

March 7, 2011
Workshop & Citizens' Forum
Minute Book 131, Page 685

The City Council of the City of Charlotte, NC, convened for a Dinner Briefing on Monday, March 7, 2011, at 5:25 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center with Councilmember James Mitchell presiding. Present were Councilmembers Michael Barnes, Jason Burgess, Nancy Carter, Warren Cooksey, Andy Dulin, Patsy Kinsey

ABSENT UNTIL NOTED: Mayor Anthony Foxx, Councilmembers Edwin Peacock III, Warren Turner

ABSENT: Councilmembers Patrick Cannon, David Howard

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ITEM NO. 1: ECONOMIC DEVELOPMENT AND TRANSPORTATION: URBAN LAND INSTITUTE (ULI) – ROSE FELLOWSHIP PROGRAM: PRELIMINARY PANEL RECOMMENDATIONS FOR INDEPENDENCE BOULEVARD

Ron Kimble, Deputy City Manager, said tonight we are pleased to give you more detail on the recently completed independent study that came out of the Urban Land Institute Fellows Program, and we have some great fellows here tonight to discuss that with you. You have the PowerPoint presentation in front of you, so you can refer to that. I'm going to call on Debra Campbell with our Planning Department, one of the fellows. She will be followed by Danny Pleasant, and then Secretary Conti is here tonight to address you and present some of the findings and recommendations, and then Jim Schumacher will wind up with the summary of the ULI report.

Mayor Foxx arrived at 5:28 p.m.

Debra Campbell, Planning, said the purpose of our presentation is to give you a little bit of background on the ULI, their panel recommendations, to provide you with a problem statement that Charlotte had proposed to the panel, talk about the policy context, the transportation context, which Danny will review, as well as into the recommendations and reactions and then our next steps.

First, to just give you a little bit of background in terms of the Daniel Rose Center for Public Leadership in Land Use. This is really an initiative by the Urban Land Institute to try to connect the public sector and the private sector for us to work on issues related to land uses, an opportunity again to provide particularly the public sector with access to a variety of people from across the country. They provide a panel of experts, and, again, they provide us with assistance on a particular land use issue. She began a PowerPoint presentation entitled, "Review of Urban Land Institute – Rose Fellowship Recommendations," a copy of which is on file in the City Clerk's Office. She said I would like to acknowledge our team coordinators.

Councilmember Dulin said would you ask them to stand, please?

Ms. Campbell said sure. She asked them to stand. She continued with the slide on page 3.

Councilmember Peacock arrived at 5:36 p.m.

She said what our plan did not do through the process was not reconsider the transportation planning decision. We didn't think that was in our scope. We were not directed by Council or anybody else to go and try to reconsider what should happen along Independence Boulevard, so that is not a part of what you will see in terms of recommendations for the Independence area. I'm not going to go into a whole lot of detail with this plan. Would certainly go into more detail at the Economic Development Committee in terms of what the specific recommendations are from the area plan, and with that I will turn it over to Danny.

Mayor Foxx said I appreciate both you, Ms. Campbell, and Mr. Schumacher, and our Secretary of Transportation, Gene Conti, for being willing to serve on this panel. I wasn't here at the outset and apologize. I was held over at a previous meeting, but ULI is in the business of looking at tough problems, and one of the tough challenges we have in our community is how we reinvent the Independence corridor in a way that is consistent with the desires of the neighbors and a way that is consistent with the business owners, in a way that is consistent with our land

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use plans and the vision we have for our community. I just want to thank you for the time you have taken as well as the ULI for this work, so jump on in.

Danny Pleasant, Charlotte Department of Transportation (CDOT), said I would say on behalf of the fellows that it has been an honor for all of us to work on this, and we thank you as a lead fellow in all of this for picking this project and picking us to help bring it forward, so it's been a project, and we look forward to seeing where it goes in September/October timeframe when we are finishing up the fellowship. Thanks to Debra for moving us along here. He continued the PowerPoint presentation with the top slide on page 8. I will look to Sec. Conti to talk about the State DOT.

Councilmember Dulin said, excuse me, Secretary. Welcome, sir. Can you go back one to the last map, Danny? This is a small point, but that has got me a little bit confused because I'm used to looking at the map the other way with Central being in its normal spot. I'm sorry. I'm glad I asked because I was turned around. What is the lower route underneath Independence Boulevard?

Mr. Pleasant said this is Monroe Road.

Councilmember Dulin said now I'm where I need to be.

Councilmember Turner arrived at 5:51 p.m.

Councilmember Peacock said a quick question and maybe Sec. Conti will comment on it as well, too. Could you go back to your bus slide and your recommendation on the BRT, the express bus? The question I was going to ask you, Danny, and CDOT or NCDOT is I view the bus as a choice for transit as being perhaps one of – I think probably one of the better opportunities in the country to innovate in and to make the experience more like a light rail. Are there some examples around the country where municipalities are really making that experience as close or as duplicated to a light rail experience or possibly a streetcar type of experience for the consumer, and for me it comes down to that actual stationery pick-up where you have drawn those big circles there on that map.

I'm imagining it looks like a light rail station. It feels like one, but you walk up onto and get on a bus in a very stationery path, but it can go off of that, something that would combine HOV lanes, the HOT lanes, park and ride, buses, bikes, bicycles, walking, pedestrian friendly type scenario on that. I would love it if staff could give us some more images like you have drawn there. I know those are just rough, but I think it does build a little bit more excitement around something that is much more realistic. Right now, I think the bus is the most realistic. We heard where streetcars current situation is under the half-cent sales tax, so I don't know if you have any comments or if you know of anything throughout the ULI studies about that.

Mr. Pleasant said to your point there, there are some bus rapid transit systems around the country that operate very well. Some of them stimulate transit-oriented development as well as light rail. I can think of Pittsburgh as one example that does that very nicely and elegantly. It gets tremendous ridership on it. There are others around the country. I'm not as versed in that as I could be, but I know it certainly exists. I think our aspiration for BRT here five or six years ago when we were developing the idea was to use the components that people like so much about light rail transit – the station areas, the reliability so you are not operating in traffic so you can count on that trip time being the same trip after trip after trip, year after year. So all that is what landed us on bus rapid transit. The implementation costs are quite a bit less on a per mile basis typically. You still use some of the structures and the station design that would be compatible with light rail, so it is a very good option that is used successfully in other places and certainly we have explored it and, in fact, recommended it here to do exactly the things that you are talking about doing.

Mayor Foxx said, Secretary Conti, I want to say a special welcome and thank you to you. I don't know that we have ever had an exercise quite like this Rose Fellowship, but to have the secretary of our state transportation department engaged with us and our staff in the course of it is unprecedented, and we thank you for your attention and for being here tonight.

Secretary Gene Conti, North Carolina Department of Transportation (NCDOT), said I will say that I was very excited when the Mayor called me several months back and invited me to be part of this. I have been a member of ULI for probably seven, eight years now and have admired a lot of the work they have done in other parts of the country on issues like this one – some very different from this one, but I view it as a very strong organization in terms of giving people ideas and options about how to move forward and continue to grow the economy but also do it in a way that is very sensitive to local needs and community needs. This was a very exciting opportunity for me to actually be part of something, and, of course, I enjoyed working with Debra and Danny and Jim on it, and we have had a great panel from other places that ULI helped us with to help us move forward. I'm happy to answer any questions. I will say that Nancy just gave me this streetcar pin, and I put it on because I rode a streetcar every day to high school in Pittsburgh actually, so I'm very familiar with streetcars and have a great affection for them. He continued the PowerPoint presentation with the top slide on page 14.

Jim Schumacher, Assistant City Manager, said my job is to kind of wrap this up and talk about the next steps – where the process goes. Keep in mind that this ULI process, the Rose Fellowship panel, they are not making any decisions for us. They are giving us an outsider's view, a fresh set of eyes on the existing plans that we have and helping us think through how we might adjust those plans to move forward particularly as it relates to that next six-mile segment of Independence Boulevard.

As Debra mentioned earlier, there are several processes that are moving along on parallel paths, and one of those is the actual adoption of the area plan for the Independence corridor, which was begun in May 2008, and if we can follow this schedule we will adopt it three years later in May of this year. That will be going through a committee process. It's actually scheduled for the ED Committee later this week on the tenth. It goes through the Planning Commission, public comment period before you on March 28th, and ultimately through the committee and back for your action in May.

You are also familiar with the transitional setback text amendment, which has had a hearing previously and is coming back on your zoning meeting this month for a decision on that matter, and that basically removes the transitional right-of-way or transitional setback requirements as the state project moves out Independence and is completed. The Metropolitan Transit Commission is certainly a prime player in this discussion.

