

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, December 10, 2012, at 4:13 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Anthony, Foxx presiding. Councilmembers present were John Autry, Michael Barnes, Patrick Cannon, Warren Cooksey, Andy Dulin, Claire Fallon, Patsy Kinsey, and Beth Pickering.

ABSENT UNTIL NOTED: Councilmembers LaWana Mayfield and James Mitchell

ABSENT: Councilmember David Howard

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ITEM 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Councilmember Cooksey said Item Nos. 19 and 38. On Item No. 19 I don't really need pulled; just count me as a no, and Item No. 38 this is again not specific to the point, but a larger issue on Item No, 38; do we keep track of how many trees the City cuts down in a year and what's our mitigation plan for this? We've got a tree ordinance; a lot of concerns about trees but I know we cut down a bunch, so using Item No. 38 as a reminder about what do we do about the trees we cut down.

Councilmember Dulin said I too pulled Item No. and we will talk about it when we get around to it.

Councilmember Autry said I pulled Item No. 33.

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ITEM 2: ELECTRIC PUBLIC SAFETY TECHNOLOGY UPDATE

City Manager, Curt Walton said the first item we had during the DNC a number of new electronic technology devices for police and public safety. And now that the DNC has passed and we have these tools and we wanted to talk to you about how we would integrate them into our day to day policing. So we wanted to give you that update and I will turn it over to Chief Monroe.

Chief of Police, Rodney Monroe said first thank you for the opportunity for the Charlotte Mecklenburg Police Department (CMPD) to brief Council and also the public on our strategy for continuing our crime enforcement reduction strategy. CMPD has been using electronic technology in the form of cameras and license plate readers for a number of years. However with the DNC being here in Charlotte we had the opportunity to enhance those capabilities and with that we wanted to talk about going forward, how we look to re-deploy a lot of that technology that had originally been staged within the uptown area back out into our communities. During the DNC we were able to purchase over 131 wireless cameras valued at over \$1.7 million dollars; 95 license plate readers valued at over \$1.5 million dollars; a new state of the art command center, valued at over \$4.5 million dollars and a video management system valued at \$1.9 million dollars that gives us the capability of managing all of our electronic videos for the purposes of not only storing, but managing but also regulating the use of when someone accesses it or who may access that data. There are a total of about 60 cameras deployed from the private side. Mainly Bank of America, Convention Center, Time Warner and a number of other entities within the City that the CMPD has access to.

We've also been discussing with our Police Foundation, which is a group of business people throughout Charlotte, as it relates to assisting us in various technology issues. They help support us with the electronic monitoring; with a lot of our DNA lab work and we've had a rather lengthy discussion with them about going out and creating more public-private partnerships as it relates to video technology. There are a lot of businesses out there in the public vein that have

access to videos of their own; they look to share that with CMPD as it relates to enhancing our crime fighting strategies. You know we've had the success over the last couple of years of working with a number of businesses; especially our convenience stores along various corridors; asking them to install and enhance their video capabilities. Many of them have done that and with that we have seen great success when we've been able to capture a robbery at one of these locations and being able to put that information back out to the public asking for the public's help in identifying those individuals involved in those criminal acts. We've been very successful with the public's help in identifying those individuals. So the technology has really increased in the way of definition as it portrays individual suspects that allows a very clear picture of who they are which ultimately gives us the ability to detect them. This technology primarily is designed to help prevent the criminal activity. I have to repeat that, criminal activity. We're in the business of addressing public safety needs from a criminal perspective. We are aware of the concerns of the public as it relates to this technology and we want to use this presentation as an opportunity to address some of the legal and ethical issues regarding the technology use.

The goal for this technology, as I stated earlier is to help create a safer environment for all citizens and for them to feel that CMPD is out there to support them not to take on a "big brother" roll. Our focus is and will remain upon criminal activity. We hope this presentation will answer many of your questions regarding the use of our technology. So with that I will turn it over to Deputy Chief, Harold Medlock and our Police Attorney, Mark Newbold who will go through their presentation to hopefully enlighten you on where we are looking to go.

Councilmember Mayfield arrived at 4:17 p.m.

Deputy Chief, Harold Medlock said I'm going to share with you some of the historical perspectives and some of the technologies, where we've been; where we are now and then where we're going in a very short amount of time. As you can see we have things that a lot of folks in Mecklenburg County and Charlotte really have come to expect or know that is kind of standard for us; our Digital Mobile Video Recorders (DMVR). We actually began with that program in 1997. All of our police fleets, the marked cars that you see in the streets everyday all have that capability and initially everything was recorded to video tape. It was very cumbersome for us, now we have the ability so that when a police car ends its shift every day they will pull near to their division office and the video is actually downloaded automatically. I don't know how it works but it's a very magical system that really helps us a great deal in managing that.

Video recording is something that Charlotte Mecklenburg Police has led the state in. In 2008 we began a policy of video recording every interview with a felony suspect. That's video and audio recording. Up until that time there was no law or requirement in North Carolina that a suspect interview even a witness interview would be required to be recorded. We have been doing that since 2008. In 2008, the State developed some legislation that required all police departments to audio record any interview with a homicide suspect so you can image we are going well and beyond what the State of North Carolina requires. We began our public-private camera system in the year 2000. We started with a small grant and four cameras. And before we finished installing those first four cameras using fiber optics that were directly connected from the camera back to our control room, we added eight additional with another grant and of course now we are to the point of where we are in 2012 with a very robust system.

Automated License Plate Readers (ALPR) we have been using those since the year 2006. Primarily as mobile readers with some of our police cars and now again we have enhanced that with additional mobile and fixed units and I'll share more about that with you in just a minute. And then finally our Gunshot Detection System Shotspotter began in 2006 with us doing the research on various gunshot detection systems. What we found in 2006, 2007, 2008, 2009 and 2010 was that the technology was not accurate enough for us to be able to really rely on it and then in 2011 the company Shotspotter came to us with an enhanced program, an updated program and certainly we have shown that that is a good program for us to use. So we implemented in 2012 our first two miles around the center city for the Democratic National Convention. We have an additional third mile that we have yet to deploy and will be in a short while.

This is our Public/Private Camera System location chart. It looks like global thermal nuclear war and that's a good thing because as you can see it stretches from one end of the county lengthwise and then breadth wise all across our patrol operations. Primarily again you can see a pretty big concentration in the center city and as I move forward with additional camera information, I'll tell you that we're going to move 97 of the cameras that are in the center city to neighborhoods of need and corridors as we determine those moving forward. As Chief Monroe said all of our cameras are mounted in public space and are not inside any buildings and by procedure not situated that we can view inside of a building, unless a crime is occurring and we have a camera nearby. We started our program in 2000 with a very small monitoring station that was co-located with CDOT. CDOT was very gracious to allow us to share a very small area of their command center in old City Hall. With the Convention, we determined that that was probably not the most secure area and also the fact that we had additional needs for the additional technology that we have and so we just determined that we would move the operations center back into headquarters and CDOT and CMPD co-locate and operate that center together. This is a partnership for CDOT, as Chief Monroe said we have about 130 CMPD cameras, but there are 650, as you saw in the illustration, across the county and again from Ballantyne to Beatties Ford Road; it gives you a good indication of where those cameras are. The capabilities, we have both digital and some of the traditional cameras. We're trying to move everything over to wireless and digital capability which gives us a great picture and also gives us the opportunity to operate in low light situations.

Councilmember Mitchell arrived at 4:24 p.m.

We also have partnered with several, as Chief Monroe said, Charlotte Convention Center, Time Warner Cable, and Bank of America. We're looking in the future to partner with Central Piedmont, CATS and any shopping center strip mall; hotel or motel or Housing Authority or any colleges that would allow us to be connected to their camera system. Again it gives us the opportunity to see what's going on as we are dispatching or sending our officers to a particular scene. And I wanted to share a couple of cases with you if I could. I'd love to show you the video but they are active cases. Late November we had a string of bank robberies and we had a pretty good idea based on some of our investigations that these bank robbers were going to continue to hit a certain type of bank at a certain time of day and so we turned a couple of our cameras to the front of those banks and you know this is one of those things when you say where's a cop when you need one; well the cop was there that day and we actually had one of the cameras sitting in front of the bank, the SUV pulls up in front of the door, two guys bail out, they were guys we found that out later; two guys bail out, ran in the bank masked up and armed robbed the bank and came back and jumped in the SUV and took off. They were very, very good to us because we got a great picture of the license plate and shortly after they left the bank parking lot, they became customers of the Mecklenburg County Sheriff. So again, four actual bad guys were off the street as a result of a good catch. The other one I want to share with you is truly frightening. If you saw it, it would make your stomach turn. Late November, we had an individual who apparently left the Bobcats game one night was crossing 3rd Street and was texting as he was walking across 3rd Street against the light. He walked right in front of a car who flipped him twice in the air. I don't know how the young man lived but luckily he did, and the car was completely legal up until the time that that driver continued on away from the scene. It was the young man's fault, but again we had seven cameras that were able to pick up the path of this vehicle and again we're looking for that car. The problem with that whole case and I'm going to share with you our license plate readers in a minute, of all the places that that car drove that night, it did not go by one of our license plates readers so we're having to go after this person in a very traditional sense.

The cameras have proven over and over again the ability for us to deploy our officers to a scene or situation in a reasonable manner. So if we have a report of a fight call or an assault call in the center city or anywhere near our cameras, our operators will automatically turn those cameras to that situation and if we have a lot of cars that initially went or not enough cars, we can adjust by the number of officers and also their response so we're keeping them safe and keeping our public safe by not sending a lot of people running all over the place. So the cameras have proven to be very, very successful for us. We anticipate that there are some things in the future that we can do

with them to make them even more effective. As many of you have seen both the media and Council, this is our police command center. This is from a typical day in the life of DNC. As you can see there are a lot of different images on that wall. Now this is our Video Observation Center, this is monitored roughly 20 hours a day. We're trying to get to 24 hours a day 7 days a week but again we're to the point of trying to staff that and to make sure that it makes some sense. But as you can see all of those cameras are either resting, from this perspective either resting on an intersection or they are pulled back far enough away to get a general view of the area rather than being very focused or very specific. If there is a problem as you can see in the fore panel there, the officers will blow up that screen and then zoom in to make sure that everything is good. But if you look there are six or eight pictures there that show intersections and that's actually how we picked up on the hit and run, the night of the felony hit and run because the driver passed right through the intersection.

I'd like to talk with you a little bit about automated license plate readers. Again the technology we've had since 2006, we began with four mobile readers as Chief Monroe said for the convention we enhanced our capabilities with that and we put up fixed locations as well as adding additional mobile readers that actually are better technology than what we had in 2006. These sensors, these license plate readers do have a camera on them and they are focused on one lane of travel. So if we deployed a camera or one of these sensors out on Independence Blvd., we would only get one lane of travel; we would not be able to get all three lanes of travel. We wouldn't be able to get both sides so it is limited in the amount of information that we can get as people pass those locations. And again we've added 94 additional sensors for the Convention. This is all about helping to identify criminal patterns and other public safety issues. Just last week we used the license plate reader to locate an individual who was a missing person. He was an elderly gentleman who became a bit disoriented and was riding around in Charlotte and we actually entered his plate into the ALPR and got the information back. We were able to zero into an area that he was and able to locate him and return him to his family. But or/and as importantly, we have learned that there are robbers, there are criminals but I'm going to use the example of robbers that based on interviews from these folks after we catch them but also information that we develop as they're in their criminal enterprise that moved from the University Division all the way up North to Steele Creek Division all the way down to the South Carolina line in one night or one day to commit different crimes. They believe if they cross a division line that it's very easy to find out the 13 police divisions; that we're not paying attention as people go across those division lines. The LPR allows us to know once we enter a vehicle description or a partial tag number or tag number, it allows us then to start to see those patterns and not only connect different crimes but also begin to identify folks who are involved in them.

And then lastly I want to share with you a little bit about our Gunshot Detection System; the ShotSpotter. Again we have two miles that we deploy, two square miles around the city center, for the Democratic National Convention. We plan to re-deploy those two and the additional third mile that we came to you about some time ago to areas or neighborhoods where we think they would provide the most benefit to public safety for those neighborhoods. The Gunshot Detection System again research has been going on from CMPD since 2006. We just now feel comfortable with the way that that system works and it is proven very reliable for us and it does not tax us in manpower to monitor it with the new technology and the contract that we have at that company so we're getting good hits off of gunshots from this company.

CMPD Attorney, Mark Newbold said I will be brief I promise as a lawyer that can be difficult but if when we talk about these issues dealing with electronic technology, there really isn't too much new that has to be reviewed from a legal standpoint. The concerns that the Supreme Court has had for decades has focused on a reasonable expectation of privacy that people have and we're all aware that inside your house, there clearly is a heightened expectation of privacy and that the government has to reach a pretty significant threshold before it can come in without that person's permission. A law enforcement officer would have to obtain a search warrant or some type of court document that establishes the probable cause that a crime is occurring. The only exception to that is an exigent circumstance. And so as our technology has advanced, it has primarily focused on this concern of privacy. But there are other discussions going on in communities above and beyond the guidance that the courts have given us. Privacy to other

people also sometimes talks about what happens when they are out in a public place and the government is supposedly watching them. That concern we all recognize but the courts have been slow and legislatures haven't done it. The courts have been very reluctant to extend a legal concept of the right to privacy to people who are out in public. The general rule that the courts have focused on said that what one exposes or brings into the public area or public view typically is not protected under the 4th Amendment. Some of the things that we wanted to take a look at and we went through all our protocols and these aren't new, we have a lot of these in place, but what we wanted to do was to address certain issues that are out there that the public has. And so we wanted to make sure of course that we are in compliance with the core constitutional principles. So one of the ways I think that we can show that what we're really trying to do is focus on criminal behavior and apprehending criminals is to take a look at what our protocols currently have in place. First of all we limit how these cameras are set up and where they are viewed. You have to understand that right now if those cameras are "on" somebody may not be looking at them, but while they're on they are focused on a public intersection that's open to anybody in the public. The difficulty sometimes might be if there's a neighborhood in the background in those areas and what we've tried very hard to do is make sure that these cameras focus on the area that the public is entitled to be in because there's little or no privacy interest in that area.

If criminal activity is occurring and there's somebody down monitoring that, then the camera can be moved to where that criminal activity is but our general policy is nobody is out just scanning, taking a look just for the fun of it. We only use that type of activity when there is some indication of criminal activity or criminal activity about to occur. So we limit the observations how the camera is set up. We also prohibit the observation of areas that are considered private. For example, there is nothing that allows an officer to take a camera and zoom into somebody's window, to do that is a violation, I think, pretty close a violation that is a constitutional right to privacy but it's not a good law enforcement tactic it doesn't accomplish anything. And I think many people would be offended if people were doing that. So everyone of the directives that we've reviewed across the country when we talk to them, all have, as does ours, significant restrictions in punishment if an officer were to misuse this technology. We have lots of discussion with folks but when you have a concern about misuse of technology we believe it's discipline that you control that. Strict restrictions on how it's used as opposed to throwing the technology out altogether. Another area that we looked at is limiting the recording and retention of stored data. It's very important to know that when a crime has occurred or some criminal activity has occurred that's the only time that we "cut that data out" and would save that. Another piece that we have in place is; for those cameras that are going back and forth is an automatic destruction or purging of that information. We go anywhere from 10 to 90 days up to 18 months depending on the type of technology that we have. And finally what we're also concerned about is making sure that third parties that don't access to this information because it can be abused. And so the last piece is something that is always in place with evidence; but because technology is a little bit different, is that we have to make sure that we implement a pretty good strong protocol to preserve that evidence. In the old days you'd have a picture that would be turned into the property room, that would be your original. When you have data that's stored on a server, the concept of what's an original as opposed to a copy kind of changes. So we're working through those issues with the D.A's office to make sure that we continue to have a good protocol for preserving this evidence. Some of the next steps I'll turn over to Harold to go ahead and conclude.

