

Councilmember Phipps said also, I would hope to the extent that we need some North Carolina General Assembly Legislative approval for whatever additional affordable housing or workforce housing tools in our arsenal to help promote the financing of various programs that would be something we might consider. I don't know how far we are on even discussing those kinds of things, if there is any kind of approval we need any for tax credits or anything that would require some approval beyond our body, if that is something that is within the realm of possibility, or is that something that we are discussing at this point?

Mr. Driggs said I would like to say, it is not up to this committee to decide; we are sort of responsible for formulating and implanting a goal that has been established by Council. I think we would need to continue to work possibly through Housing and Neighborhood Development and staff to identify exactly what things we might need from the General Assembly. In this case for example, we realize that we did not have the authority to do the subpoena power thing and therefore we knew that was going to be something that we needed to ask for. I haven't even heard a discussion yet what authority we might need to our housing goal.

Mr. Phipps said I would hope we would coordinate with other respective committees that might be assigned to those kinds of deliberations to have some input for possible inclusion into the legislative agenda.

Mayor Roberts said we look forward to working with Councilmember Autry, when he becomes a representative; thank you Mr. Fenton for continuing to help us in this area.

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

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ITEM NO. 10: AMEND THE 2016 CITY COUNCIL MEETING SCHEDULE

Mayor Roberts said I believe there has been a December 19, 2016 meeting that has been added for an 8:00 a.m. meeting for the State Legislative Briefing. That has been added to our schedule and that is also posted on line.

Motion was made by Councilmember Lyles, seconded by Councilmember Mitchell, and carried unanimously to approve the amendment to the 2016 City Council and Budget Meeting Schedule.

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ITEM NO. 11: 2017 CITY COUNCIL MEETING SCHEDULE

Motion was made by Councilmember Mitchell, seconded by Councilmember Kinsey, and carried unanimously to approve the 2017 City Council and Budget Meeting Schedule.

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BUSINESS

ITEM NO. 12: CITY LYNX GOLD LINE PHASE 2 CONSTRUCTION CONTRACT

Ron Kimble, Interim City Manager said we gave you the update a couple weeks ago at your workshop.

Motion was made by Councilmember Autry and seconded by Councilmember Austin, to award a contract in the amount of \$94,103,520 to the lowest responsive bidder, Johnson Brothers Corporation, a Southland Company for the construction of the City LYNX Gold Line Phase 2 Streetcar project.

Councilmember Driggs said we don't need to repeat the whole discussion about the project. I have to say that I was pretty dismayed that the \$29 million discrepancy that arose during the bidding process; I don't think that speaks well, and I don't mean to criticize anybody in particular on staff, but that is a large amount of money to be in flux or to discover that you didn't have to spend. In any case, I won't support this for all the reasons I have stated in the past.

Councilmember Smith said I have a little more to add to Mr. Driggs. I am not going to support this; I have not been supportive since this first came about. The notion that we are going to have a train running down the middle of the street; I don't see it easing congestion. If you look at most of Phase 2, starting at the hospital and moving to Johnson C. Smith, I see very few economic development opportunities. You start with the hospital; you go to CPCC, highway Uptown, Johnson Wells, highway, a small swath of land, and Johnson C. Smith. I am convinced there will be overruns. We magically were able to make the bid shrink, but if you look at Cincinnati, Dallas, DC, Detroit, Honolulu, every one of them had significant cost overruns; 2.7 miles in DC ended up costing \$200 million, and I see us headed down that same tract. In Atlanta, they had a 48% to 62% drop in ridership when they increased the fare \$1 to \$3, so its hey day was in the 18th and 19th century. When buses and automobiles became prevalent, the streetcar went by the wayside and in fact in 1962 an editorial in the Washington Post, no bashing of conservatism, stated there is not a single redeeming thing that can be said about streetcars.

Councilmember Austin said I guess there is no surprise of Mr. Driggs and Mr. Smith's position, and I will state my position; it is unwavering that I will support this project. It has and continues to be a viable option for the east and the west. We are talking about a network and that is what we are trying to build, a network throughout the City to connect people, to connect universities, connect people to their jobs and this gives us another option. I had an opportunity to be in France, as many of you know, where they have a streetcar that worked very well. People were engaged; it was an exciting part of the City. I think we can create that same type of environment in Charlotte. We already have on the first part of the streetcar, so I am very supportive of this. I wanted to do a temperature check to the people in my community, talked with them today, and I ask them do we still want to move forward. They said Al, we do. I'm going to move with my community and say, I will support it, and I will be voting for it.