The ULI recommendations to rethink the way we do transit at the policy level, of course, involves the MTC, and they will be getting the same briefing you have had here this evening at their meeting this month on the 23rd, and as we know, the 2030 system plan that they adopted back in 2006 call for, as was mentioned, BRT on this corridor. It also at that time included an amendment to the plan that said also retain the ability to upfit the corridor with light rail transit in the future. In other words, as the State may extend and widen the freeway portion of Independence, preserve the ability for LRT as well as for managed lanes. In 2006 when the MTC did that, the idea was that they would revisit that mode decision five years later, and 2011 coincidentally is five years later, so one subsequent step here would be for the MTC following this briefing to discuss how they will revisit that decision and to reconsider the bus rapid transit versus light rail transit actually on Independence Boulevard and how the other transit options, other street car options and bus options can fit with that and compliment that.

Again, as I mentioned, the Rose Fellowship is a process that is ongoing and will complete in October. The fellowship will continue to provide us some national level experts that will continue to check in with us over these coming months and help us try to chart a path forward to consider these different ideas. Debra and Danny and the Secretary and I are available here as a panel to address any further questions you have.

Mayor Foxx said I did want to ask whether the representatives from the area, Ms. Kinsey or Ms. Carter, have anything that they want to ask or say.

Councilmember Kinsey said I don't have anything right now, but I think Ms. Carter does.

Councilmember Carter said, first off, I would like to say thank you to Sec. Conti, to our Mayor and to our Governor for having that moment of pause before we went into the construction on

Independence. That really brought things together and allowed this process to happen, and it also saved those two center lanes as HOT, HOV, and/or as transit, so those were very important decisions made.

In mid-February, I attended the National Streetcar Coalition, and thank you for wearing the pin. This is important to all of us or most of us, and I do want to express what happens with the recommendations from that streetcar coalition summit. They were looking at the Small Starts and the New Starts programs and discussing four changes that are essential if we look at the streetcar to fall under these – looking at the mobility goals. When the streetcar is in motion, it passes probably through one zone and not several, and that's one of the criteria for qualifying for funding. Also, the speed of moving people. They don't look at efficiency as much as speed, so if we can reconvene the speed, the streetcar would then step up in prominence.

To redefine the criteria, which is discussed, to look at the quality of life of the neighborhoods around the streetcar stops, to look at the economic development, and we know the scale of economic development follows a certain pattern. If you look at bus rapid transit, that is probably the first tier of economic development. Multiply that by two, you get the light rail economic development. Multiply it by four, and you get the streetcar development along those lines. What they are saying there is that it is not transit-oriented development; it's transit-oriented district when you look at a streetcar, so it becomes the entire area; not just the nodes.

They discussed Buy America, which is the absolute mandated principle for this funding. Unfortunately the streetcar has a very specific rail, an asymmetrical rail. It's milled only in Europe and Asia, so what we were presenting to the Feds is a recommendation to pool for this rail and perhaps use that rail as part of the New Starts grant. So this is our Federal government working at its best. We already have a rezoning on Monroe that works to this principle of relocating businesses from Independence to make sure that the nodes are developed to put transit-dense housing along this corridor, and I think it's very viable.

I would like to make one suggestion. It might be more feasible and more appealing to the residents along this corridor if buses could enter into the expressways at those three stops. In other words, feed them in from the side. You get more of a feeling of ownership rather than having a stop, and that might save some of our expenses. It might be something we could look at. And, then to let this parallel, we had the ULI study on Eastland as well as the ULI study on Independence. This is the time that we can marry them both. If you put the streetcar in on Central to Eastland, then swing it over to Monroe, you have a real chance to rejuvenate the east side, and I cannot tell you how appreciative those residents would be.

Councilmember Dulin said two questions, Jim. There were a lot of conversations about Senators Clodfelter and Ruccho when we were doing setbacks. Are they pretty well together about BRT or whatever we might be doing. They won't be together about that. Are they at least talking?

Mr. Schumacher said I might defer to Ron.

Mr. Kimble said I know on the transitional setback that they are together on that issue. I think we are going to have to approach them and make sure that as we flush out this particular process because this is a creative solution, and it has a ways to go, and I think there will be plenty of touch points including those persons in order to make sure we move forward in a harmonious way, not an adversarial way.

Councilmember Dulin said good, that's important. One more. Nancy, you just mentioned, and I thought about this the other day. The streetcar rails are made in the U.S.?

Councilmember Carter said, no, they are not.

Councilmember Dulin said none of them?

Councilmember Carter said, no, they are no longer milled in the United States. That's a good business for us though.

Councilmember Dulin said do the streetcar and the light rail – they are not spec to the same rail?

Councilmember Carter said no. The streetcar has that asymmetrical so it protects the bike riders, and they don't insert their tires in this rail. The light rail is a "T" rail, which is very different and would offer a great risk to our bike riders.

Councilmember Dulin said I'm going to ask a question about the streetcar rail that we have already laid on Elizabeth, but it looked to me like there is a gap in there. Is the streetcar rail that we have laid in Elizabeth spec to the streetcar that we would put up Trade Street?

Councilmember Carter said, yes, it is.

Councilmember Peacock said, Mr. Schumacher, I have heard and this is comments also, I guess, to Ms. Kinsey and Ms. Carter. Perhaps you have heard or other colleagues have heard, I have heard people from east Charlotte say to me we don't want another study; we want action. We want something to happen here. So, what happened on the March 3rd Citizen Advisory Meeting? It seems like you had a public comment session already. What kind of reactions are we getting for the ULI study? Is it similar to what I have been hearing or are they just –

Ms. Campbell said I'm going to look to Alicia to make sure that I get this accurate. If I don't, then I'll make her come up and respond. Alicia is also the project manager for the Independence Boulevard Area Plan. At that meeting, what we heard was fairly positive feedback from what the ULI panel had recommended. We were very cautious in terms of heightening expectations. We were saying here's a recommendation, and it has a long way to go before this is Council-adopted policy or MTC policy or MPO policy and all of the different bodies that have to act on a recommendation of this magnitude. But from what we heard, there is fairly positive response and reaction from the panel recommendations, but they also realize and understand that there is a long way to go. What they are most concerned about, again, if I miss this, is getting the plan adopted. That is kind of their first priority right now.

Councilmember Peacock said the area plan.

Ms. Campbell said the area plan.

Mr. Schumacher said if I could add to that. I think if I were going to describe the Rose panel's view of making something happen their observation was one of the things that is holding you back from things happening is the uncertainty of the corridor, that the uncertainty about what the transit choices are and the uncertainty to the NCDOT of how to continue the road upgrade is an impediment to making things happen and getting some of that uncertainty resolved will help you then with those other initiatives.

Councilmember Carter said will this summary be available electronically? Can we access it?

Mr. Schumacher said we can make it available to you in any form – on the Web site.

Councilmember Carter said on the Web site would be outstanding so I can direct eastiders to this. I am planning a district meeting on this topic, so hopefully we will get a set of responses.

Mr. Kimble said also in the audience tonight is our district engineer, Barry Moose, and I certainly want to thank him from a staff standpoint and for the Council to acknowledge his presence here tonight. He has been really great to work with, very creative on many of the solutions in our community.

Mayor Foxx said thank you, Mr. Moose, good to have you here. I have a couple of questions and hopefully it will be fairly contained. How does a HOT lane with bus rapid transit compare from a mobility perspective, and I'm mainly talking about travel times versus a dedicated bus rapid transit lane? Is that too myopic to focus on travel times – what other benefits are there for comingling?

Mr. Schumacher said Danny can speak to it better than I, but the very basic concept of a HOT lane is that there is dynamic pricing of the toll so that you control how much demand there is, how many vehicles are using the lane, keep it free-flowing. That means when the bus uses that

lane it has a very predictable schedule -- as Danny mentioned earlier, the same schedule day in and day out.

Mayor Foxx said, secondly, have we analyzed the cost difference between bus rapid transit with two streetcar lines running parallel? First, there is light rail transit down Independence.

Mr. Schumacher said we have not, and I would expect that is some of the work that the MTC will ask us to do as we go forward. Certainly one of the advantages of using the HOT lanes is that those HOT lanes would come through the highway construction, so we really get multiple use of those dollars. You have vehicles that are able to use those lanes as well as the transit in a bus form, and infrastructure can be put in place with the cost embedded in the cost of the roadway project.

Sec. Conti said we will work on trying to make this money as fundable as possible so we don't get stuck in the stovepipes, but one of the benefits of following the lines of the ULI approach is right-of-way costs, and if you look at that project we are building now -- \$172 million -- I think 90 of it is right-of-way, so if we could reduce that footprint through looking at the HOT lanes approach, we may save quite a bit of money on the highway side and may give us an opportunity to do something else with that money.

Mr. Schumacher said that remaining six-mile gap the existing right-of-way gets wider along the area of Conference Drive and Harris Boulevard on out. The existing right-of-way is wider, so it's possible that a cross-section as the ULI recommendation talks about could be incorporated mostly, if not completely in the existing right-of-way, which substantially affects the overall costs of the project.

Mayor Foxx said, third, and this may be something that needs study as well, but the mechanics of using toll funds to support the infrastructure that has been contained in here. I don't know what the thought would be there, but one of the recommendations of the ULI panel was that the funds that come in through the HOT lanes be reinvested in some of the things including the streetcar, so is that even a possibility remotely to talk about, Mr. Secretary?