Deputy Chief Medlock said so with each of these technologies we have procedures in place. However we've reached a point now where all of this is beginning to merge together. One system truly can feed or direct another system and while that is very exciting, we have to have an overarching policy or procedure that guides us a department. So we are in the process of mingling or bringing all these together into one procedure. Exciting things that this system can do. We can, as the future allows us, that our CADD can drive some of this technology so that if we have as an example, if we have a homicide on Smith Street, I used Smith as a general street, but on a particular street, if we have cameras nearby, our license plate readers, or other technology, the CADD can actually direct those cameras to the major thoroughfares to see if we can begin to see somebody leave that area and get an idea of what the suspect vehicle may look

like. That's very exciting but we have to have the procedures in place to manage that. Also everything now is under this one video management system that Chief Monroe talked about so all of our LPR's all of our cameras that you saw on the screens, the 650 cameras, the MVR cameras that are downloaded every night are all part of this video management system. And again one policy will direct all of that. We have visited many other cities with similar circumstances to Charlotte; they found themselves the beneficiary of some great technology and now are just trying to develop their own policy. So we're working with other cities to find out their best practices. We've had some of those cities to come here to learn of our best practices and we believe that moving forward this is going to be an effective tool for Charlotte Mecklenburg to deal with, prevent crime and then detect crime once it has occurred.

Chief Monroe said any questions?

Mayor Foxx said thank you very much and I know we do have some questions. I just want to say from the offset as someone who, years ago we took an inner city visit to Chicago. And one of the things we noticed in Chicago was the use of cameras and surveillance to fight crime and several of us came back here saying gosh wish we could implement something like that in Charlotte. At the time it just wasn't as practical, but it's good to see us having the capability to do it. And I want to appreciate the police department for the work that you've done on this.

Chief Monroe said one of the things that we've focused on heavily even during the DNC is looking at technology and how it can help us secure the area for the DNC, but always keeping in mind how that technology could be redeployed within the City of Charlotte to provide additional public safety means for our own citizens. And we talk and meet with several citizens. There are several high valued areas in the city whether they are shopping strips you know we continue to have problems at our hotels with people breaking into cars. So there are a lot of opportunities that we now have to take this technology and re-deploy it back out into our community in order to bring greater safety value to our citizens.

Councilmember Autry said Chief I have some businesses in the 5th district that have applied for the security grant which help to put cameras in place around those businesses. Are we able to access those cameras also?

Chief Monroe said in a limited way whereby we can go to those businesses and retrieve it once something happens but the partnership that we're exploring now is to create partnerships with businesses where we have that access up front. So that we can help them monitor, a lot of the businesses that close up at 4:00 or 5:00 in the evening no longer have the ability to monitor what's going on around their businesses. We will still be able to maintain some of that same monitoring during non-business hours. So even with the grants we're looking to create a partnership where we create the connectivity in the awarding of these grants.

Councilmember Barnes said Chief Monroe question regarding this issue of privacy. I very much understand the notion of people have an expectation of privacy in their home. To what extent would the camera system be used within neighborhoods as oppose to the peripheral of residential neighborhoods?

Chief Monroe said one of the things that we're looking at we're focusing mainly on the business corridors. We have identified some opportunity and we currently use video technology now for instances whether it be drug investigations, gang investigations based on a legal perimeter that allows us access a little closer into the community. But our focus right now is those peripheral areas around neighborhood communities that give us the ability to detect robberies, assaults and things of that nature.

Mr. Barnes said so if someone commits a crime within a neighborhood and flees to a major thoroughfare, we may catch the vehicle leaving?

Chief Monroe said yes part of the strategy is mapping those systems that monitor major thoroughfares in and out of the communities.

Mr. Barnes said right and the ShotSpotter system, the GDS is used within neighborhoods?

Chief Monroe said yes and that's a little closer in because that does not have video capability with it although we can monitor sound, it doesn't have the ability, in most cases to hear individual conversations going.

Mr. Barnes said I guess this is a question for Mr. Newbold. Regarding the last three bullet points on that slide that you were on the limiting of the recoding and retention of the information and the limitations of access to the data by third parties, is there some sort of encryption process that would prohibit third parties from getting the information, how are we doing that?

Mr. Newbold said I'm getting a nod from my tech guy who knows everything.

Chief Monroe said all of that comes in; that's that video management system that we were able to purchase for \$1.9 million dollars. We house that on our servers. It not only allows us to bring in LPR data, video data, in car camera data; but it also allows us to go in and mark what's criminal and what's not criminal and what we don't mark will eventually go away. It's a secure system within the department that other people don't have access too.

Councilmember Mayfield said Chief have you identified what the requirements are going to be yet for the ShotSpotter in the residential neighborhoods?

Chief Monroe said we are going through a very extensive and we've been able to look at about six areas right now and what we've looked at is calls for gunshots. We've looked at violent criminal behavior that's associated with a firearm and right now we're focusing on about six areas right now that we are trying to determine which one of those six will be the first three miles. And what we will do is break it down into one mile radiuses where we will actually be able to deploy in three of those six areas initially. We always have the ability to move it. There is a cost associated with moving it; but we're hoping that it servers not only as a detector but also as a deterrent to stop gun play in certain neighborhoods.

Councilmember Cannon said Chief Monroe and all representatives thank you for your presentation. We really appreciate it. Let me ask you Councilmember Barnes asked a lot of the questions that I had; but going back to the ShotSpotter, how is it that you see that this may not cause us to be able to use too much labor from false shots that might go off in some of our area neighborhoods or around our business community? How do you see this working?

Chief Monroe said two things have happened with the technology over the years; one, is it's become much more sensitive to gunshot sound whereby to the point now it can not only detect the gunshot itself but it can actually calibrate it down to the caliber of weapon that was used. And number two; it's no longer labor intensive for law enforcement. That data comes into the ShotSpotter Command Center; they analyze it; they determine it to be an actual gunshot, not a backfire, not a firecracker and then it comes to us. So we're not getting just raw gunshot data and responding to those other type of events that are not associated with gun fire. So those two things allow us to be a little more strategic as it relates to deploying our own resources.

Mr. Cannon said so the community can then be rest assured that we have the proper technology in place or will look to have the proper technology in place to be able to discern over that without being able to send law enforcement out in the areas on "wild goose chases" if you will?

Chief Monroe said when we get that call it will have already gone through a screening process with Shotspotter before we even receive the call; so it's around 80-90% certainty that it is an actual gunshot.

Mr. Cannon said you know it's my belief that you really can't put a price on one's safety. But I still have to ask the question relative to this being, in your opinion, worth the money? I know what my thoughts might be about that but I'd like to hear yours personally.

Chief Monroe said you know in today's environment when you start really talking about trying to maximize your resources, additional police officers are hard to come by. When you start looking at the technology that's available now to law enforcement we have to be able to seize those opportunities, it multiplies our own internal resources by having eyes and ears out there that help us detect, deter and eventually apprehend those involved in illegal behavior. So it's well worth the value and in this particular case, we've had an opportunity to have an investment upfront by hosting the Democratic National Convention; now it's time to leverage those resources that are really starting to show some of the benefits for hosting such an event.

Mr. Cannon said you will look to have these cameras to go in areas where I would imagine where we have probably a spike in crime across the city as well as the county?

Chief Monroe said we're breaking it down into both violent crime and property crime. We won't just be deploying it based on violent crime, we will be deploying it based on property crime because if you look along some of our business corridors along some of the strip malls, hotels, areas of that nature where we see an influx of car break-ins; commercial burglaries things of that nature it just enhances our ability to help provide greater protection over those areas.

Mr. Cannon said one of the things that I hope we will continue to do and you've been doing it over some period and I thank you for it, but we continue to still have problems with persons who go to neighborhoods and/or communities that don't live there, they don't belong there, but foregoing to satisfy an appetite that would deal with some purchase of illegal substances. It's my hope that we will really crack down as best we can to prevent those things from occurring. Because you know my belief is that if you are able to dry up the market of where there is a buyer then those that either manufacture or produce probably would be either run out of business or they would have to move somewhere else to keep themselves in business if you will. We don't want it popping up you know being in the east and then it runs over to the west and then from the west to the north and then from the north to the south. But you get the idea we have a real issue and have had that for a very long time.

Chief Monroe said those 95 tag readers that we have deployed and in the last four or five months we have just been surveying them around different areas of the City trying to pick up different criminal patterns associated with them; in just those few months; we've detected over 5,000 stolen automobiles. We detected over 9,000 stolen tags and some of these are multiple hits where we may detect it up in the north division, we may detect it down in the south division with that vehicle moving itself around. We've also been able to detect 128 missing persons so the reader is out there; it's reading a lot of tags but it only spits out to us those names that are most important to us as it relates to public safety. So when you start talking about missing persons, again we've had a lot of resources out there looking for an elderly gentleman that became disoriented and that tag reader was able to pick it up in a matter of a couple of hours and I could pinpoint his location.

Mr. Cannon said I guess I can thank Councilmember Barnes a little for this I know that he had something to do with it too also the DNC coming. I know he made a pitch a long time ago, is that right Councilmember Barnes.

Councilmember Barnes said that's right, it was a dream.

Mr. Cannon said it was a dream that came into fruition, but thanks to the Mayor and Susan Burgess and other electives, in terms of discontinuing costs, you're okay I would imagine in terms of their not being any real ongoing costs that take you outside of the security grant that was issued?

Chief Monroe said there's always going to be ongoing cost. I think the sooner we start planning and being able to budget for those things and what's important about the public-private partnership is that we are actually helping to provide a service for a number of private entities around the City and I think part of that is the continual upgrade and maintenance of our system

itself. So hopefully we will be able to bring on private partners that will help us maintain the system itself.

Mr. Cannon said well you have my support and thank you so much.

Councilmember Fallon said do you know why Tampa took down their cameras?

Chief Monroe said no.

Councilmember Pickering said thank you Chief for the presentation. Obviously we're talking about competing interests; public safety versus right-to-privacy. For citizens who might be concerned as this progresses what will our citizen's oversight be what form with that take?

Chief Monroe said well you know quite naturally before we deploy again, we're in control of 131 cameras that we will look to deploy. And we're not looking to deploy them in a covertly manner. When we identify a location that we're looking to re-deploy the 131 cameras, it will be public knowledge it's not something that we're looking to do in a covert nature. Those times in which we have the overarching confidentiality involved in and an investigation; we will continue to operate as we have but with these 131 public cameras it will be known up front where we are deploying them and what the view or reference is.

Councilmember Dulin said I want to touch on a couple of things real quick; the false-positives that have been mentioned about the ShotSpotter you said that we can cut those out with technology I get that I mean those things like are going to be continually dialing in their equipment; but then you said the system will detect a shot. They get it, they look at it, they confirm it and then they get back to us. How fast does that happen?

Chief Monroe said it's happening instantaneously and it does. Mostly by technology. It's coming through their system first detecting exactly the location and the caliber and then that's what's coming to us directly, the location and the type of weapon.

Mr. Dulin said that's within 60 seconds, it's coming into our system?

Chief Monroe said it's happening pretty quickly.

Mr. Dulin said okay that didn't come out I think that's important to know that the lag is not there as some might think. Our ability as a department, and as a City and as a City Council and Mayor and as the elected officials; I'm all for what we're talking about here if it helps you folks help keep our bosses safe in their homes and in their neighborhoods, all for it. But I am concerned that we absolutely in a transparent way monitor ourselves or have somebody else monitor us that we don't abuse the 1st Amendment of people. During the presentation we talked about that some and I know that's important to all of us, or it's very important to me. I want to be able to as I talk to groups and describe this cause we are the ones out there telling folks what we're up too. I want to be able to assure people that we are not zeroing in on somebody in their car, that we're not zeroing in on somebody in the background of their neighborhood or so forth that we are doing what we said we're going to do and protecting these intersections and protecting folks.

Chief Monroe said a couple of things, even with the license plate readers, what we get is a hit that this car is stolen a picture of the tag and the rear of that vehicle, nothing inside of the compartment for that vehicle. And when you look at our cameras that we deploy we have just a small fraction of the cameras that we actually have access too; but there are over 600+ cameras that are out there. And our focus looks to always be along that public thoroughfare. That's why we're somewhat concerned about placing them directly inside of neighborhoods. Most of our criminal activity takes place in a parking lot or some other public thoroughfare. I don't think it would do a tremendous job in detecting an individual house break-in because we just wouldn't be able to monitor the number of houses that it would take for it to be effective.

So just based on the strategy along, it dictates that we stay out in that public thoroughfare.

Councilmember Dulin said and my last thing Mayor is about a different kind of technology we haven't talked about yet. It's pretty common knowledge that my home has been broken into and then on a different occasion, somebody came and stole my wife's car out of our driveway. Both of those, our folks that responded were fabulous but in both cases they had their pad they brought out of their pocket and were writing down our information on a notepad. This was four or five years ago and I thought for goodness sake surely there is technology out there where these folks aren't having to write in their handwriting the notes from the activity that they are doing. Technology has moved a long way in a lot of different ways and I just wondered if and when the cops are going to be able to have a Dictaphone or they could do that into their phones or some other way other than them having to write down and then go back and transcribe those notes either into their computer or I don't know what they do.

Chief Monroe said you know there's a lot of different ways, if an officer wanted to take that laptop out into your home and sit down and complete the report they could but in most cases they do just jot their notes down, go back into their car, their car is their office and that's where they complete and finalize that report and send it through.

Mr. Dulin said okay well I just thought since we were talking about it, I thought I would bring it up.

Chief Monroe said nothing will ever replace the officer's notebook. No matter how hard we try, that's part of their required equipment is that notebook.

Mayor Foxx said with that Chief I want to thank you, the City Manager and staff, thank you all. Mr. Newbold, Deputy Chief Medlock, thank you very much for the presentation.

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ITEM NO. 3: PUBLIC ART PROGRAM MID-YEAR REPORT

City Manager, Curt Walton said yes sir just to say that your public art ordinance requires a mid-year report on the current year and an audit from the prior year and Nicole Bartlett is here from the Public Art Commission to give you those reports and Robert Bush from ASC as well.

Nicole Bartlett, Arts & Science Council said I'm the Program Director of the Public Art at the Arts & Science Council and we also have Robert Bush with us the Senior Vice President and Chief Innovation Officer at ASC. Thank you for having us here today to present the mid-year update to Council on the Public Art program. We are going to run through a status of the current projects and review the public art programs, FY12 Audit and review the slate of public art commissioners that oversee the artist selection, design review and program oversight. The first project that you are probably very familiar with is the piece at the airport which is one of our completed projects for FY13. This piece was done by International Artist, Ed Carpenter, and it is one of the entries to the airport. With the airport and Council's approval the piece was dedicated in honor of the Late Pro Tem Susan Burgess. ASC and Public Art have received a lot of positive feedback on the piece and it was recently highlighted in Charlotte Magazine as one the top 10 things that improved Charlotte in 2012. We have another completed project in FY13, that is at CMPD Steele Creek. This was completed by North Carolina Sculptor and Educator, Billy Lee. Billy Lee works at UNC-Greensboro and has exhibited his art work internationally. CMPD Staff and area residents input selected the design. It is an 11 foot tall sculptor made of aluminum and themed on the ideas of stability protection and coming together.

We have three in-progress projects. The first is the Statesville Avenue Corridor project. This project represents a more strategic approach to public art. The project is funded by two different allocations that Council allowed to be pulled together for the project to create a bigger impact in the area. It will span from Graham to Atando and Chandra Cox with her collaborator Susan Cannon developed a master plan for the project. They call that locations and themes for primary

markers along the corridor and then secondary projects within the neighborhoods to connect those neighborhoods. And those projects could be funded by neighborhood groups, developers and area businesses. We are now on Phase II of the project which will be implementation of the markers along the main corridor and we expect that Chandra will begin work on that phase of the project in early 2013. Another project under progress is the North Tryon Redevelopment. For this project, public art staff and city staff worked together to investigate opportunities along the corridor and came up with a project that will consist of integrated and functional art along the new street scape. The project is intended to have an environmental theme that will support the City's Green Road Project. With the approval of the Public Art Commission and city staff, ASC applied for and received an NEA grant that will match city funds for the project. The grant will allow for an artist to come for three months and be in residency at the McColl Center for Visual Arts. This will embed the artist within the City's planning team so that the art can truly be integrated within the street scape and not an afterthought. And the residency will also allow for the artist to come in and engage in the community during that three month period which is a rarity. Many of our artists come from other cities and so this artist will actually be in residence here during the three month period. Councilmember Kinsey has agreed to serve on the selection panel and she has already participated in the Visioning workshop that was held prior to issuing the call for artists. The selection panel will begin reviewing artist's applications in January.