Councilmember Eiselt said the \$29 million in savings, did that not include eliminating some of the modern streetcars that we had hoped to purchase? Was that a reduction?

Mr. Kimble said we did reduce from seven cars to six cars in the award that we are recommending tonight. That is on the next item which is the vehicles.

Ms. Eiselt said but that is part of the \$29 million in savings, in price change.

John Lewis, Transit Director said the \$29 million reduction is in the bid for the construction side of things. We did reduce the number of vehicles on the other side of the equation, but the \$29 million reduction is on the bid on the construction side. It was a reduction in the overall cost of the construction side of things.

Ms. Eiselt said thanks for that clarification, but the reduction itself, I hope it wasn't just changing contractors that led to the \$29 million savings. What changes did the City have to decide to make to get to that reduction?

Mr. Lewis said we did make changes to some of the elements of the project. A lot of those changes related to some of the City portions, which are the water/sewer/stormwater. A lot of it was clarification as we looked at it; there was confusion within the bids. We also looked at making a little more time available to the contractor as far as his ability to work, working closely with the contractors to clarify any unknowns and questions. We also think that it became a little more competitive bid environment. We had more bidders; some time had passed. Some other work maybe not had materialized for some of the bidders. It was a very competitive environment, and we got very good bids that we were able to lower our overall costs.

Councilmember Lyles said I think that every vote that we have taken on the streetcar has been consistent on this Council, so I don't know that there are any positions that changed their mind. It wouldn't matter what happened or how the numbers came out or how it was negotiated; the vote have always been pretty much the same and no reason to not recognize that. A majority of the Council feels like the project is of benefit to the entire community; it is a part of the network, it connects our east and west side, and for all of the comparisons that we make, sometimes I think about the comparisons that are often not made about this investment for investment reasons and things like that. I know that we are not going to have a change in vote, and I think that Mr. Smith often says well let's just call for the vote. I understand that, but I want the community to know how important the streetcar is to the network that we are planning on building for the future. If we can't do it in this small way, in an incremental way to build that network then we are going to have to build roads and more roads. Roads are more expensive than a, we call it a streetcar line, but it is what I would consider in the right-of-way rail. We've got to begin to think about how we want to be in the future and how much money we are willing to spend to be the kind of City that we want to be. I believe the vote will show that the majority of the City sees what I see as modern rail in the street right-of-way as being the right way to build out our system to reduce the cost that we would have for building roads and to build investment and connections between the east and the west side. I remember the Council tour that we had in each Council District, and we talked about the lack of job opportunities on the east and we talked about the lack of infrastructure on the west. We've got to do something differently, and I believe the streetcar will make that difference, so I'm going to support the contract.

Mr. Smith said just one closing point is that the \$16 million in general fund that we've already spent on the streetcar is more than we put in the bond package for affordable housing; it is more than we paid for Eastland. Ms. Lyles, I agree we want to extend prosperity to all corners; I just don't think the streetcar is the vehicle. I think there are other opportunities to do that.

Ms. Lyles said in reply, I think sometimes we talk as if we are talking to the audience and not with each other, and I am encouraged by the dialogue that we often have with each other about these significant issues. I don't know that there is any one path to success and multiple paths will require all of us to kind of take a position on any number of things. I believe that a good community is built around having the opportunity to one, move around the City appropriately so that you can go to work and that you can get home to a decent place to live. I'm not going to choose one of those above the other, because it is all an integrated system for the quality of life that we want to have in our City. This isn't about taking one from the other; yes, perhaps the levels of investment or return may be differently, but in terms of the overall emphasis of what kind of community we are going to build, every decision that we make is important. It is not necessary that we all agree on it, but I believe in this case we are agreeing on a decision that will make a difference and a balanced difference.