Sec. Conti said, yes, I think you see around the country HOT lanes essentially being used to fund the construction and operation of the lanes themselves. If there is any surplus, a lot of communities have used it to support transit options in that corridor. There are different ways to structure it, but you have to look at revenue generation to make sure that you are covering as much of your costs to construct lanes in the first place and see what surplus you might have.

Mayor Foxx said the last comment I will make is that one of the things that I took away from this exercise was, first of all, I think the staff and the ULI study team did an amazing job of digesting a lot of feedback and input from the community in a very short period of time, so I think it was phenomenal piece of work from that standpoint. But, one of the things they said was this is a package deal. I remember that phrase being used, so you take any one component off the table, and the house of cards doesn't quite hold up as well. So if it's the parallel streetcars, if it's bus rapid transit, if it's trying to create more local uses on Monroe and Central and using Independence for larger scale retail, I mean it all sort of fits together, but I think one of the really difficult questions is going to be how do you make it a package deal in this kind of revenue environment and concretely what is the implementation plan, and that's a charge that I have put to these very smart people is to help us figure out not only conceptually what should happen but actually how do we make it happen, so I really look forward to what you all come back within the next few months.

Councilmember Burgess said I just wanted to echo Ms. Carter's concerns about having the stops in the center if it ends up being a bus rapid transit. I spent a year in Chicago, and where I dropped off at work was right in the middle of the highway, and it was very loud and very dirty and very windy, so that's just a consideration. I know it would be difficult to get the bus from the outside to the inside also, but it's just something I should echo what Nancy was saying.

Mr. Schumacher said one thing that we have talked a little bit about is it may be possible to take a lane up at those crossings like Sharon-Amity. The project the state is building is designed so that the center section widens out to allow for a stop in the future, so that might provide for a

stop or a ramp that would take the bus up to where the cross street is – a little friendlier environment, perhaps even to get on that cross street and get to a park/ride lot, then come back and get back on a HOT lane to complete their trip. There are some options to work on there.

Mayor Foxx said thank you for your work, and this continues on through October, so still a few more steps to go, but you have done some great work and thank all of you for your hard work there.

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ITEM NO. 2: COMMUNITY SAFETY: SIX-YEAR CRIME TRENDS

Mayor Foxx said we also tonight will have an update on crime trends, which our chair of Public Safety will introduce this item, but we have six-year crime trend statistics here. Mr. Kimble, do you want to say more?

Ron Kimble, Deputy City Manager, said you have the PowerPoint presentation in front of you. There are also, I think, a couple of charts and graphs, and Deputy Police Chief Kerr Putney, Charlotte-Mecklenburg Police Department, is going to make the presentation to you tonight.

Deputy Police Chief Kerr Putney, Charlotte-Mecklenburg Police Department, said before I get started I would like to first take a moment to thank the Mayor and Council for your support over the last week for the CMPD family for the loss of Officer Thornton. That is greatly appreciated, so on behalf of Chief Rodney Monroe and the CMPD family I would like to thank you for that support.

Now, for the good news. First of all, I was here in 2007 when I was trying to explain to people that the current year's increase was lower than the previous year's increase. That was a difficult conversation. Tonight's presentation is going to be a lot easier on my part. First, I would like to talk about how we actually look at crime. We look at crime daily, weekly, every 28 days, we measure it by the quarter and obviously by the year, but a better measure of whether or not your police organization is looking at the trends over a few years, in particular over three years. That's kind of what we are going to do tonight. The issue with looking at it year-to-year is you have a variety of factors that come into play with crime that can't be accounted for. He began a PowerPoint presentation entitled, "Six-Year Crime Trends," a copy of which is on file in the City Clerk's Office.

Councilmember Barnes said could you go back one slide for me?

Deputy Chief Putney said I can try.

Councilmember Barnes said you may have covered this, but can you explain the downward trend at the end that we see from the end of last year to the beginning of this year?

Deputy Chief Putney said, yes, what you are going to see is as we move forward that goes back up. It goes up and down as activities will. It spikes at the end of the year because we are preparing for the Christmas season, and then you will see another spike right in the middle of the summer time, so that's just a normal progression, but what we see distinctly is over a three-year period we are going up significantly consistently having a lot more positive engagement.

Councilmember Barnes said so there is no systemic problem?

Deputy Chief Putney said, no, sir, just activity. Our mission is still crime prevention and partnerships. This is the way we want to prevent crime. We want to be there before it happens, predicting where it might happen, and putting our people there talking to people to prevent it.

Councilmember Peacock said can you define officer initiated citizen contact again?

Deputy Chief Putney said, yes, sir. It can mean an officer on the street who is in your neighborhood for burglary prevention, and we have had two or three burglaries in that neighborhood before, so we are pushing them out there surveying the neighborhood, talking to

obviously the victims, who have already been victimized, and knocking on doors explaining what caused those crimes before, what contributed, how they might have come to occur so we can prevent any more in that neighborhood. So those kinds of engagements are things we are capturing.

Councilmember Peacock said so each officer that knocks on the door of a neighborhood once a larceny by auto occurs they are tracking that and they report that back in their report?

Deputy Chief Putney said absolutely. What they will do is make a complaint number. I knock on your door. I'm going to document that I have spoken to you, done a survey, talked about crime prevention tips and all that so that we track those encounters, yes, sir. He continued with the slide on data driven strategies.

Councilmember Dulin said two years ago in our budget we were working hard to get some more crime analysis, and if I remember correctly, these crime analysis – I don't think they are sworn; I think they are civilians. They show up for work in the morning, and they log onto the computer, and they see where all the crime has happened overnight or in the last shift, and then they send our folks out or they report to the sergeant or the captain, and the captain sends his people out.

Deputy Chief Putney said, yes, sir.

Councilmember Dulin said how are we doing on crime analysis this year. With budget season coming up, that would be – if you need some more, I would like to get them for you.

Deputy Chief Putney said I can tell you, sir, we are in pretty good shape right now. We have a total of 18 total -- every division. What we have done is partner divisions, so like Metro and Freedom will have at least one, sometimes two, sometimes it's every division – our goal is to get every division to having one, but we don't have that many currently. Is there a greater need for crime analysts? Well, as we move into intelligence, probably so. Right now we are in very good shape as it relates to our crime analysts. He continued with the slide on priority offenders.

Councilmember Carter said if you could please pass along to the force our appreciation for your support for the Court Watch. They have been working very hard in partnership with you all, and you have done a wonderful job partnering with them and letting them partner with you looking at the crime offenders.

Deputy Chief Putney said, thank you, ma'am. We will work with anybody who wants to focus on the right people. He continued with the same slide.

Councilmember Dulin said same question about staff for the electronic monitoring folks. That's a non-sworn CMPD employee. How are we doing with them?

Deputy Chief Putney said actually our crime analyst who supports EM is non-sworn, but the officers are sworn, so the officers making contact with the people on EM are sworn.

Councilmember Dulin said the EM monitors are not sworn, and they are different than the crime analysts.

Deputy Chief Putney said the monitors are the electronic monitors that we strap on their ankle, and the people who go out to strap them on and check in on the people are sworn, but our analysts who correlate the positions of the criminal are civilians.

Councilmember Dulin said are we fully staffed there?

Deputy Chief Putney said, yes, sir.

Councilmember Dulin said I didn't do a good job of asking.

Deputy Chief Putney said, yes, we are. Our need constantly is the number of monitors that we have because we are up to 280 people that we are monitoring right now, and 596 are in jail awaiting monitors if and when they get out.

Councilmember Turner said I think it's important we touch on the bases. I think you touched a very important point here, and I want to make sure we get that. When you indicated that three years ago -- the Sheriff was basically telling us two and a half years ago -- there was no room in the inn.

Deputy Chief Putney said, yes, sir.

Councilmember Turner said our crime was up, the courtrooms were full, and in implementing these different strategies over the course of three years -- two and a half to four years -- that we have seen happen here, you have seen a drop in the arrests at the jail where criminals are being detained or suspects. We have seen a drop in your crime and criminal offenses that have occurred in many areas that you have pointed out here. I want to touch on the basis that I think also the rehabilitation process that you all have been involved in more publicly in that aspect. Just because somebody is on a monitor doesn't change their behavior. It's what is going to happen between those points of arrest, monitor, and waiting to go to court. Even those that are continued on maybe get probation or the court finds some other means to deal with those individuals.

My point here is that I think it's important that the citizens understand that there is not one particular thing that you all did, but it was a lot of little things that people are doing now that we believe have a direct impact and we can see it in the numbers. I think one of the points where we talk about you can take it and correlate it with each other is that the jail is not full because we have seen a reduction of those people that are being monitored. We obviously have to believe that we are changing some behavior here, and those we can't change actually are in prison -- not waiting to go to jail. They have already been sentenced.