Councilmember Barnes said I remember when Councilmember Kinsey asked to be on congratulations. Of the \$195,000 how much is going to be used for the residency piece? In other words, rent?

Ms. Bartlett said for the residency piece? We, there is additional funding that is also coming through ASC so there is some other funding that is involved in the total of the project. I believe it's about \$128 is going to go toward the permanent art work and then the remainder of funds will go to the residency and to temporary projects that the artist will do in the meantime between developing the design and then implementing the design because the Streetscape won't go in until about 2016.

Mr. Barnes said is this in conjunction with that project that we saw a few months ago about re-orienting Tryon and that area near the train station?

Mr. Walton said this was the \$9.5 million dollar project that was approved several years ago.

Mr. Barnes said thanks.

Ms. Bartlett said and then we have one other in project in progress, CMPD Eastway. The selected artists is Vivian Collins and she was selected by a panel which was comprised of two neighborhood representatives, the facility architect, two members of CMPD staff and Public Art Commissioners and a local arts professional. She is a glass work artist and she has worked extensively with the architect to incorporate artwork within the building design. The art work will be located near the intersection and entry and it will be visible to both car and foot traffic. The public arts commission recently approved the preliminary designs for this project and the design centers on the theme of unity, cooperation and protection. For FY13 there was only one new application of public art approved and that was related to the airport. This summer I worked with the aviation staff to develop a planning document that would guide future public art allocations at the airport and that will complement the overall airport master plan. And this plan is currently being reviewed by the Public Art Commission and the aviation staff. Utilizing this document; ASC staff, the Public Art Commission and the Aviation staff are working together to determine the best use of funds for the FY13 allocation.

This is the FY12 audit and it compares FY11-FY12 figures. It shows that the funding sources and program expenses balanced and ASC's FY12 audited financial report is on file in the City Budget and Evaluation Department. This is the current slate of current art commissioners; Sabrina Brown, a city appointee, was re-elected as chair of the Commission for FY13; Betty Chafin Rash was appointed by the Mayor as the city's new appointee replacing outgoing Commissioner Richard Topping. And the City will have another appointment opened at the end

of the year when Ms. Brown rolls off after six years of service. On behalf of the Commission, thank you for allowing us to serve and enhancing the community through the creation of public art and if you have any questions, let me know.

Councilmember Kinsey said Nicole, back to the audit summary, I think I've asked this before and I think I know the answer but I'm going to ask again, I can't reconcile the money that we're spending with the 2012. It is because we spend some in one year and some in another for the same project?

Ms. Bartlett said yes it is. The projects carry over from year to year so the artists' contracts indicates the total amount spent out to artist.

Ms. Kinsey said in that particular year?

Ms. Bartlett said in that particular year.

Ms. Kinsey said okay I just keep trying to add the figures and they don't add up, so.

Councilmember Mayfield said thank you for the presentation. The question I have is more for clarification sake, so we have the artist application process which I'm assuming is very similar to the RFP process when we are looking for artists. Do we have anything local and I don't know if we do, if we have a current process where we really try to highlight local artists because we've had some amazing projects that have been done but we have also highlighted a lot of artists internationally, outside of the City and outside of the State. But do have a process where we have an opportunity to really highlight our local artists so that we are not covering all of the additional expenses that go along with bringing an artist into the area?

Ms. Bartlett said absolutely. We focus on trying to obtain local and regional artists for many of the projects. I think I've looked at recent years and the past three years we had a majority of local artists who were commissioned for projects. It depends on the scope of the project, but we do have a lot of wonderful local artists. They're not always capable of doing a project in the public realm because we have very high standards for being able to maintain that project year after year. They need to be able to work closely with stakeholders and many artists work within their studio and not with various stakeholders. We also make sure that calls for local artists go out and are distributed amongst all the local artists' communities so that they can apply. But then the selection panel ultimately reviews and decides on the best person for the project.

Councilmember Pickering said thank you for the presentation. What is the process for selecting sites for artwork and have we ever put a piece of public art on the Beatties Ford Road corridor and if not, how can we do that?

Ms. Bartlett said the process goes through your Capital Improvement Plan so when you have a project in the Capital Improvement Plan if that project is eligible so if it's in the public realm, if it's a facility, if it's not underground, then 1% just of the construction costs is taken out of that particular project. That also applies to like a business corridor project. So the North Tryon is a good example, you have a streetscape project there, you take 1% out of that. So the project is going to be somewhere along that corridor. We generally in the past haven't moved funds from one corridor to another and then we sit down with the City's planning team for that project to determine the particular location.

Mayor Foxx said do you have follow-up? This is a project in the capital plan.

Ms. Bartlett said and on Beatties Ford we have a number of projects.

Mr. Barnes said one final question, the artist's contracts, the \$177,770 and the \$441,445, does that include the construction also? Or is that just their fee?

Ms. Bartlett said no that includes everything from design to fabrication to installation.

Mr. Dulin said for the second time, I've mentioned to yall the corner of Woodlawn and Brandywine. It is a great place for a piece of art. Today, for instance, there is a broken tractor sitting there with weeds growing up around it and we can do better. I'm offering up that corner to the Arts & Science Council to put something on it.

Ms. Bartlett said like I've mentioned in the past the way that the program has not worked is that first identify locations and then tried to find art for that location. The art is always tied to a project going on in that area, so if there was a project in that area where we were generating money,

Mr. Dulin said I think that we ought to, all of you all would be upset with the way that corner looks.

Mayor Foxx said we appreciate what you all are doing. It's really making a big difference in the way people see our City so thank you so much. Do you have any members of the committee who are here with you tonight? Any other members of the Arts and Science or Public Arts Commission, Robert Bush, well we just wanted to thank you.

The meeting was recessed at 5:15 p.m. for dinner and reconvened at 5:35 p.m.

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ITEM NO. 4: 2012 CHARLOTTE-MECKLENBURG QUALITY OF LIFE STUDY

Director Neighborhood & Business Services, Pat Mumford said we are here today with UNCC, the community at-large for really embracing data that is now available in the community, we are expanding the geographies from 173 to over 460. We've listened to the community they wanted to know about their specific neighborhoods. We've expanded these data sets from 20 variables to 80 variables. This is meaningful information for Charlotte. It is data that we can get on a regular basis. It is accurate information. So we are really thrilled about the opportunity this provides, not only the city but the entire community for using information to really drive resource allocation, using information for neighborhoods to determine where they want to go which variables are most important to them, where they would like to see us put resources to support their neighborhoods. So I wanted to make sure that you didn't just think about this as kind of a regular update to the Quality of Life. This is a really really big thing. We talk about collaboration to the point where we kind of marginalize that term. But this is indeed a real life example of how a community can collaborate and what we have heard from various groups around the country. This is the "best in class" model. Other cities do not have this. No other city has this. This is a really compelling argument that we are leading the pack in this country. And because of that and we understand the Environment Committee has been working through a sustainability plan or the notion of a sustainability plan, certainly you are all familiar with the focus area plans, our balance score card measures. And what I want you to know is we understand that this information can inform all of those things at some point maybe those all kind of meld together a little bit more logically. But it is a great tool for us.

The last thing I'd like to say is you are all going to see a dozen different things tonight where you think, oh what about or maybe we can change this and that's wonderful we want all the input we can get, but just remember we've moved light years from where we were before. We want to continue enthusiasm tonight, let Tom get through the presentation. And just know that this will always be a project that has continuous improvement. That's sort of the nature of this as we support this community organically. So it's about a fantastic program that Tom and John have lead and I'd like Tom to come up and give you the specifics. But thank you for looking at it in a different way this year.

Division Manager, Community & Engagement, Tom Warshauer said we really couldn't be doing it without our partners and Tim Tibbs and Leslie Johnson are here as well as Dr. Ludden is here from the University, who has really been helping us with John Howard and a whole range of people to take the Quality of Life to a really different place than it has been previously for our

community. I'm going to give you a little bit of some of our goals and some of the history. Talk to you about our partners in a bit more detail especially how we are paying for the report and how we partnered in making this report happen. Then I'm holding off so that the dashboard features that are in your presentations, we're going to get to it. We have several slides to really walk you through the dashboard which is a pretty amazing new web based product that we have. Then we will talk about how we're going to be rolling this out in January and February out to the community.

For many years since 1993, we have used the Quality of Life Report and we've won international awards for being able to look at our community in a more detailed way than just as a community-wide level or as a co-level. It helps neighborhoods to understand themselves and plan; it helps the City, county and agencies plan and it has really helped a lot of our service providers know where to target but also when they are writing grants, it gives them information that they can use to be more competitive in writing grants for their programs in our community. But as we go forward we knew that we could do much more than what we had started off to do in 1993 with the Quality of Life. We are not partnering with Mecklenburg County and we're taking it throughout the entire county including the towns. We know that the public has also wanted more information to be available to them. Like Wikipedia, people want to do their own research. So in this platform of Quality of Life, the data is going to be available on excel spreadsheets so that people can do some of their own research to look for correlations/causation and to look for the trends that they are seeing in their community and analyze the neighborhood the way they want. It also gives us the opportunity to show more of what we're doing.

The governmental services that we're providing, the cost of service that we have, their impact and what our goals are for different kinds of activities that we do. It connects the user to additional information and resources which is really important. Previously it was a static document didn't have any links. But by being on the web we can link to other reports that can give you more information or detailed information and resources if you want to take action. And importantly, we really listen to neighborhoods. They didn't want labels they wanted to be able to define themselves and what they think is important. So we no longer have the stable transitioning and challenged neighborhood labels in the report. We are increasing utilization across the traditional users at the top, but we found that realtors were using it and that was one of the big reasons we wanted to get rid of the labels because realtors were often misusing the labels. We have a report that reports more information so it's better for new home buyers to really identify the kind of neighborhoods that they want to live in. Researchers are also using it. We are establishing much stronger connections to Davidson, JSCU, UNCC, they have more programs that are Masters and PhD programs. We're finding that researches want to use this data to do some of the own projects and we can harness some of that energy here in analyzing our own community.

Particularly on the environmental community, the data that you will have from Duke Energy and PNG is groundbreaking. We went to the North Carolina Regulatory Commission to be able to access utility information at the neighborhood level. There is no one else that has that kind of information. We think that being able to know what's going on in your neighborhood is a really big additional incentive to change some of your environmental habits. And as Pat said other cities just don't have this level of information. So we really hope that we are seizing the opportunities that the web provides for us, the partnerships that provides for us and all the new data that's out there provides for us, is in here. And to recap, just to show you sort of more graphically how it's grown, you can see in 1993 we started with City Within a City; we expanded in 2000 to 173 neighborhoods throughout the whole City. In 2006 we added some of the trend analysis and changed titles to Stable Transitioning and Challenge. But in 2012 you can see a final level of detail formed in 64 neighborhood profile areas with A-B variables organized in 8 dimensions. So it's a giant step forward for the way that we can view and the detail in which we can view our communities. So how do we pay for this, just to recap because that's often very interesting to people. This was paid for from the City of Charlotte and Mecklenburg County. We put \$140,000 of our EECBG money towards this to develop the new neighborhood boundaries and develop the environmental variables that are present in this report. Then we had another \$60,000 from a combination of departments which really paid for the upgrading of all

the other variables that we have in the report. Mecklenburg County put in \$75,000 towards their geography expansion to the county as a whole and also for their share of helping us with our variable expansion. Mecklenburg County also kicked in all the dashboard design at no charge to the project. That was sort of their contribution that they put in. They were very excited, the people in their GIS Department, who are really excited about the prospects of this report and donating their time and their energy, really talented designers. We saw this idea in someone else's dashboard and thought this would be fantastic. We had no idea how we would do it and Mecklenburg County said we love it, we're going to do it. And it's been a phenomenal opportunity for them.

In addition to that partnership, we also have a whole range of other people that have been engaged under John's leadership and our dimension focus groups to select the variables to find out what information actually is available and to provide the data to us so that we can have it and make it available to the community. So we have lots of different partners out there that have been meeting and neighborhoods have met to help us with data selection and providing the information. So it's a big partnership across the community, it's not just our project it's an entire community project.

So importing moving into this, this is to just sort of explain to you how the dashboard actually works. This is a beta version that is done and the whole report will go live January 7th, but this sort of shows you what's going on with the Quality of Life report. So importantly across the top is the tool bar. The first function is there is a report. So if you want to be able to create a printed report you can do that of your neighborhood. You can take a look at doing some amount of printing but the document is so expansive that you can't really print out the whole document.

Also in the search bar, you can search by your address, you can search by your neighborhood name, you can search by a shopping center, you can search by a school. So it's a really rich search function to determine what neighborhood you're in. The dimensions are on the left hand side, dimensions and variables and I'll show you how that clicks down but there are 8 dimensions in which the Quality of Life Report is organized. And under each one of those are all the different variables that role up into those dimensions. In the variable descriptions on every one; it will not just show you what's happening in your neighborhood; it will also give you a comparison to what's happening in the county-wide. So immediately when you click on a variable and distances census population; it will show you the population inside your natural population analysis (NPA) and then average NPA population kind of information would be available to you. We would be able to talk to you about the variable, why it's important and we will be able to disclose right up front instead of it being in an appendix, where the data came from. Precisely what the data represents and where it came from and you can see over on the left additional resources. You will see click-this that you can get additional information there will be links, hotlinks all the way through it. The map has a little plus and minus at the top, you can grow you can shrink in and I'll show you how that functions as we go through four variable just to show you how it's working.

So here we have selected Dilworth as our neighborhood profile area No. 3, median income is slightly greater than the city as a whole. It's under the Economic dimension as a median household income, there are a number of other variables that you can also click on there that would show you the information; then it will show you why it's important about the data and additional resources that might be there if you want to see how you can help your neighborhood or learn more about income characteristics in your community. So here if you drill down you can see what's going on in the adjacent neighborhood. You can go through the whole county and see how the whole county takes a look from the income perspective or you can zero in more closely to your neighborhood. Going forward you can take a look at environmental variables. We've only in this data version, we've uploaded about seven but there are a total of 16 or 17 environmental variables and the total that will be there on January 7. This is the water consumption it shows that Dilworth is using slightly less than the county average in terms of water consumption. Again there will be some additional variables, this is sort of your data version that will link you through to the CMUD, but shows you what's going on in there. This is a housing variable, we have a lot of different variables underneath housing and this one takes a

look at foreclosures. And foreclosures in Dilworth is doing better than the county average which you might expect, but it shows you here we have come out, so you can see more of what's going on in the whole community on this. You can do that on any of them. You can see where the hotspots for foreclosures are in your community and what's going on in your neighborhood as well. And additional resources we will click through so if you're concerned about foreclosure or that's something that's effecting you personally you can find out where there are some of these places in the community that deal with that.

The last one we will take a look at is safety. We haven't had the fire department in there previously, we did police. Now we have fire calls for service, we also have animal control. We've only uploaded right now the fire calls for service. For some reason Dilworth is having more fires than the county average it's what you'd expect and that's really the value of this report. Is to lead you to see what's going on in your community and to ask you questions about why that might be. What might be going on in your community around that issue? So our path forward is we're going to be, we're doing our final refining of descriptions and enriching our links so we can be prepared for January 7th. We will continue after that time to still connect our data and outcomes to department goals. We want to make this as much of a living breathing document for this city and the counties that we can. We are going to be collaborating and continuing to collaborate with other agencies for data collection and research. As we had of all of our dimension focus groups we kept finding that people wanted to do some research on something like animal control, where are the animals that are being spayed and neutered? What's going on in those communities why might that be a hot spot for animal control cause? We'll be doing staff training in January and public education in February. The public education will focus somewhat in library so that people can really find out how they can use it and use it in libraries where we have our computer resources. This goes forward with our path forward, letting people know about the launch in January, doing the staff presentations and public workshops in February. In March through December we are going to be continuing to meet with our dimension focus groups to really continue to put forward an agenda of using this information to make more intelligent decisions and policies for the City.