Mayor Roberts said I want to add one thing; I remember when we had a challenge in the transit tax in 2007, two weeks before the first line opened. We did a study of those folks who ride transit, who ride our buses in our transit system, and we discovered that 57% of those folks don't have driver's licenses. If we are truly trying to be a City that serves everyone, that connects everyone that lets people get to the doctor and get to work we have got to build out our transportation system for the public. There are a lot of folks, including young people and elderly, disabled who rely on public transportation for their lives. I think that is a priority for our City, and I appreciate the questions that people have raised, and we look forward to continuing to build out our system.

Councilmember Phipps said my support for Phase 2 has been pretty consistent since, its inception. I happen to believe in the 2030 Transit Plan and the build out of the plan. We have plans for the streetcar going to Eastland; we want to get some sort of rail, maybe the streetcar even going to the Airport, but it seems it is going to be increasingly difficult just getting a couple more miles of streetcar line is just so like pulling teeth. It is almost like every vote that we take on this; the streetcar is to Council like Obama Care is to Congress or something; every time it seems to be the same pull, and we have a very pestiferous group of people even in the community at large that seems to be adamantly opposed to the line. I don't know what future phases hold; I don't know if we ever get to a Phase 3 or 4, but I'm going to be supporting this Phase 2 with the hope that we can get to where we need to be because right now we just have pieces of a connection. We really don't have a full connection; we are going to have a north and south line or maybe an east and west in the by and by when the morning comes, but if it is going to be a Red Line or Silver Line I really don't know under the current climate that we are going through to chance administrations, so I'm going to be supporting this second phase. All I can see that matters is really definite at this point.

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

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

NAYS: Councilmembers Driggs and Smith.

Summary of Bids

Johnson Brothers Corporation, A Southland Company	\$ 94,103,520.00
The Lane Construction Corporation	\$ 97,204,707.28
Balfour Beatty Infrastructure, Inc.	\$106,850,296.90
Conti Enterprises, Inc.	\$112,237,394.85

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ITEM NO. 13: CITY LYNX GOLD LINE PHASE 2 MODERN STREETCAR VEHICLES

Motion was made by Councilmember Autry and seconded by Councilmember Kinsey, to authorize the City Manager to negotiate and execute a contract with Siemens Transportation in an amount not to exceed \$40,400,000 for six modern hybrid streetcar vehicles and spare parts.

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

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

NAYS: Councilmembers Driggs and Smith.

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ITEM NO. 14: APPOINTMENT TO THE CHARLOTTE HOUSING AUTHORITY

The following nominee was considered for one appointment for a three-year term beginning December 18, 2016 and ending December 17, 2019:

Dimple Ajmera, nominated by Councilmembers Driggs, Eiselt, Kinsey, Mitchell, and Phipps

Results of the ballot were recorded as follows:

Dimple Ajmera, 10 votes – Councilmembers Austin, Autry, Driggs, Eiselt, Kinsey, Lyles, Mayfield, Mitchell, Phipps, and Smith.

Ms. Ajmera was reappointed.

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ITEM NO. 15: APPOINTMENT TO THE CHARLOTTE INTERNATIONAL CABINET

The following nominee was considered for a recommendation by the Charlotte Regional Visitors Authority for a term beginning immediately and ending June 30, 2019. No recommendations were received from the Charlotte Regional Visitors Authority.

Nancy Carter, nominated by Councilmembers Eiselt, Fallon, and Kinsey.

Results of the ballot were recorded as follows:

Nancy Carter, 5 votes – Autry, Driggs, Kinsey, Mitchell, and Smith.

Emily Kunze, Deputy City Clerk said she does not fall into the required category so the Clerk's Office is going to re-advertise and we are going to work with staff to reach out to the CRVA regarding a recommendation.

Mayor Roberts said can you please explain the category?

Ms. Kunze said it is a recommendation from the Charlotte Regional Visitors Authority and someone that must be a staff member from their organization; it is kind of specific category.

Councilmember Mitchell said it says no recommendation has been received; did we ask the CRVA for a recommendation?

Ms. Kunze said yes, the staff advisor for that board has reached out to them, so we are going to try to work with the City Manager's Office and see if we can work with them some more.

This appointment will be readvertised.

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ITEM NO. 16: APPOINTMENTS TO KEEP CHARLOTTE BEAUTIFUL

The following nominees were considered for one appointment for an unexpired term beginning immediately and ending June 30, 2017; one appointment for an unexpired term beginning immediately and ending June 30, 2018 and two appointments for unexpired terms beginning immediately and ending June 30, 2019:

Brie Carlson, nominated by Councilmembers Driggs, Kinsey, Lyles, and Phipps.