Deputy Chief Putney said absolutely. And, the point I made earlier about habitual felons. When we get you at habitual, you are gone for a number of years, so you are out of play. You can recidivate and go against our numbers that way. The other thing is we are looking at the people who deserve our attention. As the Chief likes to say, we are not going to throw our net so wide that we are getting a lot of good people in that net who are clogging up the system. We are trying to be strategic about who we go after and how we go after them. So, there are a lot of things that go into play and a lot of different components to the overall strategy that are having the impact, but you are right, yes, there are a number of things we do. To your rehabilitation, we are partnering with people like the Urban League, who can give people the job skills. Again, if people want to stop committing crime, get a job and contribute to the tax base, I'm all for it. Those are not going to be people that we target, and we are partnering with people who can provide those programs. Yes, sir, there are a lot of things there.

Councilmember Turner said one other point, if I may, Mayor. The fact that we know when you went after the gangs that they were a large portion of certain crimes that were occurring that we had seen a tremendous spike in. Since we have targeted those gang members, would you say that has also removed certain areas of crimes that we saw high spikes in?

Deputy Chief Putney said absolutely, in particular robberies. We were seeing a lot of groups of people get together to go out and commit robberies, and when you start dismantling those groups, which is another target, which is another priority for the Chief under the Chief's policing strategy, that is exactly what happens. You are starting to break up those groups, those gangs, and you are changing the way they behave, and you are also taking away from them some of the tools they are comfortable in. You are taking away anonymity, so, yes, that is a part of it as well, sir. He continued with the slide on specialized units.

Councilmember Carter said we have two pieces of legislation that are currently before the State Legislature, and we are supporting those regarding firearms. There is one to allow people to take firearms into restaurants and parks, and then another one to be more lenient about those who take their firearms to their business, and I think we have seen how effective non-possession of those firearms is, so I think our support of you all would be to oppose these two bills in our State Legislature.

Deputy Chief Putney said thank you, and what I can tell you is the difficulty is what that bill will mean for Charlotte, and all I can tell you is we prefer bad guys not have guns. How you move on that I leave up to this body, but we prefer that bad guys not have guns.

Councilmember Dulin said on those two issues is one of the things that is good about this Council. We don't agree on everything, but I agree with you bad guys should not have guns. The 2nd Amendment of the Constitution says good guys can. I just want to get that on the record.

Deputy Chief Putney continued with the same slide.

Councilmember Kinsey said several years ago I know we needed some new helicopters. I haven't heard anything lately. Did we refurbish the ones we had? Did we get another one?

Deputy Chief Putney said I think we are looking at other avenues about how we fund some of the larger ticketed items, so that need has not gone away. We are just looking at how we might be able to better fund that.

Councilmember Kinsey said but we are still using the same two that we have had.

Deputy Chief Putney said, yes, ma'am. The issue is about two years down the road the big repair costs hit us, so that has not changed. He continued with the slide on supportive services.

Councilmember Peacock said does that also relate to DNA?

Deputy Chief Putney said, no, sir. I'm sorry, only priority cases, yes; but all DNA, no, sir. Again, we are working through DNA because we have the analysts in place, but to get to that deluge of DNA with the new laws we are getting more and more DNA samples there is still quite a bit of DNA to go through, but all priority cases DNA and otherwise we are turning around in a couple of weeks.

Councilmember Peacock said I wonder if you could provide – in the Public Safety Committee several years ago we looked at where the shortfall was in the DNA. If you could give us an update on what we have funded there and what the current backlog is. I think you said it's not on the priority cases, which are obviously rape, murder. I remember what my original impetus in referring it to the committee was about was Department of Justice study that was showing the connection between using DNA as it relates to property crime to be able to then get to the bigger offenders because it was frequently the person who was committing the serious crimes was also committing obviously the smaller crimes as well, too.

Deputy Chief Putney said, yes, sir, and I will get that update for you. What I can tell you is our priority has shifted now. We are having a lot less people do the violent offenses. They are focusing mainly on property offenses because it's harder to catch them. They generally might get less time, so the DNA for property cases are becoming our higher priorities as well, but I will update that. He continued with the slide about precursors to crime.

Councilmember Kinsey said I have had several people ask about the rental property and the information. How quickly can we get that because some people wonder why we haven't gotten it already – constituents.

Deputy Chief Putney said we have some preliminary information already. The formal update will come from Major Anselmo in about a month, but what I can get you is just the updated information about how many counseling sessions we have had, how many apartment complexes and managers have been affected. I can get that information pretty short.

Councilmember Kinsey said that would be great.

Deputy Chief Putney said we can turn it around in about a week.

Councilmember Peacock said when you are pulling together those figures, and you may have it already included in that, I'm particularly curious about the two positions we did fill for that, what the final breakdown of the pay actually ended up being for those two individuals. These were

two non-sworn officers, and then the second piece would be how are we doing on the revenue collection for that. The idea behind the rental property ordinance was it was going to be able to generate its own revenue stream and pay for these individuals. I'm just curious how we are doing in the collection of the revenue on that, and those were driven primarily by fees but we are going to be paid for by the top tier offenders. The final component to that and maybe – possibly might be where Ms. Kinsey is coming from – I don't know, but I have heard a lot of people asking how do I get off that list. I got on it; how do I get off, and what is the clear line of getting off of it.

Deputy Chief Putney said that is a very good point, sir, and that is one of the things we want to update you on. We think the issue is sometimes when we start with fiscal year we are looking at old data where people have made changes over the last three to six months, and they are still basically being penalized because the fiscal year – they have made changes in the fall, but they won't get credit until next June, so that is one of the things we want to update you on, and we'll have that information. He continued on with the slide on law enforcement partnerships.

Councilmember Dulin said is Coplink going to be public information?

Deputy Chief Putney said it will be considered intelligence, sir, so it would not be public information. He continued with the slide on citizen partnerships.

Councilmember Dulin said that ought not to get by us without at least and acknowledge that February 2011 was the first month in Charlotte-Mecklenburg without a homicide in decades.

Deputy Chief Putney said since 1985.

Councilmember Dulin said since 1985 a first murder-free month. Now, that's too bad that is such a big deal, but that is a big deal for this community. I heard that stat last week. As a matter of fact, Councilmember Cooksey was the first person that told me about it. I think that's a big deal, sir, and I wanted to make sure one of us said that, so thank you.

Councilmember Burgess said I just have a quick question. I wanted to share my experience in 2005, and you tell me if it would be different in 2011. We had a car stolen from the back of my house from the key that was left in the back seat. We caught them the next day with several of my neighbors' belongings in the back of the car. It was the guy's sister who was driving the car who had a small child at home, so she didn't want to go to jail. At that point, the DA said we don't prosecute key thefts, and that was it. He was actually transported to another county where he had a warrant for his arrest, so he did go to jail, but it had nothing to do with either the theft of my car or the theft of the things in the houses of my neighbors.

Deputy Chief Putney said your question is would that be different in Mecklenburg County now?

Councilmember Burgess said yes.

Deputy Chief Putney said what I can tell you is that would be a question for the new DA, and I suspect his answer would be yes, but I can't answer for him. We have had a lot of good conversations about those very things, and his commitment is he wants his people here answering those questions, so all I can tell you is I trust in him that answer would be things are different now, but I can't really speak for him.

Mayor Foxx said clearly if there is a record of recidivism of the individual in question that is being treated very specifically with the work between our department and the DA at this point.

Deputy Chief Putney said absolutely.

Councilmember Barnes said I wanted to ask you a question regarding the precursors to crime slide, and it has most specifically to do with the North Tryon corridor, which Councilmember Kinsey and I share. Since I have been on the Council, we have had a number of challenges along that corridor regarding all sorts of activities. I have spoken with our code enforcement recently, and they continue to have a number of significant challenges along that corridor. We have invested in an area plan that covers the portion of North Tryon Street south of Sugar Creek Road,

and there is other planning impacted primarily by the proposed future Blue Line extension that will impact North Tryon Street going north towards University City.

The reason why this slide grabbed my attention is because of the collaboration and partnerships that you reference because a number of the entities that are causing some of the challenges that I'm speaking of would be a part of this. There is one that is left out, and that is the 80+ used car dealerships. What I would like to know, if you can provide me the feedback, is the sorts of strategies we can put into place to address the various causes of public safety challenges along that corridor from essentially District 4 down through District 1 to uptown. If you drive the corridor, it's fairly easy to see how and why some of the activity occurs, but I want to find a way to put a stop to it because during my time on the Council I have seen some things not change, and I think we need to start actually getting a handle on it. That is one of our high priority business corridors, and we are not really giving it the attention from a safety perspective that I think it deserves in terms of actually putting a stop to a number of the things that are happening. So, you don't have to do that now, but if you could get some information back to me.

Deputy Chief Putney said absolutely. I would like to delve more into exactly what those things are, but, yes, sir, be more than willing to have that conversation.

Councilmember Mitchell said I have four quick items. The first one is to me you left out part of the outreach plus the North Division doing email blasts. It has been very successful that when they do their shift they send out a nice email to neighborhood leaders talking about some of the challenges and some of the hot spots, so if you can include that because that has been a very successful reach, too. Secondly, thank you for your partnership with NorthLake Mall. That mall has really changed. People now are coming back feeling more comfortable to shop. I think it was a great collaboration working with the mall to make sure the curfew was enforced as well as some other changes you made.