Mayor Foxx said Tom thank you very much. I want to say to you, the County, to the entire Neighborhood and Business Services Department, thank you. This is groundbreaking work. We've been studying the Quality of Life for a long time in this City and doing it in some rather static ways and what you've been able to do to integrate all these various inputs to tell a real time picture of what's going on with the neighborhood it's amazing. I also want to mention that the neighborhood labels in removing those is a really important step for our community. There was a stigma in the old way that we labeled neighborhoods. We approved it some with the change to challenged and stable and so forth, but the reality is, you know if you're looking to buy a house someplace or start a business someplace and you see challenged on a city website relative to that particular area, it's a deterrent and I think we're closer now to being able to give a real picture of what's going on in that neighborhood so I want to thank you.

Councilmember Cooksey said first of all I want to echo those comments a great work. It's been a privilege being a member of the Housing and Neighborhood Development committee to see this under development and it's going to be coming along, but there's been a question that I wanted to check with you on. You mentioned Tom that there would be Excel spreadsheets and other matters available. Will the data at some point be available through an open application programming interface (API) so that folks can just do a link to it for iPhone apps or mobile phone apps or something along those lines where they wouldn't have to continually download material that they could get to directly? I know Jeff was here earlier, maybe that would be a question for Jeff.

Mr. Warshauer said I don't know about a mobile app, that's a little bit beyond, that's a question that's a little more technical than I'm capable of.

Mr. Cooksey said if you've got the data that's open data through an accessible API then anyone can do anything they want to with it.

Mr. Warshauer said and that is the case. What I understand is it's really through an Excel so that you can download or play with it, do anything you want with it.

Mr. Cooksey said Jeff, can I put you on the spot and say that's it's going to be more than just downloadable?

Chief Information Officer, Jeff Stovall said the Google platform does have an open API.

Mayor Foxx said let me ask another question about how we plan to use this new-fangled Quality of Life Survey. What are some of the uses within the City that you think this will be put too. I heard some of them but,

Mr. Warshauer said Mayor we are talking a little on animal control, animal calls we can take a look at where they are and the characteristic of neighborhoods for hotspots there. We can take a look at where recycling is, heavy participation, and not so much participation on recycling. We can take a look at water usage and really make apparent where there is higher water consumption than others. We're taking a look now and doing a study with our neighborhood matching grants. We have neighborhoods that have had a long history of neighborhood matching grants; does that kind of engagement lead to some difference in outcomes for that community? So there's one set of looking at this data that looks for trends, it looks for broad overarching trends, and these neighborhoods are not doing well. There's another component that I look at for anomalies, where is a neighborhood doing something that's unexpected and what might explain that unexpected intervention. Does a particular neighborhood activist having worked for 10 years really changing the outcome for youth in that community? Is there something that we are doing in a particular area that is really working? So I look for a lot of anomalies, other people look for trends cause I want to test what's going on. We can look at that in terms of out of school time, you know it had programs that have drawn from neighborhoods for a long time, has it changed outcomes. Some of that we don't have some of the historical data to be able to do some of that, but going forward we will have better data so that we can take a look at the interventions that we are having in certain neighborhoods; is that making a difference and so those are some of the uses that we're looking at for this report.

Being able to tie specific calls to service to an area really helps us then know what's going on in that area and how can we change the projector of the community.

Mayor Foxx said is there a feeling that our departments are integrated enough to be able to make maximum use of this or is there some internal effort to try to make sure that this all gets down to the line of service people.

Mr. Warshauer said there's definitely an internal effort to do that. I mean people have been really excited as they've given us data. I think in years previous people sort of gave us data and it went into the report and the community looked at it and the city in our department looked at it but probably less true across the board that people saw this as an opportunity to really publicize what they were doing. And I think the messaging that we've been having is we've been going around to different departments and I think the message that the departments get is this is really a good entry platform for them. People that are interested in what they do can now look at this, click through to their department and see what's going on in that department. And it causes us to rethink some of the stuff that we do. Like I'd rather pick on myself than others; but within code, when you click on a neighborhood can you see the active code cases in that neighborhood. We organize that now by address, but not by neighborhood. So there is an ability for us to really let people see what's going on in their neighborhoods better. And I think as people learn what's going on and all the things that the City is doing it helps to build trust between the City and the community. That happened anecdotally with this story that I met with one of the people from our service area teams; and they were saying when the police show up in a neighborhood and are able to talk about what's going on with crime in that neighborhood; the neighborhood really feels a sense of ownership. Fewer of the other departments have the ability to really hone in on a neighborhood when they show up at a public meeting. And this gives us a platform to be able to speak to city-wide trends but also speak to the trends in your neighborhood when we show up.

And that's makes people feel a lot more comfortable that we understand who they are and the problems that they are facing and that we are actually looking at and dealing with those issues so I think there's a bit of a culture shift going on as we move down this path; but it's definitely conversations that we're having and the movement that we're making.

Councilmember Kinsey said Mr. Warshauer I understand that probably some of these neighborhood areas extend over-boundaries like City Council Districts and County Commissioner Districts, but is there any way to really tell what is in a particular district? It would help me as somebody elected from the district to know a little bit more about the neighborhoods, actually I think I know right much about the neighborhoods in District 1, but still it would help.

Mr. Warshauer said we don't have a function where, we've heard that need, we don't really have a function right now that enables us to aggregate a district into one set of data for that district. So it's not a functionality that we currently have, but we are aware of it and we've been talking with people at the County that are working on this about what kind of reports might be able to be generated, but that's not a functionality that we're going to be able to roll out in the short term.

Councilmember Barnes said Mr. Warshauer I was tied up in the back with dinner and missed the beginning of your presentation I'm sorry. I have a question for you though. Regarding the 66 dimensions and variables, or actually 81 dimensions and variables, will you be able to click on each of those in a given area and get that done?

Mr. Warshauer said yes, yes. Absolutely, that's exactly what happens that's why it's kind of hard to make this a printed document, but so under housing you click on housing and then you click on each one of those. This one is the foreclosure variable that you're seeing and you're seeing all the information that's associated with that variable but you can click on every one of those and it will give you all the same information about each different variable; it's a standalone. It's 81 variables that you will have that information on.

Mr. Barnes said and so the fragile transitions of those labels went away, were they replaced with anything?

Mr. Warshauer said no not really, no. So if you have a program that used to use that you would sort of go in and you'd say I want to target the areas that have an income under X; you would be looking at the data that you would accumulate that would be relevant to your specific program.

Mr. Barnes said I think this is a phenomenal compilation of information, the second comment is I'm also absolutely certain that people are going to ask us to fix issues that are represented by some of this information; things that we can't necessarily fix so I think we're creating some probably unreasonable expectations, but it's an amazing compilation of data and hopefully it won't intensify our problems but I'm a little worried about that being the case, especially under education and the community health issues. Let's see how it goes.

Mayor Foxx said to Mr. Barnes' point it's interesting, to know is to understand. It's kind of one of those things where we could be blissfully unaware and let things continue to trend either up or down, it's much better to know because even if we can't do something about it maybe the school system or county or some other agency can. So I think I definitely agree that we can't own every problem that emerges as a result of what the data shows us, but I'm actually excited about the collaboration across political boundaries to do this information, I think it's actually a good example of what we are capable of doing when we are working together so thank you very much.

ITEM NO. 5: CURB LANE MANAGEMENT STUDY

City Manager, Curt Walton said Vivian Coleman will be making this presentation but I think Representative Beverly Earle bought this issue up at our last breakfast, specifically towing, but we have looked at parking, signage and general enforcement of our curbs in the uptown area and so Vivian wants to brief you on the results of the pilot study and where we go from here.

Pedestrian Coordinator, Vivian Coleman said I'm here to talk to you about on street parking in our uptown. And really when you drive uptown and you're trying to find a parking spot, you want it to be as easy to find that parking spot and as inviting so your user experience is a good one uptown. And what's happened is we've had some problems and I will talk about the presentation tonight, just a little bit on the background and why we did the study, then we're going to talk to you about a pilot project we did on Tryon Street and then talk about our next steps. So what happened was we've had some complaints, a number of complaints. Because as you look at the signage here and this is what existed on Tryon Street before we changed the signs out in June, there's a lot of messaging on these signs. There's a lot of mixed messaging in a variety of different mechanisms in the way the signs look. And it's very hard to tell where you can park and where you can't park in many locations uptown. So there were a number of complaints, there were number of violations issued and the council members and manager's office started to hear about this complaint. So we thought the timing was right to review, really do a thorough review of the curb lane, the signage and how people park on the street and what other users of the street do in terms of their parking, such as loading, taxis, transit, all users of the street. So this became a comprehensive study, looking at the solutions for the communications, the sign confusion, the operation variation, we do a look of bagging as you know and that bagging may occur on a Friday night for a Sunday event. So there are things we need to visit and re-look at as we go through the study and its recommendations. So the goal again is to evaluate parking in uptown to develop a more comprehensive approach for the curb space allocation, who can use the curb space and how do we make it as simple as possible for all users of the curb and then operations; the bagging, looking at other recommendations of the study.

Councilmember Dulin said tell us what bagging is please.

Ms. Coleman said "Park-It" and the police will bag certain streets.

Councilmember Dulin said what does that mean; you mean put bags over the meter?

Ms. Coleman said putting bag on the meter, put an actual bag on the meter and it will say Parking On Sundays Only, but it's up on a Friday and there's mixed messaging with that. So our visitors really do deserve a little bit better approach and understanding where they can and cannot park with that piece there.

I did a study process and looked at a number of things; created a Project Advisory committee which was very helpful to us and included Center City Partners, the applicable city departments, Planning, CDOT, Engineering, Solid Waste Services, and a number of others. We had a consultant team that has done a lot of these types of studies throughout the United States and got some expert advice through Peer City Review, what kind of signage works best; how curb space should be reallocated and then we did public outreach and we did a lot of that throughout this process. We interviewed prominent business owners uptown with the banks. We interviewed the taxi cab drivers, the beer company owners and drivers to see how everyone use the space of the curb and how it could be better served for all of those users. We also held a three day charrette with the focus groups of those various business owners and different groups. Had the public invited to an open house format. And we did a mock up sign test which was interesting. We took the signs that we vetted among the Transportation committee, the public, on surveys and had two general types of signage that were put up on MLK Blvd. between Davidson and McDowell Street. They went up for a few days and we had some really good positive response on that in terms of which signs the public preferred. And then we further developed that signage so that it could be implemented on the Tryon Street pilot project. So it was a pretty elaborate process but to come to signs that are cleaner and more readable took some time to do. So what you see here is the "before". You see a little green box within the red box and it's more full. There's a lot happening on that sign. If you look at the sign to the right, that's the "after". The idea is to provide more white space on the signs, clear space so that you can see the messaging; you can really see the red versus the green. And that's really what we were looking for is a separation of red and green, green where you can part, red where you can't. So what happened is before June we spent quite a few hours walking up and down Tryon Street with our consultant

team and staff members deciding which signs should change out, and then which curb spaces should be permitted among those blocks.

Councilmember Kinsey said you are probably going to talk about this later but I'm going to ask it anyway, on that second sign it is very clear, except Saturday and Sunday.

Ms. Coleman said right.

Ms. Kinsey said I don't know if I can park there Saturdays and Sundays because it only talks about Monday-Friday or after 6 p.m.

Ms. Coleman said that's correct. Where the restriction is, is when the restriction is. All other times are free.

Ms. Kinsey said but the one in the green box, two hour limit 7 a.m.–4 p.m. Monday-Friday doesn't tell me if that applies to Saturday,

Ms. Coleman said the Saturdays and Sundays are free so anytime that you don't have a restriction is considered free time.

Ms. Kinsey said but if I'm driving in from someplace else I don't know that. And I'm not even really sure and I live here to go uptown and park.

Ms. Coleman said and we did test the public on that, we did that in the surveys to see if they understood the messaging and the consensus was that they understood that, now we may have a few that don't understand.

Ms. Kinsey said but is there someplace along that, wherever that is, that says free on Saturdays and Sundays.

Ms. Coleman said no ma'am. Not at this time. I will take your consideration in.

Councilmember Mayfield said so continuing on the same line of questioning; I also noticed uptown when it's after 6:00 p.m. on Friday those same signs where you are able to park up until 6:00 p.m., if it's the two hour limit we then put bags over the meters, when it should be free so along with identifying that 6 p.m. Friday - 6 a.m. Sunday or Monday morning whatever that time is, identifying something to let people know that that's complimentary parking since we want them to come into uptown. I'm also concerned about when we put the bags over the meters for spacing that should be free parking on the weekends when there is not a major event going on uptown.

Ms. Coleman said the bagging is complex. And that is something that is part of our future next steps to really look at that in a holistic manner. As you know Friday nights they go out and if there's an event Sunday, sometimes they go on the meters when they shouldn't, so we need to really look at that comprehensively and that wasn't part of this process to date. But it is something we will investigate.

Councilmember Cannon said a follow up then to Ms. Mayfield's question, when do you plan to do that?

Ms. Coleman said that will occur within the next few months, probably within the next six months or so. We are actually waiting for some of our staff members to come back into the office to help with the parking program.

Mr. Cannon said please do because we do get feedback from visitors, folks who even reside here saying it's problematic in uptown to park somewhere and I could be selfish and you can lead them off to a surface parking lot or a parking deck. But you know, that's about being about me, but I'm not and I think it's important to make sure that parking can be provided as easy as we did

make it once before. You all recall Curt, you remember when Mr. McColl was around, one of the things that he helped to work on along with several other pillars in this community, happened to be, you know your first 90 minutes happened to be free, wherever you were parking. Then thereafter you paid whatever the going rate was; but we had more friendly streets then. So hopefully we can get back to that sooner than later.

Ms. Coleman said very good. We will definitely look at the Saturdays and Sundays as we get more feedback and we will look at the bags over the meters and continue that in the process.

Mr. Dulin said the telephone number, is that number answered 24 hours a day?

Ms. Coleman said yes sir. If you're towed, you call that number and you will be able to find out where your car is, it's happened to me, tested it out on the old signs.

Councilmember Barnes said I want to actually give some perspective as a member of the Transportation Planning committee about the before and after. One of the things that we were shooting for was to make the "after" sign as simple and straight forward as possible to leave off as many symbols and letters as possible and we thought that if didn't mention Saturdays/Sundays that people would almost infer that it was free parking or unrestricted parking on those days. And I liked that particular outcome and I also liked the way we've began marking parking decks uptown and garages where we tell people how many spaces are available. That has really helped me a lot in getting around where I will see six spaces left or one hundred or whatever the number is. I think in terms of making uptown more visitor friendly, which is what we were trying to do, make it friendlier for visitors to Charlotte as well as the citizens of Charlotte; we were hoping to simplify the signs in order to make that possible and it's a work in progress I suppose. But I think we've gotten off to a pretty good start from a customer service perspective.

Ms. Coleman said I appreciate those comments as you look holistically through the Wayfinding System with the parking signs for the actual decks and then the on street system, I think things are really starting to come together as we work through all of these types of issues. With the Tryon Street project, you're looking at roughly a mile that we did the project on and we allocated quite a bit of the curb space, gaining roughly 35-40 more on street public parking spaces and I'll share a template with you in a moment that we're using to test this. And we left space at the end of the intersections because what we did was removed the peak restrictions. You cannot park on Tryon between 7 and 9 and 4 and 6 because of rush hour. And Tryon is our signature street, it is meant more for pedestrians, should have slower traffic movement; and on College and Church that is where we expect more of the travelers to go. So in doing that, we've created a lot more parking on Tryon and removed those peak restrictions, I'll talk about that a little bit more. We did get a lot of feedback between June and August and we did "On Street" surveys with our Park-It office, they would actually catch people as they were coming out of their cars and talk with them about the signs, see what they thought; see if it was easy for them to park or not and generally we were finding that people understood these signs much better than the old signs. We also did some focus groups where we put staff members in cars with a resident that we would drive down the street and asked them if they could or could not park there. So all of these different feedback mechanisms really kind of lead us to the fact that we believed we were doing the right thing and then we brought that information to the Transportation and Planning committees.

We have not had any complaints on Tryon Street from the businesses. The loading seems to be working well, the transit, parking and buses, movement of buses and the on street parking.