Jena Coen, nominated by Councilmembers Eiselt and Kinsey.

April Hood, nominated by Councilmembers Eiselt, Lyles, and Mitchell.

Mitchell Hughes, nominated by Councilmembers Kinsey and Mitchell.

Jessica Hutchins, nominated by Councilmembers Eiselt, Kinsey, and Lyles.

Zachary Newton, nominated by Councilmember Mitchell and Phipps.

Cory Watson, nominated by Councilmember Driggs, Fallon, Lyles, Mitchell, and Phipps.

Results of the first ballot were recorded as follows:

Brie Carlson, 8 votes – Councilmembers Austin, Driggs, Eiselt, Kinsey, Lyles, Mayfield, Phipps, and Smith

Jena Coen, 3 votes – Councilmembers Driggs, Eiselt, and Kinsey.

April Hood, 1 vote – Councilmember Lyles

Mitchell Hughes, 4 votes – Councilmembers Austin, Eiselt, Kinsey, and Mitchell

Jessica Hutchins, 6 votes – Councilmembers Driggs, Kinsey, Lyles, Mayfield, Mitchell, and Phipps

Zachary Newton, 4 votes – Councilmembers Austin, Mayfield, Mitchell, and Phipps.

Cory Watson, 9 votes – Councilmembers Austin, Autry, Driggs, Eiselt, Lyles, Mayfield, Mitchell, Phipps, and Smith.

Brie Carlson, Jessica Hutchins, and Cory Watson were appointed.

Since a fourth nominee did not receive at least six votes, a second ballot was taken between Mitchell Hughes and Zachary Newton.

Results of the second ballot were recorded as follows:

Mitchell Hughes, 7 votes – Councilmembers Austin, Autry, Eiselt, Kinsey, Lyles, Mitchell, and Smith.

Mr. Hughes was appointed.

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ITEM NO. 17: APPOINTMENTS TO THE PRIVATIZATION/COMPETITION COMMITTEE

The following nominees were considered for one appointment to an unexpired term beginning immediately and ending March 1, 2017, then continuing for a full two-year term from March 2, 2017 until March 1, 2019, and one appointment to an unexpired term beginning immediately and ending March 1, 2018:

Parker Cains, nominated by Councilmembers Driggs, Kinsey, Mitchell, and Smith

James Marascio, nominated by Councilmembers Eiselt, Fallon, and Phipps

Results of the first ballot were recorded as follows:

Parker Cains, 10 votes – Councilmembers Austin, Autry, Driggs, Eiselt, Kinsey, Lyles, Mayfield, Mitchell, Phipps, and Smith.

James Marascio, 10 votes – Councilmembers Austin, Autry, Driggs, Eiselt, Kinsey, Lyles, Mayfield, Mitchell, Phipps, and Smith.

Mr. Cains and Mr. Marascio were appointed.

Emily Kunze, Deputy City Clerk said the Council needs to make a determination on which term each candidate gets; one expires March 2018, and the other one expires March 2019. Usually the highest vote getter would get the longest terms, but it is a tie vote.

Councilmember Lyles said I think if we have these situations, we probably ought to decide and have separate votes so that people will know which term they are running for.

Motion was made by Councilmember Lyles, seconded by Councilmember Phipps, and carried unanimously that Mr. Cain receive the appointment that expires in 2019 and Mr. Marascio receive the appointment that expires in 2018.

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ITEM NO. 18: MAYOR AND CITY COUNCIL TOPICS

Mayor Roberts said I want to recognize that tonight is the last meeting that Ron Kimble will have as our Manager; he is not retiring yet, but he is not going to be our Manager for our next meeting. He has done a tremendous job of serving as Interim Manager for five months, and we really, really appreciate you. We are also thinking of you deeply with the loss of your mother this past weekend. We all recognize that and we send our deep condolences on behalf of the Council and myself.

Ron Kimble, Interim City Manager said I will say thank you for having the trust and confidence in me and the staff of the City of Charlotte. I'm not saying good-bye tonight, as you said, I will be around for a little while longer. I will be having conversations with Marcus Jones, when he starts this Thursday. I think you have selected a great next person for this seat, and I look forward to working with him and you all, and I'm just thankful. The 16-years I've spent in

Charlotte have been some of the most glorious years of my life, and thank you for the support that you have given me. I appreciate it very much.