Let me ask you a question about CMS because I know the challenge we have is kids are suspended. Each school has their own in-school suspension policy and some work better than others. Could you elaborate? Is that working better – kids are suspended; they are not out in the community, or are we still having challenges from various high schools?

Deputy Chief Putney said the challenges we see are people who actually go to school and then leave, so they are skipping school. Our strategy for attacking that is having our truancy officers go out, find the kids, and bring them back to school. The in-school suspension we don't have a great deal of contact with that. All I can tell you about is our strategy which is more truancy than in-school suspension.

Councilmember Mitchell said last thing. This could be just a great opportunity. I know the North Division is doing a great job of having neighborhood leaders coming together on a quarterly basis to talk about crime watch. I think the apartment association -- Councilmember Barnes and I have a lot of apartment development in Districts 2 and 4 that the North Division oversees, so if you could start the same discussion with the apartment association because I think there are unique challenges there that are different from residential. I think it would be a plus.

Deputy Chief Putney said what I can tell you is North Division and University City already have that type of initiative underway. That is the initial stages, but we are starting to have those conversations. The issue is competition sometimes – getting people to understand if I have the same standards meaning background checks and everything else and you have those standards competition is better than me allowing anybody to come in when you have those standards, but we have already started some of those conversations.

I would like to touch on the emails. You are exactly right. What we are seeing is we are getting people the information the way they receive it. A lot of that is email blasts – not so much the telephone calls, so a very good point there. And, the mall, I wish we could take credit for it. You know what, we'll take credit for it, but really in all honesty the owners did that, which is back to Councilmember Barnes' point. If we can get the owners of some of the businesses to work with us we can be much more effective, and that's exactly what happened at the mall.

Councilmember Kinsey said about the time our crime started going down I read – it was either in *The Observer* or *The Times* – that crime was going down around the nation. Is that trend still holding true, or are we doing a whole lot better than everybody else in the country?

Deputy Chief Putney said both. Truly, at the same time we did see trends going down. What I can tell you though is those trends started in late '06 and through '07 when our trend was up, so there wasn't the specific impact in Charlotte that correlated with what was going on nationally. Now it is, but ours is still more dramatic than most crime across the country.

Councilmember Cooksey said appreciate you being here with the report, Chief. What I want to highlight is I noticed that the CMPD Academy process had changed. I graduated from that in '08, and I see it's kind of opened up to make it a little more accessible. Appreciate that. I'm doing my bit to advertise it to folks, and I hope others do as well.

Deputy Chief Putney said Citizens Academy?

Councilmember Cooksey said, yes, Citizens Academy. First session starts next Tuesday, but you have a two-year process to go through it. When I did it, you had to do it in like three months every Tuesday and Thursday, and that was kind of rough, but it's a great thing, and I appreciate that you continue to do that and hope that it is leading to more volunteers especially citizens on patrol.

Deputy Chief Putney said it is, sir, and the reason for the changes – we got the feedback. We heard you loud and clear. Everybody wanted to take more time to get more out of it, and that's what we are trying to accomplish. That concludes my presentation.

Mayor Foxx said just a couple of comments from me. The numbers you showed of the officers that we added to our police force the past couple of years I wanted to reflect on that based on that based on your opening comments because we lost a great man last week in Fred Thornton, and I want you to know and convey to the Department that we know how critical the work is of our Police Department, and our officers are not data points to us; they are people, and that was very apparent last week during the ceremony that you all are husbands and fathers and mothers and all kinds of other things in addition to being police officers, and we greatly appreciate the service that you give to us.

The second point that I wanted to ask you about a little bit is in the context of community engagement and going out to communities what are you hearing about youth? Are you hearing neighbors express any concerns about youth?

Deputy Chief Putney said, well, yes, sir, and another prime example about that is I was talking to Eric Campbell just earlier about the great event at CIAA, but the only issue with that event was we had groups of youth who would congregate and yell different things and then run as a group – just causing panic for lack of a better word. That is the kind of behavior that we are constantly hearing about from the community. Our issue with it is we talk about curfew and everything else, but when they are doing that at 7:30 and 8:00, they are doing it at a time where – to be quite frank with you – it would be a lot better if parents were involved in breaking some of that up so the Police wouldn't have to because our curfew doesn't kick in then. So that is the concern. They are of an age and doing the behavior that is not quite criminal but still is a nuisance to the community. Those are the kinds of issues that we get surrounding the youth.

To your first point, sir, I think you have already demonstrated – you and Council have demonstrated how much you care and how much you appreciate and support the organization and the CMPD family and Fred Thornton's family thanks you.

Mayor Foxx said we appreciate your report.

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**ITEM NO. 3: HOUSING AND NEIGHBORHOOD DEVELOPMENT:
NONRESIDENTIAL BUILDING CODE ORDINANCE UPDATE**

Ron Kimble, Deputy City Manager, said it's almost been a year – it's been ten or 11 months, and we thought we would come back and give you an update report on the success of the nonresidential building code, and Walter Abernethy from Neighborhood and Business Services is here to make that report for you tonight – another good news story of action that Council took about a year to 18 months ago.

Walter Abernethy, Neighborhood and Business Services, said I'm really here tonight at your request. You did ask us to circle back with you a year later, and this is good news. I want to talk to you about the nonresidential building code. My presentation really is divided into two parts. One is just a refresher. You have seen some of the stuff that you are going to see. The second part will be more interesting to you. I'm going to walk you through about four or five cases that you'll find very interesting – I hope you do – in the context of the nonresidential building code. He began a PowerPoint presentation entitled, "NonResidential Building Code Review", a copy of which is on file in the City Clerk's Office.

Councilmember Kinsey said just a point of clarification. There have been none that are listed on the local historic.

Mr. Abernethy said correct.

Councilmember Kinsey said there have been old buildings that –

Mr. Abernethy said there have absolutely been old buildings.

Councilmember Kinsey said some of us think are historic. They aren't designated, correct?

Mr. Abernethy said that's correct. There have been no designated historic landmarks brought for demolition to Council. He continued with the bottom slide on page 7.

Councilmember Mitchell said thank you, Walter. You are exactly right. I was going to bring up that site, and Seversville and Eleanor Height are very appreciative of your efforts, and it has allowed them to fill out. That community now has a rebirth to it, so thank you.

Mayor Foxx said, Walter, one question about the historic preservation issue. Is there a mechanism currently within our practice to examine the historical significance of properties that may not have the designation? I mean if there is a possibility that a site may be considered historic is there a practice or procedure that is there to communicate with the Historic Districts Commission?

Mr. Abernethy said we actually have sat down with them and are meeting with them fairly regularly now -- Dr. Morrill. The study list that we agreed – not only do we have their list of ones that have been already established historic, but we have their study list, too, so those are the ones you are talking about that may have historic significance but they just haven't gotten there yet, so we have that plugged into our system so if we get ready to go out and look at one, say, from the fire department or police request, it pops up, and we have an agreement with them to notify them prior to going out, so we think – plus we do talk to them about other buildings that are in that same general category. A good example is Seigle Avenue. We sat down with them and talked about Seigle Avenue and actually asked him to go out and look at it before we started down the road with Council on that. So we think we have really worked out a really good working relationship with them. We are on the same page in terms of preserving those buildings, and we are not about the demolition. We really want development, repair, and refurbishing the buildings.

Mayor Foxx said for Council's benefit on that point, Mayor Joe Riley of South Carolina – I don't know if you all have ever seen him do this presentation on historic preservation, but he did it at a Mayors Institute of Design that I went to a few weeks ago, and I have asked him to come and do that for us. I think it would be kind of interesting for us to hear from him on some of the things they are doing down there. He is zealously protective of historic properties. I think it would be at least an interesting conversation for us, so we will try to get that in the queue at some time.

Councilmember Dulin said, Walter, thank you for your presentation. I remember when we asked you for the one-year look-back. It seems like yesterday, but I appreciate it. I'm only speaking for myself here, but I think the other Council members will agree that when we go through our In Rems during our reading over the weekend, some of them are just God awful. I look at it and look at some of your numbers that you run on them – cost to fix, etc. It's easy to tear those down. Some of them every now or then I will write – one or two a month I will write savable question mark, and sometimes we discuss those and sometimes they just go on and go down, and Council has not shown any appetite for some guy showing up from Miami the night of the meeting saying, hey, I just got in. I want to buy this property tomorrow. Sorry, partner, enjoy your trip.

But the Seigle Avenue Presbyterian Church deal was one that I really this Council got together on and at least me. I have my fingers crossed that deal will work out for everybody, and I know once it gets to us it's a year down the road, but somehow that thing got to us, and I'm glad we were able to get our brains wrapped around it enough so we could save it, and I really do hope that guy can make something out of it.

Mr. Abernethy said that's really a good example of the ordinance working. If I told you the conditions inside that building before we inspected it and the danger that building posed to people living in that neighborhood. I'm excited by Mr. Brown. He's the new owner.

Councilmember Dulin said he's the young fellow?