I would like to talk a little bit about the curb space reallocation. What I'm talking about really is a template that we will use throughout uptown and again; the idea is that public parking be located in the middle of the block consistently or run to the end of the block. But primarily in the middle so if you're a visitor and you're looking for parking; you're going to find those same green messages in the middle of those blocks. The ends of the blocks will be reserved for loading, for passenger loading, for taxi drivers, for transit and other uses of the street. So when we do that we are really trying to compartmentalize the public parking and then the loading and

then other types of uses that might occur. So in the public parking spots we aren't putting any other land use or users of the curb space there to keep that consistent message for our visiting public.

Mr. Barnes said how are we addressing valet parking? Have we prohibited them from taking up space?

Ms. Coleman said we have not prohibited, but we are working with the valets to adjust to this template and you have the valets located more towards the ends of the block, and those are case by case as new businesses come in.

Mr. Barnes said sometimes they will rope off spaces that are public spaces and you've got them making money on spaces that the public has paid for and restricting people from parking which I don't think is right. We had some conversation about this a few months ago.

Ms. Coleman said Doreen would you be able to answer that better than I.

Public Service Manager, Doreen Szymanski said if they are taking spaces that are not allocated, that just needs some enforcement. Basically we let them valet in après at the end of the block. We don't allow them to use the metered spaces, they may be doing that and encroaching in those spaces periodically but they are not supposed to.

Ms. Coleman said the other piece of this is that really where can you park. Where are the green signs versus the red signs. We heard it loud and clear from our focus groups and from the Park-It staff; when you see green you're going to slow down, double check the signs and park. When you see red you need to keep driving. And that seems to be the continual messaging that we are seeing. Now when you looked at the old signs earlier, red and green were all complex and put together and a couple of different series of signs. This is much clearer. The other message here is that we are going to continue to use only this side of the sign. Not the other side of the sign, not arrows pointing across the street that really don't mean that, there was a lot of confusion in that. So we elected after all the feedback was gather that this side of the sign is the most telling message to understand where you can park. And we removed the time of day restrictions on Tryon, what we found was that parking was permitted all day, 24 hours 7 days a week, no adverse impacts to the traffic operations. At the intersections we've left a little bit of space where the loading might occur and a little more space so that vehicles can actually get around cars that are in the middle of the intersection; so we continue to have the traffic flow. And this improves our visitor experience by adding the parking, adding all those spaces during peak times so that they can go to restaurants at 5:00 p.m., not park on Tryon Street. Fewer violations; many fewer violations and really this reduction was substantial between June, July and August of FY11 and FY12 when we changed the signs out and removed the peak.

Next steps began with looking at the bagging is obviously something that's going to be on our task list. We are starting to work on other streets now since we've seen that this is working. We are moved onto Trade Street and working on that again, same kind of process block by block, reallocating the space, putting up new signs. Poplar Street is being converted to two-way from 3rd-6th so new signage will go in there and around the ball park and the Romare Bearden park. So there's a lot of opportunities uptown where we're getting the new signs now and then we will move to College and Church Streets. So it takes some time but we've been through our first exercise and it should go along a little bit faster as we move forward. Tryon Street really is the most complex street for lane usage and the types of signs that go up. So things are going to get a little easier I hope as we move through in terms of time frames and staff resources and speaking of resources. As they allow, we will add more "on street" parking as we can. And we will also be upgrading and replacing pay stations and meters as the money comes in and replace the hand held ticketing devices that the staff currently uses with Park It.

Ms. Mayfield said with the last piece, as resources allow, is that going to be looking, or is there consideration for those first set of resources being opening back up parking spaces that over the

years we have closed down either by adding an X in so we've taken away parking spaces or are we talking about now creating new parking spaces or is it a combination of both?

Ms. Coleman said it's a combination thereof. There are certain land uses or buildings that may have been served by a certain user that didn't want parking assigned to a certain block. Things may change there and then we look for those opportunities to add the spaces and then there are other opportunities to add new spaces throughout uptown that perhaps with the road conversions and things like that we haven't considered. Poplar Street for instance, with the two way conversion will add 12 or 13 new spaces. Really the idea and one of the goals of the Center City Transportation Plan is to increase on street parking to the fullest extent possible. So we will be looking for those opportunities whether it's retrofit or whether it's via the new conversions.

Ms. Mayfield said in the budget line item it has in there,

Ms. Coleman said this is in the general fund right now and we need to probably have some more discussions as a staff to see how that moves forward and what resources and funding might be necessary to convert other streets. And right now we do the signs in house so our in-house staff is doing those and doing a real nice job with that.

Mayor Foxx said okay thank you very much always helpful, the presentation.

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ITEM 6: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

City Manager, Curt Walton said several items were pulled for comments downstairs. We had one question I think from Mr. Cooksey that Ruffin is prepared to answer.

Assistant City Manager, Ruffin Hall said this is item #38 on the Utility Tree Removal, the question was do we track the number of trees that we remove and how do we manage for that. The easiest explanation is about three categories of areas where the city or the private sector is involved with taking down trees, the first is public right-of-way where the tree might be diseased or might have trouble and when we do that, we replace the tree. Private permitting such as land clearing for development, but then that's the application of the Tree Ordinance/Tree Save as well as the credit program, so the tree ordinance applies there and that's replaced. And then you have city/capital projects. In this particular case this item is related to city-capital projects which is a sewer line. For many of our capital projects, roads, sidewalks and trees are replaced. In the case of a sewer line, those trees are removed or pruned back, they're not necessarily all removed but they can also be pruned. The brush cleared in order to protect the easement and then by permit they are not to be replaced in order to allow access to service the line. However as the Council knows we have a very aggressive tree planting program that you approved. We are currently planting up to 10,000 trees a year and FY2011 you increased the allocation to the budget to dramatically increase what you were doing on the Tree Save/Tree Planting program. That's matched up with Tree Charlotte. Dave Cable came and spoke to you back in September to make a pledge for gearing up for \$15,000 additional trees per year which would be a total goal of 25,000 trees per year and that's currently gearing up. We believe that that aggressive program, that effort that the Council has put forward more than offsets any of the trees that would be lost during some of the CIP projects where they not are replaced.

Councilmember Cooksey said I appreciate that we believe that but do we have any data to support it? When they are cleared for the sewer and all then I explained that well you know we can't replant them because the roots will get in the pipes and I said well are you mitigating them you're going to plant somewhere else and I know we had the two programs I didn't know if there was any link between the two, the cutting of the trees and then the replanting and all we've got right now is "well we hope it does".

Mr. Hall said we believe that it does. We don't have data to prove it. When the contractor's going through these areas they're not counting the number of trees that they remove, a lot of

times it's a rush kind of a situation. But we believe that the net impact because of this aggressive tree planting program should offset that. That is something that, when we were back in the room we talked about that a little bit in terms of bringing Utilities more into that conversation.

The Dinner Briefing was recessed at 6:29 p.m. to move to the chamber for the Regular Business Meeting.

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BUSINESS MEETING

The City Council reconvened at 6:39 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Foxx presiding. Councilmembers present were John Autry, Michael Barnes, Patrick Cannon, Warren Cooksey, Andy Dulin, Claire Fallon, Patsy Kinsey, LaWana Mayfield, James Mitchell & Beth Pickering.

ABSENT: Councilmember David Howard

Mayor Foxx said I see a Boy Scout Troop here, where are you all from:

Leader(s) answers: Mallard Creek Presbyterian and Huntersville Presbyterian.

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INVOCATION AND PLEDGE

Mayor Foxx gave the Invocation, followed by the Pledge of Allegiance which was led by Mallard Creek Presbyterian and Huntersville Presbyterian Boy Scouts.

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AWARDS AND RECOGNITIONS

ITEM NO. 7: CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

Mayor Foxx said The City of Charlotte's Finance Department is being recognized for its final Comprehensive Annual Financial Report for the fiscal year 2001. The award is given by the Government Finance Officers Association, Mr. Greg Gaskins, our Chief Financial Officer is here to receive the award so why don't we share this award with Greg and ask Greg to say a couple of words about how this award has come to us.

Chief Financial Officer, Greg Gaskins said let me say a couple of words about the Certificate for Achievement and Excellence in Financial Reporting. This is actually a very significant award because it has to do with full disclosure of the City's finances. This is the premier award related to disclosure of financial information and this is the 27th consecutive year that the City has received this award. And so that is very, very significant in the sense that one of the big issues that we've got as government in the recent years has been an issue about whether or not the public is informed about its finances and financial situation. This particular award guarantees that the type of information that we present complies with the Governmental Accounting Standards Board's recommendations for this and the governmental finance organization which is for the United States and Canada makes this presentation to us. It is professionals reviewing the reports of the City and measuring those against those standards and making this presentation. So it's a very good thing for the City to have this and I would like to thank Teresa Smith and Robert Campbell who are here and the staff that we have that actually does the hard work of presenting this information. And every department in the City contributes to the completion of what is required and for us to receive this award. Thank you to Teresa, Robert and the rest of the staff.

Mayor Foxx said great work thank you very much and to all the finance staff we really appreciate what you are doing.

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ITEM NO. 8: STORM WATER SERVICES VOLUNTEER PROGRAMS

Mayor Foxx said the second award is the Recognition of Storm Water Services Volunteer Programs and Jennifer Frost, Water Quality Educator for the Charlotte Mecklenburg Storm Water Services Department, is here to share the volunteer programs that assist in protecting the more than 3,000 miles of streams and 200 miles of lakeshores in Mecklenburg County.

Water Quality Educator, Jennifer Frost said there are more than 3,000 miles of streams in Mecklenburg County and that's about the same distance if we put them altogether between here and Los Angeles. So that's a lot of area for storm water services to cover. And you know we're responsible for protecting and restoring those creeks. So in order to achieve that goal, we need and we use volunteers to help us out. In addition to asking every citizen to be a water watcher and call 311 when they see pollution, we also have hundreds of volunteers every year who help us protect the creeks in Mecklenburg County and Charlotte. We oversee a variety of volunteer programs that are different based on the age that participates and different based on the amount of commitment level. Tonight I'd like to recognize an outstanding volunteer group from each of those different volunteer programs. I'd like to ask each of the volunteer groups that are here tonight to stand while I mention their names please.

We have a Storm Drain Marking program; volunteers receive kits that have storm drain markers in them and adhesives. They glue the markers to the storm drains to let passersby know that what goes down this storm drain goes directly to a creek or lake. Tonight Boy Scout Troop 19 is here, they have marked about 200 storm drains with direction by Reed Wood, their troop leader, and they were very good about getting their paper work back to us and they also spent time picking up along the greenway, so thank you. We also have a program called Volunteer Monitoring. We spend some time training the volunteers and then they go out and they collect samples in an adopted segment of creek. These tests that they perform on the samples kind of give us an idea of how the creek is doing in that area. It kind of serves as our first filter in figuring out what may be wrong with that creek and what the pollution problem may be. Tonight, United Faith Christian Academy is here. Some of the representatives from that volunteer monitoring group; they monitor two points along Four Mile Creek near their campus. They are fantastic about getting us information back in and have reported numerous blockages because they are the first eyes on the creek before we can be there. They have involved all their grades in their monitoring efforts and have participated in each year with a presentation to staff on what they do each year. So thank you for participating. Unfortunately our other two groups could not be here tonight but I wanted to mention them so that they can be recognized as well. Our Adopt-a-Stream Volunteers; Providence Day Beta Club under the direction of their teacher, Ashu Saxena, they have adopted three segments of creek. The way the Adopt-a-Stream program works is that volunteers agree to clean up at least twice a year, a segment of creek. They report pollution problems and they pick up tons of trash every year. So it's fantastic that Providence Day Beta Club has been able to do that in two different locations. They've participated in more than 70 clean-ups since they began. The Lake Norman Charter School has also participated in an event we call Big Sweep. They usually pick an area in the City that has actually the most trash. Each year they ask us for our trashiest location. Big Sweep occurs the last Saturday in September. It's a four hour commitment in various locations around the City and last year they picked up about three and a half tons of trash out of our local creeks. Everything from bottles and trash bags to rocking horses and swing sets and things like that, just crazy materials each year. Lake Norman Charter School along has pulled out more than 8,000 pounds of trash from our local creeks, so we really appreciate their efforts.

I just wanted to say thank you for allowing me to recognize these groups. They do a tremendous job in helping us with Storm Water Services and we could not have these programs without them.

Mayor Foxx said thank you very much and thanks to all the volunteers we really appreciate what you're doing, it's amazing.

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BUSINESS MEETING

ITEM NO. 9: CONSENT AGENDA

Motion was made by Councilmember Cannon, seconded by Councilmember Kinsey, and carried unanimously, to approve the Consent Agenda as presented with the exception of Item Nos. 19, 33; Item Nos. 48-E, J, O and P have speakers and Item Nos, 48-H, K, L, and Q have been settled.

The following items were approved:

Item No. 20: North Carolina Railroad Double Track Project Municipal Agreement

(A) Resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for improvements associated with the North Carolina Railroad (NCR) Double Track Project Corridor at the proposed Eastern Circumferential and Grier Road bridges, and at the Orr Road crossing, and (B) Budget Ordinance No. 5008-X appropriating up to \$7,100,000 from the Transportation Capital Investment Plan.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 94.

The Ordinance is recorded in full in Ordinance Book 58, at Page(s) 1.

Item No. 21: Storm Drainage System Cleaning Truck

(A) Purchase of a Vactor storm drainage system cleaning truck as authorized by the cooperative purchasing exception of G.S. 143-129(e) (3), and (B) Contract with Public Works Equipment and Supply Inc. in the amount of \$317,296.

Item No. 22: Traffic Signal at I-85 Northbound Ramp and Mallard Creek Church Road Municipal Agreement

Resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the installation of a traffic signal at the intersection of I-85 Northbound Ramp and Mallard Creek Church Road.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 95.

Item No. 23: Reedy Creek Monitoring Study

Three-year contract with the University of North Carolina at Charlotte (UNCC) in the amount of \$380,000 for research services.

Item No. 24: Trade Street Storm Drainage Improvements Project

Contract with Showalter Construction Company, Inc. in the amount of \$187,544.50 for construction and repair services.

Summary of Bids

Showalter Construction Company, Inc.	\$187,544.50
Onsite Development, LLC	\$263,241.00

Item No. 25: Habitat for Humanity Critical Home Repair Program

(A) One-year grant to Habitat for Humanity Charlotte (Habitat) in the amount of \$375,000 to provide critical home rehabilitation services to eligible participants inside the Charlotte city limits, and (B) Authorize the City Manager to approve a one-year renewal up to the original contract amount.

Item No. 26: Old City Hall Elevator Updates

(A) Purchase of elevator modernization equipment as authorized by the cooperative purchasing exception of G.S. 143-129(e)(3), and (B) Contract with Otis Elevator Company for \$299,900 to update the Old City Hall elevators.

Item No. 27: Private Developer Funds for Traffic Signal Improvements

(A) Authorize the City Manager to execute a Developer Agreement with the Knights Baseball, LLC, and (B) Budget Ordinance No. 5009-X appropriating \$645,289 in Private Developer Funds for Traffic Signal Improvements.

The Ordinance is recorded in full in Ordinance Book 58, at Page(s) 2.

Item No. 28: Ready Mix Concrete

(A) Contract to the lowest bidder; unit price contract to Southern Concrete Materials for the purchase of Portland Cement Concrete for the term of one year, and (B) -Authorize the City Manager to extend the contracts for four additional, one-year terms with possible price adjustments as authorized by the contract.

Summary of Bids

Southern Concrete	\$487,355.00
Ready Mix Concrete Company	\$517,720.00
Concrete Supply Co.	\$524,480.00
Thomas Concrete	\$595,705.00

Item No. 29: Transit Video Monitoring System Maintenance

(A) Three-year agreement with TRANSIT Solutions, LLC for maintenance of Transit mobile and fixed video monitoring system in an amount up to \$550,000 per year, and (B) Authorize the City Manager to execute two, one-year contract renewals for an amount up to \$600,000 per year.

Item No. 30: Transit Origin-Destination Study

Contract with RSG, Inc. up to \$425,000 to conduct a system-wide transit origin-destination study.