Mayor Roberts said you have done a tremendous job.

Councilmember Austin said just want to first say thank you Ron for your service to the City; it has been phenomenal. I would remind our citizens that throwing trash out your window is not a good thing; it creates not a great City for us and would appreciate it if you would keep it and take it home, and throw it in the trash.

Councilmember Driggs said Ron, I also wanted to add a personal note of thanks. There were times when you and I didn't agree on an issue, like the arena or something, but I always admired your professionalism and your passion for the City, and I think we owe you a great debt of thanks for your service in the last six months in particular but also going back many years. I look forward to seeing you around, and thanks again for everything you've done.

Councilmember Autry said I would also like to thank Mr. Kimble for his dedication to our City and to keeping the hand on the tiller, as it were the last few months. We could always count on you for the best insight, some provocative conversation and questioning, and you always had the answers whether we always agreed or not it didn't matter. You have always been a quintessential professional, and I honor that, and I learned a lot from you, and I appreciate that. I certainly hope to see you again in the future very soon.

Councilmember Kinsey said Ron, it's been fun. It has been a pleasure to work with you, and you have tried your best to keep me on the straight and narrow, and bless your heart you just haven't been able to do it. It has been a real joy knowing you and working with you. Thank you very much.

Councilmember Eiselt said I will join the chorus in saying Ron, thank you for your service and thank you for your help this past year, helping me get up to speed, taking all of my questions and challenges and answering them. I think you are one of the most creative and innovative thinkers I've met in Charlotte, and we have certainly benefited from that vision and hope that we will continue to in different ways benefit from your vision for our City.

Mayor Roberts said we had a wonderful Thanksgiving Parade last week; thanks to all the folks who participate and all the folks who came out to see it. Thanks to Novant for sponsoring and we are going to do an even better one next year I'm sure. As we think about things we are thankful for, we are thankful for great people like Ron Kimble serving our City.

Ms. Eiselt said I forgot an announcement; on December 6, 2016, I'm having a town hall meeting called the Nuts and Bolts of affordable housing, and it is really to bring in Pam Wideman of our Neighborhood and Business Services Department and Bert Green from Habitat for Humanity just to help people understand how affordable housing works in Charlotte; the challenges of financing it, the challenges of where to put it, and I invite anybody who wants to attend. It is from 6:30 p.m. to 8:00 p.m. at Myers Park Presbyterian Church at the Outreach Center which is the recreational center across from Providence Road.

Councilmember Lyles said I think I have known Ron for the entire 16-years that he has been here. When he came from Greenville, I remember calling my friend the Fire Chief and saying who is that guy? They had a lot of respect for you there, and the thing that I really appreciate is the integrity that you bring to a profession, and what I really appreciate is that your willingness to be a part of this community and stay here and be a part that will make a difference and thank you for what you do.

Councilmember Mitchell said some things I won't say Ron, but first of all thank you so much. I don't know any individual who has put his footprints on our City like you, whether we are talking about the culture facilities, NASCAR Hall of Fame, the Panthers, the Knights Stadium, the Convention Center and your creative mind to make a deal happen that has the public interest at heart. Thank you for taking a hyper ED member and molding him to understand how to work and how to collaborate with the business community. Late at night when we were trying to get deals done at 11:30 p.m. and 12:00 a.m., you never told me no; you would sometimes tell me can

this wait until 7:15 in the morning but you were always willing to work for Charlotte. I'm glad you are not going anywhere because there are a lot of things we need you to continue to do for our City. Thank you my friend.

Councilmember Phipps said Ron, I guess we first started working together back in my first tenure in 2005, even back then, working through the Culture Campus, NASCAR and all those good things. Being an interim City Councilmember, I had a chance to work with you on and even now as I go around the City and business leaders still hold you up in high esteem and that was exemplified even this past summer when you got that prestigious award from UNC-Charlotte in your recognition there. Even in your tenure of an Interim City Manager, by far I think you would have to admit that your term wasn't without a lot of excitement there during your short-term as Interim City Manager. I've seen and worked with a lot of people in the City that has come and gone, and it almost seems like a lot of familiar faces making changes in the City, but it is good that you are going to be around, and I do appreciate your service in the City.