Mr. Abernethy said yes. He is supposed to close today. We have written out an agreement for him that he is going to be at your direction that he is going to have to follow, but that building I think is a prime example of how this ordinance works because without question the vagrant activity, the crime around the building, some of the other stuff that was going on on the adjacent lots, it was real problematic. In a real nutshell, that's why you passed the ordinance is to address things like that, so we are tickled to death that if he fulfills his end of that agreement, and you guys did a great job of considering that one.

Councilmember Dulin said, Patsy, as much as you travel around to different churches, my guess is you have worshipped there.

Councilmember Kinsey said I have.

Councilmember Dulin said and it must have rocked when it was really going.

Councilmember Kinsey said it did, and I worshipped at Caldwell Memorial yesterday, and it rocked, too.

Mayor Foxx said I worship at Myers Park Presbyterian, and it rocks.

CITIZENS' FORUM

NORTH CAROLINA UTILITIES COMMISSION

Stanley Coleman, 2165 Belle Vernon Ave., said, Mr. Dulin, my Commissioner, knows a few of these issues. He helped us a few years ago. Three minutes, as you know, is not a lot of time. I spent about seven or eight hours yesterday trying to get it as tight as possible. Utterly failed – it was five minutes and incomprehensible, so here's the part that you really need to know. The North Carolina Utilities Commission has assumed regulatory control over portions of the Charlotte-Mecklenburg Utilities designated service area, and to the best of my knowledge, there are only two communities in the state that have been affected in this way. Both are within the service of CMU. I believe, and pardon if I'm repeating myself, but I believe this happened without your knowledge and without your consent. What this means is that for some residents of Charlotte you can no longer influence household consumption patterns, and you don't get to decide when the water service will be cut off, which can be as soon as ten to 20 days after one missed payment, and that's a public health issue. There is also the economic impact. It ends up being like a 355% markup from the City services that are purchased, and right now we send

about \$200,000 a year to a Pennsylvania company. It leaves the local economy and would be pocket change in spending money, and we receive no comparable service in return. Now, at the current rates when my community is completed, that will be \$1 million per year. Now, Charlotte can handle losing \$1 million a year, and you can also handle losing regulatory control over 1,000 homes, but if it happens again – four times, five times. It starts to add up. You have several thousand homes, and it could mean several million dollars in the future. So here's what I'm asking. Just keep it from happening again. I believe you have the clear power to do that, though I don't think the precedent has ever been set. Second, please call the state officials with whom you are in close contact. Research it first and make sure I'm telling you things squarely and express your concerns because this could have importance not only to Charlotte, to municipalities all over the state. Third, research issues and consider challenging the precedents because once you surrender the regulatory control it will be very difficult to ever get it back.

Mayor Foxx said can we get more information on that, Mr. McCarley?

DeWitt McCarley, City Attorney, said, yes, sir. I'm going to guess that this is a wholesale sale of water by CMU to –

Mr. Coleman said that's correct.

Mr. McCarley said we'll be glad to look into that and give you a report back. We might characterize it slightly differently.

Mr. Coleman said what is different here is –

Mayor Foxx said all right, sir.

Mr. Coleman said that's it"

Mayor Foxx said I apologize, sir, but once it's done it's done. I appreciate you coming, and we'll look into it.

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TAXI CAB ISSUES

Amanuel Hagos, 4120 Providence Rd., Apt. B, said what I wrote them is very helpful when I explain.

Mayor Foxx said do you want to let someone else go while she is collating that?

Mr. Hagos said okay.

Mayor Foxx said if that's material to you we can let –

Mr. Hagos said I want each one of you to have a copy when I explain. It's very small.

Mayor Foxx said if you want to speak, go ahead and speak; if you want to wait, you can wait, but we need to go ahead and keep it going because we have other people waiting. Why don't you wait. We'll have somebody come up.

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PROPOSED LIVE MUSIC ORDINANCE

Brian Roth, 1111 Metropolitan Ave., Ste. 325, said I'm vice president of marketing for Pappas Properties. Peter Pappas had hoped to be here tonight, but he is at a ULI conference in DC and a little bit delayed. We wanted to thank the Council for letting us speak a little bit about the proposed live music ordinance and giving input to where that might go. We are also pleased that some of the larger scale mixed-use projects are exempt from this, but the spirit of our comments tonight are more about those of us in the development business who are trying to create a sense of place, a sense of community spread throughout Charlotte. Part of the program is adding restaurants and public space and places where things can be events to bring a sense of community to a smaller group. Typically that has outdoor seating. Some of those venues will have restaurants, some may be town centers, and to activate those places you need to have a little more than just people sitting at a table. The addition of music adds ambience that is activity, and

it creates a much better sense of place. In these cases, the landlords have a vested interest in keeping things peaceful and making all the residents and visitors happy there. In most cases, there are leasehold provisions that are enforced by those landlords, and it's in their best vested interest to keep things comfortable, happy so people want to come back. Another consideration as you look at the broad scope of that ordinance is there are communities themselves, large 1,200-acre communities, that have their own music series, that under certain guidelines of the ordinance as proposed would be in violation, and these are activities they are planning for the community, by the community. So as the Council considers the noise ordinance, we hope that you will look to developers, property managers to be at the table and look at how this can be integrated in the city and spread that all throughout the community; not just in certain places that have the critical mass to be able to have those types of venues.

Mr. Hagos said thank you for having me here. We are here almost for 15 months. The first time I remember it was January 25, 2010. We just came here to (inaudible) to cab drivers. After 15 months, we are going through the worst in the (inaudible). Why I am here today? If you just see the yellow paper, what the Yellow Company is doing on the drivers (inaudible) from January 2006 of March 2011. It is in violation of human rights doing in the City of Charlotte. Most of the veteran drivers are here for more than 20 years, 25 years. They are citizens of Charlotte. This company they came from nowhere to Charlotte, and this is what really happening to our citizens. We are here to address our concern to the City Council members. Yesterday on March 1st, when the company came to Charlotte on January 26th, the Airport was 144 drivers. Six of the veteran drivers, they kicked them out and replaced them by (inaudible) drivers. That was January 2006. January 2009, after three years, 21 drivers he told them to bring a new car and he put them at the Airport. July 2010 from those 21 he replaced (inaudible) and kicked them from the Airport and replaced them by (inaudible) drivers. December 2010, just yesterday, he raised the franchise \$20 for some of them, for some of the ten. On March 1st, yesterday, he just kicked four drivers, so what is going on. We just came here to address the City Council members. Are you sure you guys know what's going on? When we came here they told us we are going to see. You said Jerry Orr. I met him three times. He told me he address our issue, don't worry, I know your problem, but things getting worse and worse. He told us I (inaudible). I don't know how many drivers (inaudible) a company. They brought (inaudible). The City gives them – you see the green paper. That is the City gives them to open a company. Then they send me (inaudible). The blue paper. (Inaudible). Jerry Orr said look (inaudible). He told them to come (inaudible). He told them I'm sorry. I'm here to ask the City Council members to see our issue.

Mayor Foxx said thank you very much. PVH ordinance is actually under review by the Community Safety Committee. They are looking at the entire PVH ordinance – not just at the Airport situation because of some of the conversations that have been had, and I'm sure that as you need or want Councilmember Cannon, who is the chair of that committee, will be happy to sit down and talk with you as well as our staff. Ron Kimble is shaking his head. Is there anything more I can add on that?

Ron Kimble, Deputy City Manager, said you had your presentation from Mr. Orr recently. We took under advisement all the comments and questions that Council had. We are taking a look at all those, and we'll be back at some later date – maybe March 28th – with a recommendation to answer the questions you raised at your last briefing.

Mayor Foxx said thank you. I think there are going to be some other speakers on taxi cabs, so it may not be our last opportunity to talk about this subject.

TAXI CAB RFP APPROVAL

William Dobbins, 7910 Waterford Ridge Dr., said this isn't my first time talking with you, so you are kind of familiar with who I am, but just for the record, I'm the president of the Association of Taxicab Drivers at Douglas Airport. Our concerns really with the fact of people being fired obviously at a time like this is very discouraging and almost unconscionable that a cab company would start doing things like that, but we know what has been going on in the past. The primary reason I'm really here today is to ask you to please consider the fact that the ordinance is more important than even the PVH. The ordinance is really going to set the guidelines for how the cab companies would actually operate and how we, as drivers, would be

able to operate, so we are asking you to please consider the fact that until is complete it would be inappropriate for you to go and make changes in the PVH or address that whole factor if we haven't had the ordinance come through because those recommendations that we get from PVH should actually govern everyone that drives a taxicab in the City of Charlotte as well as people in limousines and other things. Obviously there are a number of problems with our system. We hoped they are being addressed in the process, but we are obviously at this point, Mayor Foxx, asking you to please any final decisions that are being made on this process until you have had an opportunity to approve the ordinance. The ordinance is similar to a Bible. It basically indicates how we operate as an organization. That's primarily what I had. Anyone has any questions I would be glad to answer them.

Mayor Foxx said I think I understand where you are coming from, and I appreciate you being with us tonight. Other questions?