Item No. 31: Aircraft Air Conditioning Units

(A) Contract to the lowest bidder, JBT Aero Tech, Jetway Systems, in the amount of \$1,365,302 for the purchase of aircraft air conditioning units, and (B) Budget Ordinance No. 5010-X appropriating \$1,365,302 from the Airport Discretionary Fund Balance to the Aviation Capital Investment Plan.

Summary of Bids

JBT AeroTech, Jetway Systems	\$1,365,302
Cavotec Inet US, Inc.	\$2,275,048
Hobart	Bid rejected due to incomplete bid

The Ordinance is recorded in full in Ordinance Book 58, at Page(s) 3.

Item No. 32: Airport Gateway Signage

Contract to the lowest bidder Moore and Seagle Construction, Inc. in the amount of \$122,125 for installation of a gateway sign at Wilkinson Boulevard.

Summary of Bids

Moore and Seagle Construction	\$122,125
Tarpon Construction	\$139,260
Kelby Construction	\$152,500
The Bowers Group	\$168,250

Item No. 34: Street Main Engineering Design Contracts

Contracts for Street Main Water and Sewer design with McKim and Creed, in the amount of \$200,000. and Gavel and Dorn, in the amount of \$200,000.

Item No. 35: Portable Sewer Cleaning Equipment

(A) Purchase of sewer cleaning equipment as authorized by the cooperative purchasing exception of G.S. 143-129(e)(3), and (B) Purchase of four jetters from Jet-Vac Sewer Equipment Company, Inc. in the amount of \$191,300.

Item No. 36: Utility Closed Circuit Television Equipment

(A) Purchase of closed circuit television (CCTV) equipment as authorized by the cooperative purchasing exception of G.S. 143-129(e)(3), and (B) Purchase of two CCTV Hi-Cube Vans from Aries in the amount of \$399,736.

Item No. 37: Utility Wastewater Equipment

(A) Purchase of wastewater equipment as authorized by the sole source purchasing exception G.S. 143-129 (e) (6) (ii), and (B) Approve a one year, unit-price contract with Smith & Loveless for the purchase of upgraded water quality equipment.

Item No. 38: Utility Tree Removal Services

Unit Price contract with Single Oak Farm Grading and Landscaping; Frady Tree Care; and Asplundh Tree Expert Company for a two-year term to provide tree removal services throughout Mecklenburg County. Annual expenditures are anticipated to total \$40,000 per company.

Item No. 39: 2009 Annexation Hood Road Areas Change Order #2

Change order #2 in the amount of \$70,000 with R.H. Price, Inc. for additional utility construction items throughout the 2009 Hood Road North and South Annexation Areas.

Item No. 40: Exchange of Land Rights along the LYNX Light Rail Project with HB Real Estate Investments, LLC

(A) Resolution authorizing an exchange of real property rights with HB Real Estate Investments, LLC or their successors and assigns (Developer) involving Tax I. D. numbers 12103104 and 12103105, and (B) Authorize the City Manager to execute all necessary documents to complete the exchange of land rights with the Developer.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 97.

Item No. 41: Exchange of Land Rights along the LYNX Light Rail Project with Camden/Fund Southline, LLC

(A) Resolution authorizing an exchange of real property rights with Camden/Fund Southline, LLC or its successors and assigns (Developer) involving tax identification numbers 12104120 and 12103103, and (B) - Authorize the City Manager to execute all necessary documents to complete the exchange of land rights with the Developer.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 98.

Item No. 42: Joint Communications Center Adjacent Land

(A) Purchase of approximately 4.71 acres of land for \$2,210,000 to facilitate the development of the Joint 911 Communications Center, and (B) Authorize the City Manager to execute all necessary documents for the purchase of properties (involving Tax I.D. 07902106, 07902107 and 07902111) from the sellers.

Item No. 43: Sale of 5335 Lila Wood Circle

(A) Resolution approving the sale of the City-owned real property located at 5335 Lila Wood Circle (PID #17511340) for \$375,000, and (B) -Authorize the City Manager to execute the sale documents for this transaction.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 99-100.

Item No. 44: Real Estate Related Services

(A) Unit price contracts for real estate acquisition and relocation services for two-year terms to: 1. Atkins North America, Inc.; 2. CityScape Acquisitions, Inc.; 3. Gulf Coast, LLC; 4. Telecommunication & Industrial Consulting Services Corporation; 5. THC, Inc.; 6. Professional Property Services, Inc., and 7. Vaughn & Melton. Annual total expenditures for real estate acquisitions and relocation services with the seven firms are anticipated to total \$6,600,000.

(B) Unit price contracts for real estate appraisal services for two-year terms to: 1. Bryant Rutledge, LLC; 2. Fortenberry Lambert, Inc.; 3. The Hopkins McElhannon Group, Inc.; 4. James Owens Appraisal, and 5. T.B. Harris, Jr. & Associates, Inc.

(C) Unit price contracts for real estate appraisal review services for two-year terms to: 1. The Hanes Group, Inc.; 2. Ray E. Crawford & Co., Inc.; 3. RiverRidge Valuations, Inc. Annual

total expenditures for real estate appraisal and appraisal review services with the eight firms (B and C) are anticipated to total \$1,050,000.

(D) Unit price contracts for real estate legal services for two-year terms to: 1. Horack, Talley, Pharr & Lowndes, PA; 2. Kimberly E. Fox, PLLC; 3. The Klauk Law Firm; (4) Nexsen Pruet, PLLC. Annual total expenditures for real estate legal services for the four firms are anticipated to total \$1,000,000.

Item No. 45: Resolution of Intent to Abandon a Residual Portion of Steele Creek Road

(A) Resolution of Intent to abandon a residual portion of Steele Creek Road, and (B) Set a public hearing for January 14, 2013.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 101.

Item No. 46: Refund of Property and Business Privilege License Taxes

(A) Resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$12,467.45, and (B) Resolution authorizing the refund of business privilege license payments made in the amount of \$1,772.47.

The Resolutions are recorded in full in Resolution Book 44 at Page (s) 102-103 and 104-105.

Item No. 47-A: 7507 Albemarle Road

Ordinance No. 5011-X authorizing the use of In Rem Remedy to demolish and remove the structure at 7507 Albemarle Road (Neighborhood Statistical Area 147 – Hickory Ridge Neighborhood).

The Ordinance is recorded in full in Ordinance Book 58, at Page(s) 4.

Item No. 47-B: 130 Martin Street

Ordinance No. 5012-X authorizing the use of In Rem Remedy to demolish and remove the structure at 130 Martin Street (Neighborhood Statistical Area 26 – Biddleville Neighborhood).

The Ordinance is recorded in full in Ordinance Book 58, at Page(s) 5.

Item No. 47-C: 3303 West Blvd

Ordinance No. 5013-X authorizing the use of In Rem Remedy to demolish and remove the structure at 3303 West Blvd (Neighborhood Statistical Area 100 –Eagle Lake Neighborhood).

The Ordinance is recorded in full in Ordinance Book 58, at Page(s) 6.

Item No. 48-A: 4912 Beatties Ford Road

Acquisition of 6,043 sq. ft. (.139 ac.) in Fee Simple, plus 4,333 sq. ft. (.099 ac.) in Temporary Construction Easement, plus 222 sq. ft. (.005 ac.) in Utility Easement at 4912 Beatties Ford Road from Pamela J. Hamilton and David Keith Plyler for \$14,500 for Beatties Ford Road Widening Phase 2, Parcel # 47.

Item No. 48-B: 6146 Rumble Road

Acquisition of 988 sq. ft. (.023 ac.) in Fee Simple, plus 2,856 sq. ft. (.066 ac.) in Storm Drainage Easement, plus 99 sq. ft. (.002 ac.) in Water Main Easement, plus 8,329 sq. ft. (.191 ac.) in Temporary Construction Easement at 6146 Rumble Road from Michael's Landing, LLC for \$36,200 for City Boulevard Extension- Phase III, Parcel # 33.

Item No. 48-C: 4300 Park Road

Acquisition of 705 sq. ft. (.016 ac.) in Sidewalk and Utility Easement, plus 1,906 sq. ft. (.044 ac.) in Temporary Construction Easement at 4300 Park Road from Vernon Development, LLC for \$35,000 for Park Road Pedestrian Crossing and Sidewalk Project, Parcel # 2.

Item No. 48-D: 228 Wesley Heights Way

Resolution of Condemnation of 4,898 sq. ft. (.112 ac.) in Fee Simple (TOTAL TAKE) at 228 Wesley Heights Way from 228 Heights Associates, LLC and Any Other Parties of Interest for \$140,000 for Fire Station # 5 Expansion, Parcel # 2.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 106.

Item No. 48-F: 5226 Beatties Ford Road

Resolution of Condemnation of 4,957 sq. ft. (.114 ac.) in Fee Simple, plus 12,052 sq. ft. (.277 ac.) in Fee Simple within Existing Right-of-Way, plus 397 sq. ft. (.009 ac.) in Storm Drainage Easement, plus 7,395 sq. ft. (.17 ac.) in Temporary Construction Easement at 5226 Beatties Ford Road from James H. Price and Any Other Parties of Interest for \$5,475 for Beatties Ford Road Widening Phase 2, Parcel # 61.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 108.

Item No. 48-G: 3910 and 3998 Beatties Ford Road

Resolution of Condemnation of 1,250 sq. ft. (.029 ac.) in Fee Simple, plus 1,352 sq. ft. (.031 ac.) in Storm Drainage Easement, plus 1,449 sq. ft. (.033 ac.) in Slope Easement, plus 5,430 sq. ft. (.125 ac.) in Temporary Construction Easement, plus 108 sq. ft. (.002 ac.) in Utility Easement at 3910 and 3998 Beatties Ford Road from Iglesia Pentecostal Lirio de Los Valles and Any Other Parties of Interest for \$2,875 for Beatties Ford Road Widening Phase 3, Parcel # 3 and 4.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 109.

Item No. 48-I: 315, 319 and 321 East 36th Street

Resolution of Condemnation of 7,545 sq. ft. (.173 ac.) in Fee Simple, plus 10,121 sq. ft. (.232 ac.) in Fee Simple within Existing Right-of-Way, plus 7,234 sq. ft. (.166 ac.) in Temporary Construction Easement, plus 1,757 sq. ft. (.04 ac.) in Utility Easement at 315, 319 and 321 East 36th Street from Herrin Brothers Coal and Ice Company and Any Other Parties of Interest for \$25,975 for Blue Line Extension, Parcel # 1263, 1267, 1269 and 1270.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 110.

Item No. 48-M: 2826 Palm Avenue

Resolution of Condemnation of 404 sq. ft. (.009 ac.) in Storm Drainage Easement, plus 1,024 sq. ft. (.024 ac.) in Temporary Construction Easement at 2826 Palm Avenue from W.D. Austin, Jr. and Wife, Inga-Lisa Austin and Any Other Parties of Interest for \$575 for Shamrock Gardens Neighborhood Improvement Project, Parcel # 51.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 111.

Item No. 48-E: 4838 Beatties Ford Road

William Owens, 125 Lansdowne Road, 28070 said thank you for listening about my property on 4838 Beatties Ford Road. It's not my intention to be an obstructionist I know that the project will go forward. I believe that the City's appraisal of the property is flawed and fail to take into account the harm being done to the property. I'm asking \$23,600 for the value of the property and would like four driveway access cuts for future development and a water and sewer tap for the existing house. Not having access to the appraisal I could not suggest where they went wrong. The appraised value provided the acquisition agent for this .27 acres as \$7,119. For tax purposes the City values the .418 acres undeveloped lot #04122107 which shares a property line with me at \$35,700 as 2.7 acres represents the same valuation results in \$23,600 for my property. As .27 acres represents one potential lot I feel that this is a fair value. All 425 ft. of the frontage on Beatties Ford Road of this property will be taken in this project. There needs to be four 16 ft. driveway cuts along this 400 ft. but only one is planned. Four will only give me approximately one per 100 ft. The appraiser's estimation of damages fails to take into account the installation of curb, gutter and sidewalk along the entire distance will severely limit the access to this property and have a negative impact on the value of the property. While the project is underway, these driveway access cuts will have little impact on the cost of the project and eliminate this negative impact. If the project is completed without the cost for one driveway will likely be more than you are presently valuing this acquisition. Sorry to bore you. I hope you will recognize the negative impact this barrier to access will have on the property value not only to the property owner but to the City as well in terms of future value and will consider this a component of value when calculating this project's impact on the property. These cuts should be completed as part of the project and I petition for your help in establishing these driveway cuts.

This is a beautiful cleared four acre track zoned R4 with no hindrances to construction, it has 425 ft. of frontage on Beatties Ford and 425 ft. frontage on Kerr Lane. No spot on the property is more than 200 ft. from the improved road. I petition for your help in establishing \$23,600 as the fair value assisting me in establishing the four 16 ft. driveway cuts this property deserves and moving forward on the water and sewer tap for the existing house. Thank you for your time.

Mayor Foxx said is there any response from staff?

City Manager, Curt Walton said I think it's an issue of price that we have worked on for a number of months and when we get this point generally with a disagreement in price that's when it goes through the court system.

Mr. Owens said if I could make a comment to that it's not only price that bothers me but I have 425 ft. of road frontage on Beatties Ford Road. They are only going to allow one driveway cut out of that 425 ft. Now it's fairly simple, 425 ft. represents on R4 at least seven lots of land that can be put into that plus the seven on the back of that property. I'm only asking for four because it can be developed with a double drive that can go off into each two lots if that in fact turns out to be the way that it's developed. But now if I have to go back after the project and petition the DOT for driveway cuts, it can easily be more than the \$7,000 that they are offering for the property. Your agenda says they're offering \$9,000 for the property but that's not true. They're offering \$7,119 for the property, the rest of that value is included in what they consider to be rental. You're going to rent all that property for three years for \$2,000.

Councilmember Mitchell said I got a briefing today from City staff from Tim Greene about the progress of the Beatties Ford Road widening project and if Tim is available, Tim would you like to share the process, how we had an appraiser to come in and get to this point and also maybe the schedule. Because I know that we are really trying to get this project completed.

Engineering Program Manager, Tim Greene said the driveway cuts, this is the first I've heard of it. I believe he only has one driveway now we can certainly entertain with Charlotte DOT design staff to see about adding some more driveways.

Mayor Foxx said can you do that if we move forward or do we need to give more time?

Mr. Greene said well we will have to review it with CDOT staff; they would have to look at it and review it; like I said this is the first we've heard of it or I've heard of it at least; so I mean we can take a look at it.

Mayor Foxx said well alright, but let me try to figure out if we take action tonight can you still do that or do we need to,

Mr. Walton said sure it can be done on a concurrent track the condemnation and the driveway.

Motion was made by Councilmember Mitchell seconded by Councilmember Cannon and carried unanimously to approve a Resolution of Condemnation of 11,380 sq. ft. (.261 ac.) in Fee Simple plus 10,415 sq. ft. (.239 ac.) in Fee Simple within Existing Right-of-Way, plus 336 sq. ft. (.008 ac.) in Storm Drainage Easement, plus 11,563 sq. ft. (.265 ac.) in Temporary Construction Easement, plus 86 sq. ft. (.002 ac.) in Utility Easement at 4838 Beatties Ford Road from Sho Properties, Inc. And Any Other Parties Of Interest for \$9,775 for Beatties Ford Road Widening Phase 2, Parcel # 43.

Mayor Foxx said staff is going to commit to working with you on that cottage.

Mr. Owens said I'm sorry I'm not sure what you approved.

Mayor Foxx said sir, we've taken action on the condemnation. It will go to a judge, but the staff is committed to working with you on the driveway issue.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 107.

Item No. 48-J: 3826 Raleigh Street

Mike Eve (Justice, Eve & Edwards P.A.) 1801 E. Blvd. 28203 said glad to be here, Mayor Foxx, Councilmembers, I'm Mike Eve with Justice, Eve & Edwards. I'm an attorney here in Charlotte and I represent the landowner on 48-J which is SRI Holding. The owners are Sam and Ellen Waldman and they really wanted to be here tonight to talk to you about their property and what's involved in this situation but they are out of the country. So the first thing I told them I would do would be to ask to postpone it and I know that I don't have very many minutes so if that can't be done I'll go ahead and talk about the case itself.