One thing I also wanted to remind the Council is, a couple of weeks ago we did a Proclamation to Samaritan's Feet, and they are going to be sponsoring an event on Saturday, December 10, 2016 from 9:00 a.m. to 12:00 p.m. at the Amay James Recreational Center. That is at 2425 Lester Street; they are going to be sponsoring Reconcile Charlotte event, where they are going to be hosting a shoe distribution event for individuals in need and the homeless. They are looking for volunteers all over the City, including those on this dais to come and join religious leaders, policemen, firefighters and just everybody to come together to help bring a degree of healing to our City in regards to the activities that we experienced over the last couple of months. You can go on line and register at samaritansfeet.org for this event. If you choose to participate, they will be glad to have you. They want to get some good participation on that.

Councilmember Smith said Ron, if possible you are a better person than you are a servant; you are an absolute gentlemen of the highest order in everything you do. I can think of no higher compliment than that. You have sat an example throughout our organization during your years of service as an exemplary servant. You will be greatly missed; I know as a citizen of District 6, you can always call me if you have any issues; I can get you a stop sign or speed hump or something. We really will miss you; you have been such a rock, this past year, in what you were willing to do. You stayed on a little longer than you anticipated and please know that we are grateful for that, and I wish you absolutely the best. I know that you will still be around for a little while, but when you go off into your new ventures I wish you the best.

On another note, this is not my town hall but there will be in this division which I think Mr. Autry and I split; I think he has a little larger share of it than I do. Next Tuesday, the December 6, 2016, they are going to have a Community Safety Forum at East Mecklenburg High School that starts at 6:30 p.m. It will be covered by the Independence Division which would be neighborhoods like Stonehaven, along Monroe Road. Please note that Chief Putney will be there, Captain [inaudible] will be there, and they will answer all questions about community safety. I will be going as a citizen; this will be their show.

Councilmember Mayfield said Ron we've had some interesting times, so I will just say ditto to everything that you've heard. You know that more often than not, I reach out to you directly to tell what I think. You know how I feel about you, and you know the respect for you and your service to the community. I look forward to seeing what you do with continuing the legacy of your daughter and continuing the legacy of the work that you and your wife has started, however that plays out if there is ever anything that I can do to help, support, encourage or share the good news of what is going on, I am there. It is always best to e-mail me through Robin.

I also want to acknowledge that we are full blown preparation mode for the 2017 Martin Luther King, Jr. celebration. We are still receiving opportunities for volunteers who are interested in pulling off this amazing weekend. You can reach out to me, or you can contact Mr. Terry Bradley's office. I am very excited to announce that Carolinas Healthcare has come to the table, and we will be introducing the 2017 Carolinas Healthcare System, Charlotte Mecklenburg MLK national holiday celebration, and they have come in with a multiyear commitment for the MLK celebration, and we are extremely excited to be partnering with Carolinas Healthcare, as well as all of our other sponsors and partners. This is definitely a win, as the southeast region, we have one of the largest MLK celebrations in the southeast, so we look forward to everyone coming out

and being a part of MLK. Remember, it is an entire week of events, and also I want to thank the City of Charlotte staff; our Communication staff is absolutely amazing. Last year we started conversations and created a partnership; a lot of people didn't realize the MLK Memorial Celebration was under the City, and it has been led through the Community Relations Committee but our Corporate Communication Staff stepped in, redesigned the website and we now you can easily link to the MLK celebration, the 2017 Carolina Healthcare System MLK celebration through our website at www.charlottenc.gov to get more information and also learn of volunteer opportunities as well as the week-long events that we will be hosting.

Mr. Kimble said I would simply say that I am but one of about 7,700 employees for the City of Charlotte, and you can be as proud of the other 7,699 people that work for the City of Charlotte, and I've had the pleasure of working with them for 16 years.

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CLOSED SESSION

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

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ADJOURNMENT

The meeting was recessed at 8:17 p.m. to move to CH-14 for a closed session. The meeting was adjourned at the conclusion of the closed session at 8:36 p.m.



Emily Kunze, Deputy City Clerk

Length of Meeting: 3 Hours, 5 Minutes
Minutes Completed: December 7, 2016