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AIRPORT TAXICABS

Maheder Amose, 9937 Macquarie Ln., said I am here in front of you. I am not coming to tell you entertaining news for you. One of the victims. I was driving for Yellow. I lose my job last week. They give me no reason for what purpose. They just fire me because they don't have problem for replacing me. In their mind, we are very cheap and can replace us very easily. There is a price anytime as we like – even when we ask them question, they will tell us to leave the company. I have no a mortgage, I have kids. I have come to Charlotte is Charlotte is the right place to raise my kids and educate them. I love everybody here, black or white. We are created with a work of God. I love everybody. Everybody is my customer. At this moment, really I'm hopeless, and Yellow Cab needs each single penny from me. When they punish us or when they do something like that, they are taking advantage of maybe unemployment problem, maybe a recession problem. We are citizens here. We are children of the world. We are not coming from Mars. We are coming from the same wallet. Now I'm in front of you guys, you great people, and I'm looking for someone who can help us and can save my job. I'm not coming to tell you a lot of things. You know everything. Just save my job, save my kids before I lose my job, before I lose my house, before I lose my kids. My kids are more than anything else for me. They are my life. Now, I'm here to Charlotte for my future and my kids. I love everybody here. I believe that you can solve my problem. I am in front of great people. Thank you for giving me this chance.

Councilmember Peacock said you have put in front of our hands that is a cashier's receipt here, and I'm wondering if you can explain this and what are you trying to explain to us?

Mr. Amose said I highlight on that the company is charging me \$545. The company is paying \$25. The company is not paying a single penny. I am charged even for the Airport fee. That's the next one. It says Airport fee \$25, and \$520 for the company, \$25 for the Airport, that belongs to the Airport, but Yellow Cab is just firing me. That is (inaudible) for me with no reason. When I asked them why they fire me – you can go wherever you want. That was the answer. If I'm answering that question, Yellow Cab is not paying a single penny. For that spot, I am paying \$25, and on the top of that, I'm working 16 hours plus sometimes because I have to pay them. Even sometimes when I am sort to keep my job, I pay from my pocket. I'm telling you honestly. I love everybody here. I love this country. God Bless the United States of America. Sometimes I doubt I live in America. Sometimes I think I'm in Africa. This is a wonderful country.

Mayor Foxx said is this your daughter?

Mr. Amose said I give myself honestly, and the customer left a wallet inside, and there was \$485. That money was not mine. I call her. I give her back that money. I send to her.

Demissie Amose, 9337 Macquarie Ln., said I'm 14 years old, and I'm a freshman in high school, and I'm writing this letter to anyone who can help my dad and his fellow taxi drivers. See, my dad was fired from his job for unreasonable reason. My dad is a taxi driver at the Charlotte-Douglas Airport and was forced out of his job only a couple of weeks ago. He is one of the most hard-working and loving person I know. He used to work for more than 15 or 16 hours a day to bring food to the table for his family. He gets very little but still manages to look

up to his children and smile and let them know that everything is going to be fine. He encourages us to focus on our future and have a better life than he could ever manage to have. He used to pay \$545 a week just because he had the taxi company's name on top of his cab. He did not think that was fair and desired to address the owners of the taxi company, but instead he lost his job. We are foreigners. We came to America to share a piece of the American dream. America is the land of opportunity, but so far we have not seen that. I do not want to see my family destroyed because we have no money coming in and possibly lose the house that my parents worked hard for. If my dad is out of his job during these hard times, we are going to be forced to be homeless and watch our dreams being shattered right in front of our faces. I maintain a 4.0 GPA and plan to have a bright future, but if I cannot focus on my education because of economical and financial problems, my grades will go downhill, and I, along with my sister, will not be able to get into the college of our choice. So, please help my dad get his job back and possibly lower the cost of having to pay \$545 a week so the next generation, which is us, have a bright future.

Mayor Foxx said, Mac, I'm going to ask you. Obviously we don't own Yellow Cab Company, and the City wasn't involved in this decision. Are there – what options does the Council have to even look into this?

DeWitt McCarley, City Attorney, said what you stated is correct, and if Mr. Campbell and I understand what some of the drivers have asked for, they are asking you to enter the cab market in a much stronger regulatory role even to the point of going to a medallion system. That's as I understand their request. They want you to regulate the market.

Mayor Foxx said that is what the Community Safety Committee currently is presumably looking into is where we want to fall on that continuum; is that correct?

Mr. McCarley said, yes, sir.

Mayor Foxx said when can we expect to hear anything back from Community Safety?

Eric Campbell, Assistant City Manager, said it's currently in committee, Mayor. We are looking anywhere between 60 to 90 days to bring a proposal to the committee, and then we have the process to getting that to Council.

Councilmember Dulin said I'm on Community Safety. We have studied this thing, and these charges are company charges to each driver, and they really do make it difficult for these men and women to make a living. We are in a tough spot because we don't want to get in the taxi business. We want to create a better, more efficient taxi customer service experience at the Airport, and yet we do have men and women in our community raising their families, doing the best they can and better than that to be good citizens of our city, so Eric is right, Assistant Manager Campbell is right. We are 60 to 90 days away, but we are working on this thing, and it's hard. I would like to say to the young lady. You are smart, and thank you for coming down here because you did great.

Councilmember Turner said my question is really pertaining to – you are right, we do not own the Yellow Cab Company, but it still leaves questions because I think because they operate in our city and we license them to do so from a legal basis, it concerns me that this gentleman has basically said to us that he was fired for simply asking a question in regards to a sign on his vehicle and why do they pay so much to do that. I don't know whether or not we would get a response, but I think we should at least inquire and find out the practices that they are obviously working under to see whether or not we would get a response from the Yellow Cab if this is in fact the basis why they felt this gentleman should not work for them any longer. I just hate for someone to be targeted because they stand up for what they believe in, and if this gentleman has been targeted to do that then my advice first would be for him to get a good lawyer, but more importantly it really concerns me that this issue seems to be getting bigger and bigger, and I'm not sure that the Public Safety Committee is going to be able to bring us back a solution that is going to resolve what we are hearing here, and to me it's getting worse.

Every week there is something else. I really would like for us to at least let them know that we have this. It's on our radar, and it's a concern to us. I don't know from a legal perspective, Mac,

I think I would be concerned just for us to reach out to them and find out if what this gentleman has come before us tonight has indicated to us is in fact what their reasons for terminating him. I know it's their right to answer that or not.

Mr. McCarley said being very careful about this. We at present have no role in that private industry sector. If the Council asks us in a formal change of policy to move in that direction, we can do it. Right now we don't have any adopted policy that gives us a role in that private dispute. As sad as it may be, it's not one we have a role in.

Councilmember Turner said I'm not really looking at the sadness of it. Now I'm beginning to believe that some of these people are being targeted simply because they are coming here before us speaking up for what they believe and informing this Council about the injustices they believe they are receiving. If they are being targeted because of that, then I think we do have a role.

Mr. McCarley said if that's true they probably have a fairly successful lawsuit in their back pocket, but it's between the drivers and the companies; not the City. It's just as if K-Mart fired a bunch of their employees.

Councilmember Turner said that was my position, too. I understand.

Mr. McCarley said it's tough.

Councilmember Barnes said, Mr. McCarley, what is the current posture of the litigation at the Airport?

Mr. McCarley said we have been sued by two different groups. One has been involuntarily dismissed, so one suit is still hanging out that asks for an injunction against the Airport RFP process going forward to a conclusion. That has been heard once, and a TRO was denied. It's on for hearing on the merits sometime this month. I don't remember the exact date. We expect a favorable result.

Mayor Foxx said I think that's where we are right now. I really hope we can accelerate some of that work on the Community Safety Committee because I think Mr. Turner is right about the fact that it's every couple of weeks something else happens on this, and we need to figure out where we are and decide.

INDEPENDENCE BOULEVARD ULI

Chris Bakis said tonight we read the ULI recommended one mass rapid transit with HOT lanes on Independence; two, street cars on Monroe Road and Central Avenue; and, three, promote auto-oriented retail on Independence Boulevard and neighborhoods serving mixed development on streetcar lines. Number one, on the bus rapid transit, I would be curious to know did the ULI look at the plan for Davidson, Cornelius, and Huntersville for that commuter rail line. There is no more bus rapid ready infrastructure than I-77 going up through those three towns. Talk about saving money, here's where your bus rapid transit needs to go period. Number two, on the streetcar recommendation, at least the light rail is rapid transit whereas streetcars are not rapid transit. We are supposed to have rapid transit, and with the light rail both north and south of Independence Boulevard is served. With the streetcars south of Independence Boulevard and partially north of Independence Boulevard, a major portion of the people like myself who live north of Independence Boulevard are left out of that. On number three, point three, which was promote auto-oriented retail on Independence Boulevard, a gentleman earlier talked about uncertainty. Uncertainty is not the reason for the "slowed progress" on Independence Boulevard. What he called slow progress is actually accelerating regress. That is due to the anti-business policies exercised on Independence Boulevard started by the Charlotte City Council in 1989. It is anti-business. For instance, the ending of left-turn lanes in 1989, that is anti-business for the business corridor. Number two is the transitional setback that is anti-business. Mentioned earlier tonight, Mary Newsome wrote – of course, she had to leave. She couldn't bother to stay while the citizens spoke. Mary Newsome wrote that Independence Boulevard survives as a fading tribute to the theory of City building that didn't work. Two, she wrote, Independence Boulevard is a hell highway, and I suspect it can never be tamed. So, then we have some gentleman earlier, the ULI panel, said that, three, nodes on high-speed corridors do not work.