The land is 3.6 acres on Craighead Road near the intersection of Craighead Road and N. Davidson Streets. It is used as a scrap metal recycler and it's known as Southern Resources in addition to Sam and Helen, they have 20 other employees there and a significant portion of their profit is related to steel recycling which is on the corner of the lot and part of that is being taken for the rail line. And they understand and look forward to the CATS train coming through but there's a problem in terms of what is happening with their recycling there. Just as a brief history, I think from looking at your schedule, your agenda, the very first part of 48 talks about good faith negotiations and then when you go to J, which is our case, it talks about it having started in April but from what I can tell from looking at the case and I've only been involved in for two weeks, the first offer made in this case was in September of this year and then a counter-offer was made in October of this year. Around that time, Sam discovered that they weren't going to be able to move the trucks and cranes to load and unload tons of steel for recycling and this is the part that keeps this business going. That's one reason why he would like to come here and talk to you himself. I know everybody's tired of hearing about the fiscal cliff, I'm not going to deny we will hear about it again, but the reality is that a lot of small businesses and individuals have been on a fiscal cliff for a long time. And this company is holding on but it's fingernails to that cliff. They talked about the last time they met or talked to someone at the city about relocation because they can't do what's keeping the company afloat with this taking.

Councilmember Mayfield said was there an additional comment that you wanted to ask that you could do in about a minute?

Mr. Eve said they would like more time to work on the relocation because they could probably save the company as a part of that and then there's only been one offer and one demand so there could also be renegotiation but they really, unless it's just something that's urgent in terms of this and would like to have it postponed; maybe the resolution itself could be postponed as long as possible. We know it has to be taken eventually but that is what they would like to do. And they would actually like to be here to talk about this because they could go under

Ms. Mayfield said the next question is actually for staff, I'm trying to get a better understanding regarding this discrepancy of what we have listed as the conversation starting in April and what was noted tonight as far as the conversation not starting until months later, to make sure that we have the most accurate information as presented to Council when we are asked to make decisions on these condemnations.

Real Estate Division, Laura Rushing said I'm with the Engineering and Property Management in the Real Estate Division, we did start speaking with the property owners in April of this year and when we spoke with them to begin with we explained the project explained how the acquisition and relocation processed worked, explained that we would be getting an appraisal done and letting them know that the appraiser would be contacting them and that process takes several months before we actually get the actual appraisal in to make the offer.

Ms. Mayfield said so our date, that's presented to council, is the initial contact? It's not started from once that appraisal comes back because they can take anywhere from two to four months.

Ms. Rushing said that's correct.

Ms. Mayfield said I'm trying to understand if, there's that 3-4 month gap and when the appraisal finally comes back if there is a conversation or discrepancy as far as offer and counter-offer, that doesn't seem to leave a lot of time before bringing this before Council for a condemnation of which then we no longer hear anything regarding what the final decision is going to be. But what I'm hearing is a concern of a business and what the impact of this condemnation, if we move forward this evening is going to have on a local business. So I'm just trying to get an idea of how do we decide or determine from the first date of contact, that's the date that's going to be presented to Council as opposed to the first date of negotiations, which is a different date.

Ms. Rushing said right that is true. The time can fluctuate depending upon how soon we get in touch with the property owner and then how soon we can get the appraisal ordered and how long it would take to get that appraisal completed. That determines how long we actually have to actually negotiate with the property owners. Thirty days may not seem like a long time but that's the minimum that we are required to do per the federal guidelines. Now we do keep continuing to work with the property owners even once something is approved by Council for condemnation in an effort to try to settle it before it's actually filed.

Ms. Mayfield said thank you.

Councilmember Kinsey said I'm not quite sure I totally understood the question or the answer so let me just make sure. The initial contact was in April?

Ms. Rushing said correct.

Ms. Kinsey said now when did we actually make the offer?

Ms. Rushing said I believe that was in September.

Ms. Kinsey said in September? Okay, so it's been more than 30 days. May I ask Mr. Eve something.

Mayor Fox said sure.

Ms. Kinsey said Mr. Eve what is the owner actually asking for, the counter offer?

Mr. Eve said right and that's related an appraisal of the property that was done just a year or two before this started. But the problem is not the negotiation per se, it's that they need time not only to negotiate, because as a part of that, the landowners probably is when they get the first offer they start really looking at this and that's when they realized that it wasn't just a question of how much is this number of square feet, how much is the fair value, he realized that this was going to put them out of business and that's why he actually wants to work kind of with the relocation and get as much time as possible before it's actually condemned.

Ms. Kinsey said Ms. Rushing, we have already delayed this for two weeks?

Ms. Rushing said two weeks yes.

Ms. Kinsey said I know there's a time problem here but if we allow, I think the owners are going to be back at the end of this week. I am willing to give one more week and ask my Councilmembers to do that but this is December, we go into January and we've got to start moving on this. Does that put a cramp in the schedule if I ask my fellow councilmembers to give one more week?

Ms. Rushing said we can work with that?

Ms. Kinsey said but I think we have to make sure, that's the only thing that I'm comfortable with right now but that will allow the owner to come and speak to us if he wishes to do so. But meanwhile you will continue to work?

Ms. Rushing said absolutely.

Councilmember Barnes said so Councilmember Kinsey are you then saying that if a resolution is not reached, that we would allow this particular dispute to go through the court process which it essentially is intended to do anyway?

Ms. Kinsey said yes.

Mr. Barnes said so as of December 17th, if there is no resolution, then,

Ms. Kinsey said yes that would be my intent yes. That would at least give the owner time to come and speak to us as he wishes to do.

Mr. Barnes said and if I might ask the City Attorney, Mr. Hagemann, did my description of a motion qualify as a sufficient motion or do I need to re-phrase it?

Mr. Hagemann said that qualifies.

Motion was made by Councilmember Barnes, seconded by Councilmember Kinsey to defer the subject item for one week to December 17th, 2012 to allow property owners and city staff to negotiate a resolution value to this dispute and if no such resolution is arrived at, the dispute would be handled by the court system as it is essentially intended to be.

Mayor Foxx said Motion was made and seconded any further discussion on this item?

City Attorney, Bob Hagemann said point of clarification, I interpreted the intent of the Motion to place this on your December 17th zoning agenda.

Mr. Barnes said that's fine as well we can put it on that agenda. I hadn't intended that but that's fine.

Councilmember Cannon said Mr. Eves, let me make sure I understand something sir, did I understand you to say that the appraisal that was done, that you all have that you're operating off of, this \$98,000 was done maybe a year or two ago? Is that right?

Mr. Eves said it was one done relating to a loan obtained by the landowners and so ultimately it will be redone just for the condemnation purposes. Plus without getting into a lot of detail, because my client did the calculation, not me but that was one of the basis for his calculation.

Mr. Cannon said well I'm asking because I'm wondering what you are going to really arrive at, at some point because you don't have anything that's updated right now to be able to benchmark from, I don't believe that is more recent than a year or two ago.

Mr. Eves said yeah I think it's a difference in square footage but the land itself was appraised with an MAI appraisal so it's a good appraisal, we'll probably use the same guy. I was trying to explain that it happened so quickly, you know it's like, an offer, make us a counter-offer they made another counter-offer and there was nothing in between, now we're taking your property. To me this still seems pretty quick but I appreciate it. I think Mr. Waldman would appreciate speaking to you about it and it's hopefully we can work something on the relocation issue which is a really big factor.

Mr. Cannon said I don't believe in luck but I will say it anyway, good luck.

Councilmember Fallon said will your clients be back in town in here?

Mr. Eve said yes, they will definitely be here because he really wanted to be here before he didn't realize that it was going to be reset, I asked him if there was any Monday for the next three months that he would not be here, he said he would be here Christmas Eve, New Year's Eve, whenever you wanted him to be here.

Ms. Fallon said alright thank you and ready to answer questions I hope.

Mr. Eve said yes he can tell you more of the details and also you know the situation with the business itself and the employees because it's important that we keep this business going.

Councilmember Mitchell said sir is he interested in the price or relocation?

Mr. Eve said from what I can tell the relocation is going to be more than the price but it comes from, I think that's a federal thing and then the price is for the land in terms of the condemnation, but there's a disagreement on the price for the land itself but then not really anything's been done. I think if we had started on the relocation maybe back in April by now we could have made some progress. Because they're probably going to have to move, they've got to transport tons and tons of steel to another site, once they get that going then they are probably going to have to transfer the rest of the business.

Councilmember Mitchell said I just want to be clear on expectations, that we come back December 17; one this Council is talking about price, but I hear you making references to relocation and that was not part of our motion so, can I ask staff a question please. Discussions about relocation; how far has that gone and have we identified the source of money we would use to meet his relocation request?

Ms. Rushing said we have, acquisition and relocation have to be completed separately, you can't combine the two so that's one reason why they are spoken about separately. We have determined that they have personal property that needs to be relocated and they have indicated they feel like this is going to put them out of business and we're waiting on information from them to help us determine that.

Mr. Mitchell said can you give us a ballpark figure of what they are talking about as far as relocation or should I address that to him?

Ms. Rushing said I have no idea yet until we get the information from them.

Mr. Mitchell said sir can you give us an estimate what are you talking about for relocation?

Mr. Eve said the quotes, and this is really hearsay upon hearsay because my client heard it from somebody who said they got it from the City that there were two quotes. One of them to move just the steel was \$90,000 from one that's rough, another one was like \$35,000 or \$40,000 so I think the last thing I heard was they were going to go back and try to get the City, we got those from the City, and they were going to go back and get a third one somewhere hopefully in the middle, but I think really he just wants somebody to try and help him, as I understand it, relocation, which is a whole different thing they have people to help with the landowners, look for land and set up the business and all that so hopefully we can do something like that.

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

Item No. 48-O: North Brevard Street

Howard Webb, P. O. Box 38367 28278 said I'm here to speak tonight about a piece of property of mine that's being condemned at the corner of N. Brevard and 5th Street right where N. Brevard dead-ends to the exit doors of the Bobcats Arena. I've got a little handout here that just briefly shows a couple of things. The first page is the lot that I had before the arena went in. The second page shows when 5th Street was not widened by expanded so the Arena could get in and 5th Street went around. This is the lot that I ended up with, the City took about 22 of my parking spaces. I was able to negotiate with Kent Winslow and it didn't have to go to condemnation. As we fast forward to the third page, now the streetcar project is wanting to take a spur off of when it dead-ends, and you are probably familiar with this, dead-ends into the Bob Cats Arena and they're going to do a spur, they're going to go down Caldwell Street, they're not going to use the private land, they're going to go down the middle of Caldwell and not use the Federal

Courthouse land, but then they're going to take Roger Stack's and mine, they're going to curve around and it is my understanding that this is so the street car will, I'm not trying to be cute, will have a place to stay at night. It sounds like a pretty expensive place and I think there's some maintenance going on there too, but this will literally take me down to six or eight parking spaces. I've got a curb cut, thank goodness in there, but it's going to make it virtually impossible and the 3½ year construction easement along with the 25 feet it has taken. If you allow me to use the analogy I had an apple pie and after the arena went in I had half of an apple pie and now I've got a slice left, so to speak. I'm not here to talk about the pros and cons of condemnation because I understand that but I do have a couple of comments. I'm wondering if this is necessary at this point in the street car project, why couldn't it just sit in that island on Caldwell Street. I understand it's going back in to the light rail, so it will go all the way out to Clanton Road, maybe maintenance or maybe it will have a place to stay. And my second comment is about the process. When I started this process we were contacted a long time ago and never could get an appraisal and never could get an offer and I think in the handout it says we were contacted in July and I was trying to get a counter; when I dealt with Kent Winslow we didn't have to go to condemnation or anything. So I was getting ready to do a counter offer and ask for a copy of the appraisal and was told I could not get one. Well I went ahead and found out a way to get one, so I got a copy of the full appraisal and once I started looking at that about a week later, I got a new offer, which was \$23,000 less than the first.

Councilmember Cannon said what were you trying to say in conclusion please, in less than 30 seconds please.

Mr. Webb said just in conclusion I'm preparing a counter-offer to try to work this out. It just sort of put a bad taste in my mouth. I get one offer and two weeks later I get one that's \$23,000 less, because the appraiser made mistakes.

Mr. Cannon said alright so you want extra time to be able to make a counter offer and you didn't make that counter offer in the past due to what please?

Mr. Webb said well I was in the process of getting a copy of the full appraisal. And once I got it, no sooner than I got it, it seems like I'm not 100% on the timeframe, but two weeks later, they come back with a whole new packet offering me less. I'm sorry it's just a coincidence.

Mr. Cannon said staff is there anything additional on this that you can share with regard to the opportunities that you offered in a way of providing a counter offer on this particular piece of property for the owner please.

Real Estate Division, Laura Rushing said I believe that what went on is when we met with you we were trying to work with you to try and reduce the area that we were taking which required us to get an appraisal update. We reduced the area after speaking with him and trying to work with him, we reduce the area of the "taking" that we were taking which reduced the appraisal amount.

Mr. Webb said can I answer that?

Mr. Cannon said no sir I'm done, but thank you.

Councilmember Barnes said again he will have the opportunity to go through the court process if necessary.

<p>Motion was made by Councilmember Barnes seconded by Councilmember Kinsey to approve the Resolution of Condemnation of 1,846 sq. ft. (.048 ac.) in Fee Simple, plus 663 sq. ft. (.015 ac.) in Temporary Construction Easement at North Brevard Street from G. Howard Webb, Jr. and Betty Ann McCall Webb and Any Other Parties of Interest for \$213,325 for Streetcar Starter Project. Parcel # 2.</p>

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

YEAS: Councilmembers Autry, Barnes, Kinsey, Mayfield, Mitchell and Pickering

NAYS: Councilmembers Cooksey, Cannon, Fallon and Dulin

The Resolution is recorded in full in Resolution Book 44 at Page (s) 112.

Item No. 48-P: North Caldwell Street

Motion was made by Councilmember Barnes seconded by Councilmember Cannon to approve the Resolution of Condemnation of 2,969 sq. ft. (.068 ac.) in Fee Simple, plus 1,256 sq. ft. (.029 ac.) in Temporary Construction Easement at North Caldwell Street from Preferred Parking Services, LLC and New Americana Investments, LLC and Any Other Parties of Interest for \$372,175 for Streetcar Starter Project, Parcel # 3.

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

YEAS: Councilmembers Autry, Barnes, Cannon, Fallon, Kinsey, Mayfield, Mitchell and Pickering

NAYS: Councilmembers Cooksey and Dulin

The Resolution is recorded in full in Resolution Book 44 at Page (s) 113.

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PUBLIC HEARINGS

ITEM NO. 10: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF TWO 10-FOOT ALLEYWAYS LOCATED OFF OF CLEMENT AVENUE

Motion was made by Councilmember Barnes, seconded by Councilmember Cannon, and carried unanimously, to (A) conduct a public hearing to close a portion of two, 10-foot alleyways located off of Clement Avenue, and (B) adopt a resolution to close.

The resolution is recorded in full in Resolution Book 44, at Pate 87-90.

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ITEM NO. 11: PUBLIC HEARING ON RESOLUTION TO CLOSE A RESIDUAL PORTION OF E. 12TH STREET AND N. CALDWELL STREET

Motion was made by Councilmember Kinsey seconded by Councilmember Mitchell and carried unanimously to (A) conduct a public hearing to close a residual portion of E. 12th Street and N. Caldwell Street, and (B) Adopt a resolution to close.

The resolution is recorded in full in Resolution Book 44, at Page 91-93.

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ITEM NO. 12: CITY MANAGER'S REPORT

City Manager, Curt Walton said there was no City Manager's report.

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ITEM NO. 13: BUSINESS INVESTMENT PROGRAM UPDATE

Motion was made by Councilmember Mitchell seconded by Councilmember Barnes and to approve the Economic Development Committee's recommended updates to the Charlotte-Mecklenburg Business Investment Grant Program.

Councilmember Mitchell said we are approving an Economic Development recommendation to update our Business Investment Grant Program. Two significant recommendations my committee, Vice Chairman, Mayor Pro Tem Patrick Cannon; Councilmembers Warren Cooksey; LaWana Mayfield, and David Howard would like to bring before City Council; one is to add a provision to the business improvement to encourage grants of those who live in Mecklenburg County and are encouraged to use more local small minority women owned business. Secondly, the committee also discussed having what we call, create a new provision called, Major Headquarter Project that the committee will recruit a Corporate Division or Regional Headquarters of Fortune 1000 companies into our area. Those were the two recommendations Mayor and Council that we bring forth to you this evening.

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

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ITEM NO. 14: 2013 STATE AND FEDERAL LEGISLATIVE AGENDAS

Councilmember Dulin Mayor and Council two weeks ago November 26 you had a presentation from Mr. Dana Fenton on our proposed 2013 State and Federal Legislative agendas. Those agendas are back tonight for our approval. The agendas have been thoroughly vetted. The other committee members are Vice Chair Fallon; Mayor Pro Tem Cannon, Councilmembers Mitchell and Pickering. Thank you for your work committee members. The November 26th presentation to Council directed the committee to consider adding two Agenda Items. The first would have increased the membership of the Zoning Board of Adjustment and we got one of the Councilmembers who has gotten some feedback about that. As Councilmember Cooksey rightly pointed out, our legal staff later confirmed that Council already has the authority to increase the membership of the ZBA without going to the general assembly. According to the committee, we did not add this to our agenda and in committee though, we decided not to pursue and voted not to pursue expanding that rather than asking those members who have some attendance problems to step up and do what they said they'd do and show up.

The Committee considered adding a position to the Federal Agenda to adjust the fiscal cliff after consideration and considerable discussion, the committee decided that it would be a wiser course to develop a position that addresses specific programs and policies that are proposed for moderation or elimination by the congress as opposed to adopting a broad position in support of such programs and policies and the committee could take up specific proposals starting in January when the new Congress convenes. The committee also removed the federal agenda for the Congestion Mitigation and Air Quality program. Just a few days before we met, the staff learned that the Federal Transit Administration had interpreted recent legislative changes by the CMAQ program in such a manner that it addressed our concerns. So we did not move forward on that. The next step forward from tonight is to put on our calendars our yearly Legislative Breakfast scheduled for January 14 at 8 a.m. upstairs in Room 267 with new members of the delegation. I think it would be a really good show if we could get as many of us there that morning as possible. Again that's January 14th, it's open to the public by the way, the hordes like to come and the Federal Agenda, we will work through as the Federal Congress convenes in January of 2013. Mayor and Council we would like to move approval of the Council's 2013 State and Federal Agendas.

Motion was made by Councilmember Dulin seconded by Councilmember Barnes to approve the Governmental Affairs Committee recommendation for the 2013 State and Federal Legislative Agendas.

Mayor Foxx said can you explain again the fiscal cliff discussion I want to make sure I understand where you guys landed.

Mr. Dulin said yes thank you Mayor and we went over and over to us the term fiscal cliff was a little bit board. With good intentions to be working on something and something we didn't even

see come from one of the sides or from on top or land on us, and we really didn't have enough information to make a succinct statement and/or agenda item that we really thought we could see, with Dana's good help and of course with Holland & Knight in Washington; we decided that unfortunately we'd have to be a little bit more reactive in this because we just don't really know what's going to happen yet.

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

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ITEM NO. 15: BRYANT PARK INFRASTRUCTURE REIMBURSEMENT AGREEMENT AMENDMENT

Motion was made by Councilmember Barnes seconded by Councilmember Kinsey to approve an amendment to the Bryant Park Infrastructure Reimbursement Agreement with Suttle Avenue LLC, extending the commencement date for road improvements by three years to December 31, 2015.

Councilmember Mayfield said this conversation started in 2008 regarding the tax implement financing and we've already had one extension which gave them a deadline of December 2012 and now we're looking at an additional extension for three years that's going to go into 2015. Do we have a limit on the extensions?

Neighborhood and Business Services, Peter Zeiler said extensions are at the pleasure of City Council.

Ms. Mayfield said what is going to be the difference with this 3 year extension as far as trying to ensure that next year or the year after we're not looking at the need for an additional extension because I do understand and for the audience that's not privy to the discussion; we're looking at the Bryant Park Infrastructure Reimbursement Agreement. So we are looking at the building that is now identified as Charlotte School of Law, but we do know that the school is going to be relocating. So I'm trying to get an idea, do we have any idea of what the timeline is really going to be to one, have this road infrastructure completed and two, what are we looking to do with this now soon to be vacant building space that we have right off of 277.

Mr. Zeiler said the timing for the road would be dependent upon the developer being able to secure tenants for the other vacant parcels that are out there. They are not obligated to build the road unless and until they have sufficient tenants to justify the expense for the road. So it may be that they never build the road if they can't secure tenants. If they can secure tenants in the next year or two they will build the road and then the payments will commence. As far as the School of Law building goes, we have been working cooperatively with the developer and the owner of that property over the last three years, trying to help them secure funding for more development in that area. We will continue that with them, trying to find new tenants for the building once the Charlotte School of Law vacates.

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

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ITEM NO. 16: 2013 CITY COUNCIL MEETING SCHEDULE

MOTION WAS MADE BY COUNCILMEMBER BARNES, SECONDED BY COUNCILMEMBER MAYFIELD, AND CARRIED UNANIMOUSLY, TO APPROVE THE 2013 CITY COUNCIL AND BUDGET MEETING SCHEDULE.

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ITEM N. 17: CONCLUSION OF CONSENT AGENDA

Item No. 19: Streetcar Starter Project Street Lights Payment

Councilmember Dulin said this has to do with the streetcar starter line and the street lights for the streetcar starter line. Unfortunately the streetcar has been one of the minority issues that divides this Council somewhat. We get along more than we disagree and we disagree on this and I need to get this into the record tonight. This is street lights for the starter line streetcar which is one mile long. The street lights for that one mile will cost \$385,342. \$385,342 for street lights along the street car. Now it's an 11 mile project overall. If you multiply that number by 11; you come to \$4,238,762 dollars for street lights along the street car, \$4,238,762; now you can back out the \$385,000 that only gets it down to \$3,853,000. It gets better folks and I'm going in our write-up here. The cost per light is \$4,757.30; \$4700 per light. Now this is the really good part. That is only the light fixture and the amount to connect it to Duke Power. There is no pole; we're going to be using existing city poles. So we're paying \$4,700 for a light fixture. That better be one heck of a good light fixture folks. And then we will pay the standard rate that we pay for other light fixtures around the City on a monthly basis for the lights.

I will be voting no against this expenditure tonight but I need to let yall know that you're going to break ground on this project Wednesday morning. And that \$385,342 is going to go for decorative lights along that one mile stretch. So it will come up every time we expand this thing a little bit but the end result in today's dollars we're not talking about dollars in five years or ten years as we build the line out, today's dollars, you're talking about \$4,238,000 worth of decorative street lights along the street car. Thank you Mayor I will let somebody else make the motion.

Councilmember Mitchell said Mayor I will make the motion but I just want to make sure that there's a balance to our write-up in the agenda. Action 19 says \$385,342 for 81 street lights along the street car starter projects. So I just want to make sure the viewer's know there are 81 lights we're installing for \$385,000. I will agree with Mr. Dulin I thought the price was extremely high of \$4700 hundred dollars I see staff saying that they agree too; but just for clarification because we have two sources of funding we're going to use for this project. One is federal dollars and the other is the General Capital Investment Plan, Mayor may I call staff up. Jeb just for the record because I want to make sure people don't think that we are going to pay a million dollars' worth of street lights along the street car. The Federal Transit Administrative Urban, we're going to use some of the funding for the street lights along the street car correct?

Project Manager, Tonia Wimberly said yes this is part of the reimbursable.

City Engineer, Jeb Blackwell said Tonia is the project manager on the project, I'm Jeb Blackwell, City Engineer and this project is about 64% of federal on this project is,

Mr. Mitchell said 64% federal dollars we're spending and the other 36% is local? Okay, the other reference was that it's what'd you say 11 miles?

Mr. Dulin said yes sir.

Mr. Mitchell said 11 miles and there was a figure of four million dollars for street lights. Let's make sure we are telling the public what it really may cost do you all have an estimate?

Mr. Blackwell said we don't know at this time what that cost will be as when we do neighborhood projects; you look at the area, determine if it needs an upgrade on the lights, if there is underground utility of course that would drive more. This is going in a fairly upscale area so these are all getting that treatment, but as we go forward with the project we'd have to look at each individual item as we make a decision.

Mr. Mitchell said thank you staff.

Motion was made by Councilmember Mitchell seconded by Councilmember Kinsey to approve payment to Duke Energy in the amount of \$385,342 for the installation of 81 street lights for the Streetcar Starter Project.

Ms. Kinsey said these light poles are going to be similar or just like the ones that we have already placed along Elizabeth Avenue and in front of Central Piedmont Community College is that correct?

Ms. Wimberly said these will match the ones that are in Elizabeth.

Ms. Kinsey said so if anybody wants to get a really good look at how attractive they are and how bright, it makes a huge difference in how the street looks and I have absolutely no technical knowledge but seems like somebody, maybe Tom Russell, said that when we get the streetcar, we can get the electricity from the lights that we're putting up.

Ms. Wimberly said the poles that we're putting up are the overhead contact system (OCS) poles just like the ones on Elizabeth. Those were made to hold the OCS which is the electricity and it's a joint use, the overhead catenary poles and the poles are made to hold the street light on top. So instead of having two poles, one for street light, and one for streetcar; we have combined those into one pole.

Ms. Kinsey said I knew I had heard something and I wanted to make sure that we understood that these aren't just the regular poles that we put in other places; but it's very, very very attractive and gives off wonderful light. So I invite you to Elizabeth to see them.

Councilmember Barnes said Mayor I believe my questions have been answered, once it was clarified that the pole served the purpose of lighting as well as holding the electrical wiring, and the overhead lines; it clarified it otherwise it did seem to be a little exuberant.

Mr. Dulin said well you know this one mile that we're getting ready to do is a very well lit section and so I can see how the folks that would support building the streetcar would like to put nice lights along it and yall can have that power to do that tonight. But when Jeb mentioned that they would take it as an "as is" basis I think you, I don't know how you, a high profile area I think you mentioned uptown being, but I can't quite think of the people in East Charlotte and the people out Beatties Ford Road not wanting the same fancy lights we're giving uptown. And we had sometime last summer we talked and had debate on spending this kind of money in low end neighborhoods giving them fancy things too and so I think we ought to really think about this because if we're going to spend this kind of money on Trade Street uptown, where it's well lit and God knows it's safe because the jail and the police station is there, I would like us to discuss spending this if we, all of a sudden we have all of this money you want to spend. Spending this money in our neighborhoods on decorative lights and this money, 60% of it is from the Federal. The extensions, for instance the streetcar extension that we've been debating now all these many months, that's tax dollars, no federal funding to be spending this kind of money on street lights as it goes up Beatties Ford Road or goes out Central Avenue. So I mean your eyes are getting real big about getting fancy lights but please keep in mind you can't afford it.

Councilmember Cannon said the lights on Elizabeth that these will be similar to, they didn't come from any grant, or did they?

Mr. Blackwell said that's correct.

Mr. Cannon said that's correct right?

Mr. Blackwell said yes sir.

Mr. Cannon said okay they came basically from funds that we would normally utilize for basic infrastructure needs?

Mr. Blackwell said yes sir, that's correct as most of our light upgrades do.

Mr. Cannon said okay, these funds will be 64% coming from the federal government to offset the 100% that we normally would have paid like we did with the last lights on Elizabeth, correct.

Mr. Blackwell said that's correct.

Mr. Cannon said so we got a break in there somewhere sounds like, maybe. So it has nothing really to do so much with the streetcar as much as it does basic infrastructure needs that have been met in the past or that a precedence has already been set for correct?

Mr. Blackwell said yes sir.

Ms. Kinsey said well I just want to address, I think maybe it was a pure choice of words about these lights going in an upscale areas. That would not be my intent if I'm sitting around this dais and we start looking at street lights for the rest of the line, I would not want them, from Beatties Ford Road out to Central Avenue to look any different from what we are putting everywhere else. That's part of the streetcar look. So I just, that would never be any intention of mine. And I don't think it is from most of us on any other issue either but I would never raise my hand to that.

Mr. Barnes said but there are two funding sources for these lights.

Ms. Kinsey said that's fine and we've got the funding to go forward with this so we might as well go forward and do it right and then start working on the next leg.

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

YEAS: Councilmembers Autry, Barnes, Cannon, Fallon, Kinsey, Mayfield, Mitchell and Pickering NAYS: Councilmembers Cooksey and Dulin
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Item No. 33: Relocation and Adjustment of Utility Lines Municipal Agreement

Councilmember Autry said I just found this kind of problematic that we are subjected to the NCDOT project of widening Independence Boulevard. And we need to move the City's utilities out of the path of that construction. The project is having a very negative impact to commercial businesses along Independence Boulevard which is hurting the revenue sources for the city to perform such operations, but yet even though NCDOT it's their project and they are requiring us to pay for the moving of these utilities? I just find that problematic. The project is hurting the City's source of revenue by hurting these businesses. These businesses are moving either out into a different municipality further down 74 or they're closing up and going home and not coming back at all. But yet it's still on the city to pay for this project; I just am troubled by that. I understand that this is the way the world works; but I just needed to say that it hardly seems fair that we take it on the chin from the right hook and then have to take it on the other side from the left at the same time.

Mayor Foxx said tell me about it.

Motion was made by Councilmember Cannon seconded by Councilmember Fallon to (A) Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the NC Department of Transportation (NCDOT) for design and construction of water and sewer line relocations and adjustments in the estimated amount of \$4,750,803, and (B) Authorize the City Manager to approve the final pay request for the actual cost of the utility construction.
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A vote was taken on the motion and was recorded as follows:

YEAS: Councilmembers Barnes, Cannon, Cooksey, Dulin, Fallon, Kinsey, Mayfield, Mitchell and Pickering.
NAYS; Councilmember Autry.

The Resolution is recorded in full in Resolution Book 44 at Page (s) 96.

ITEM NO. 18: MAYOR AND COUNCIL TOPICS

Councilmember Mitchell said I have two, first let me thank everyone; Tom Murray and Mayor Foxx and all the colleagues who were in Boston for the National League of Cities, thank you for coming in. We made a presentation for the Congress of Cities to be here in 2017. I know going up to cold Boston wasn't the best city to go to, but I really appreciate everyone being there so thank you and it looks like if everything goes well we will be here.

Mayor and Council the other one is a little difficult for me but bear with me. I just have to say for the record because there's been a lot of, either on the news or printed media about a conversation that was supposed to have occurred between Mayor Foxx and myself. I just want to state for the record, Mayor Foxx has talked to me about streetcars, CIP, West Charlotte Basketball and the family. Mayor Foxx has never asked me to run At-large or my political aspirations. So I hope as we go to December 17th and we talk about the budget, let's make sure we concentrate on the budget and not this rumor out there, that Mayor Foxx has asked me to run At-large. I think we all, when we say we are going to serve the public we ask ourselves how can we serve the City of Charlotte and some of us choose to run the District and some of us choose to run At-large. But Mayor Foxx I just want to say for the record you have not asked me to run At-large, we never had that conversation but I do appreciate you trying to get us where we need to be on the budget.

Mayor Foxx said thank you very much.

Councilmember Mayfield said I had an amazing opportunity last week to visit Friendship Trays and also to spend some time in the Friendship Garden and they captured a pretty good picture of me looking at all the worms for our whole composting process. But Friendship Trays and Friendship Garden has this amazing elaborate wall filled with pins from where they are getting the food and the products into the community. So I just wanted to thank everyone that's over at Friendship Trays and the Charlotte Community Culinary School and Friendship Garden for all of the amazing work that they are doing especially during this holiday season. To make sure that all of our community has access to quality and healthy food choices. And I also wanted to let everyone know that on January 26 I will be having my third of my proposed four town hall meetings for my first term. It will be from 9:30 a.m.-12:00 noon so again Saturday morning January 26th at the CMC Steele Creek location which is 13640 Steele Croft Parkway. I invite everyone in District 3 out for our third town hall.

The meeting was adjourned at 7:49 p.m.

Stephanie C. Kelly, City Clerk

Length of Meeting: 3 Hours, 36 Minutes
Minutes Completed: May 10, 2013