The same gentleman also that I mentioned earlier said that long distance travel – if I may. I know. This is a complicated issue.

Mayor Foxx said, yes, sir, I'm sorry.

Mr. Bakis said we are talking about my home here. We are talking about an entire section of the city that has been –

Mayor Foxx said, sir, I'm sorry, you are breaching decorum. You have had three minutes.

Mr. Bakis said bottom line east Charlotte we are owed – we are owed big by this city.

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Mayor Foxx said that concludes the Citizens' Forum. Before we get into the conversation I want to, I want to yield to Mr. Peacock, who has some questions on an item that came up last week.

Councilmember Peacock said reflecting on our last Citizens' Forum former Mayor Vinroot spoke to us on the subject of the solid waste item decision that we made and a current practice that we are currently under right now. So that brought to my mind a Greg Gaskins' presentation that was about the subject of risk management, how we go about insuring one of those risks, and one of the comments that then struck me was Mr. Vinroot's comments that he will sue us, so that kind of caught my attention. He is just simply representing one waste provider and really brought to mind are there going to be others that are going to sue to that.

My Council action tonight, and I have prepped Mac and I have prepped the Mayor just to address us, one, would be to request a memo from Mac's office to us as an option or option number two would be to put a motion here tonight to refer this to the Public Safety Committee. I will let him present here in a moment, but, Mac, you, myself, Mayor Foxx, Mr. Kimble, we are all Rotarians. We have the four-way test. The two here that I am trying to reconcile is, number one, is it the truth, and the bigger one for me is this fair on top of that, but it seems like and I'm particularly going from the comments that I had later with Ken Szymanski was that when Mr. Vinroot put that point of how much it would cost someone who doesn't live in a multifamily unit and then one who does not there is an enormous delta, and I'm just curious about that because it seems like multifamily is being discriminated against here, and this may be an unintended consequence, so I will let you, if you could, just frame the argument from both sides and I will let the dais here decide on whether a memo or maybe a referral to the committee might be sufficient to maybe answer some of our questions or really my questions.

Councilmember Barnes said, Mr. Mayor, before he says anything, procedurally this may not be appropriate, but I want to object to that question. Any advice that we get from Mr. McCarley on that topic should be done in a Closed Session between this body and our lawyers. I do not want him answering that question in this forum because all you are doing is potentially handing the plaintiffs bullets to use against us. I would rather hear that answer in a Closed Session than have it come out in a memo or any other public forum because I don't know the answers to your question, but what I do know is you are setting us up for a lawsuit potentially.

Councilmember Peacock said let me just react to that. I should have predicated this, Michael. I am seeking nothing here other than an answer and a response other than what we got from our colleague in the Attorney's Office that night who said we are correct. It just didn't sit well with me as I started to look at it, and I went and reread his letter. I would never ask this Council to put our body in any risk, and I don't think actually candidly former Mayor Vinroot would want to cannibalize. I know he is representing his client. He is a lawyer, he is an advocate for his client, he is trying to help his client here, but I am speaking more to the larger case of are there going to be other vendors that are going to come file a suite from this other company that he is representing. Obviously, Mac, you can take his comments under advisement because I think they are good ones, Mr. Barnes. I certainly don't want to put us – you are the lawyer; I'm not, so, Mac, comment or don't comment and go from there.

Mr. McCarley said the short answer is we have a very good case. Mr. Vinroot's claim is that we are a public utility and are held to a very high legal standard for how we order that sanitation business. Our answer is we are not a public utility; simply a public enterprise. We are held to

what is called a rational basis test to satisfy the Constitution for this service. The rational basis we offer you is that we pay the tipping fee on the garbage collected from city apartments. If those are all collected by people who have promised us by contract that they are dedicating only one set of trucks to picking up that shortage, we are assured that we are not spending City tipping fee money on non-City garbage. Bottom line, we could do another system, but we are not required to. It's a policy question and a financial question for Council, but we are confident of our legal position that the system you have today passes Constitutional muster.

Councilmember Peacock said is it fair?

Mr. McCarley said I'm an attorney, Mr. Peacock. It is legal.

Councilmember Peacock said that's all. I'm not going to cross-examine you. Mr. Barnes made a good point.

Mr. McCarley said it is constitutional and legal, and it has a rational basis, and there is a reason for it. If the Council chooses not to follow that rational and reason for another one, we will defend that decision, too.

Councilmember Peacock said I think to Mr. Barnes' point if Mr. Vinroot is following through on his threat to sue and he feels confident of his position as well, too, and you are confident that you are legally strong, hopefully we won't be needing a Closed Session about this because I'm just simply trying to prevent us from having to have an assembly at some point down the road. Anyhow, point made. Mac, you have answered and if –

Mayor Foxx said let me also interject –

Mr. McCarley said let me add this one piece. I would never advise you all to change a policy that is rational and lawful and that you agree with simply because someone threatens to sue you. You are a high volume defendant. That's why you have got a Legal Department.

Mayor Foxx said let me also say that I do believe last week consistent with what Mr. Peacock asked for is that we did ask for a write-up on that subject, so it should be forthcoming.

Councilmember Peacock said I didn't know that.

Mr. McCarley said Assistant City Attorney Thomas Powers is charged with this task.

Mayor Foxx said if there are more questions when we get that –

Councilmember Peacock said I didn't know that.

Councilmember Turner said, Mac, I think you are right, but this is not the first time we have been here. We have dealt with this policy before even when Pat Mumford was the chair of Transportation. We have been here before, and we all know that, and I think the policy itself speaks for itself, and I think when we are challenged we deal with it. We deal with it as it comes about. I don't know if it's fair, and I didn't get into that. I just think there is a policy that exists already that says this is the way we do business, and it's up to them to determine whether or not they are going to challenge that.

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Mayor Foxx said the last item is on youth development. I sent a letter out to you all on Friday, and we have copies of them coming out. Let me kind of walk through what has given rise to it and then talk a little bit about what it talks about and then, thirdly, open some conversation about this topic. If any of you watched *60 Minutes* last night or you have been reading or watching the news, you know that we are seeing increasing numbers of kids who are facing some tremendous challenges in poverty, and we address those issues in a lot of different ways. We have done some things to try to restructure the way we deliver housing through the Charlotte-Mecklenburg Coalition on Housing. We are engaged a little bit in some of the youth services areas such as the after-school initiatives, the youth employment, the mentoring, and obviously the Police Activities League has a whole slew of things that they also do.

But it strikes me that we are at a point in time where this issue really is starting to become even more important because at the very time when more and more children are facing these tremendous challenges the public realm is least able to provide support – cite the challenges with the school budget this year, cite, you know, yada, yada, yada. So, last year I asked you all for some leeway to go to staff and work with staff on looking through at our youth programs and coming back with recommendations, and it's been an interesting process. I do want to thank the Neighborhood and Business Services staff and the City Manager's staff for engaging with me on some of this because going into it I don't think I had a particular idea of what I was looking for, and coming out of it what is in this document is pretty much where I think we are, and let me kind of explain.

I think we have got some tough decisions to make as a Council on our role in youth development, and the basic questions are is this a function that we believe is important to the city, and if it is, that mitigates towards one direction; and if it isn't, it mitigates towards a different direction. Secondly, if it is, are we comfortable with the level of support we are currently giving those services or do we wish to do more or less; and, then, third, if we wish to do more, what form does that take.

As I have thought about it over the last year or so, I kind of think of it in two stages. The first stage is really looking at what we are already doing and working to squeeze every ounce of effectiveness from every dollar that we currently expend and really taking a step back to try to figure out whether we are actually doing that. If you look in here at our youth employment numbers, for example, you see that we are actually not putting a ton of City money into the program, and correspondingly we are getting some performance out of it; but if you look at a year like 2006 where we put in \$90,000 into the program, we got 42 kids into the program, and the average cost per kid is \$2,000 per kid. In years where the utilization is higher, the average cost per kid goes down, and that stands to reason.

I think that we are at a point where we need to consider some of these recommendations, and if you read through them, basically what I'm saying is instead of having what I think is more or less a cookie cutter kind of approach where we provide a certain amount of money for youth employment. The program basically runs on a schedule from one point in the summer to the end point in the summer; that we ought to be looking at more flexible arrangements. Whether it's reducing the amount of money we are paying the kids so we can get more kids in the program, whether it's looking at a year-round kind of situation, but as I have gone back to staff and sort of probed on that, the feeling I get is that they are not entirely clear on the extent to which this is a priority for Council, and I think that is fair to say, Mr. Kimble. So there is a need to have this conversation and seek direction on that.

On the Mayor's Mentoring Alliance, I think the goal of that program is exactly right, which is that we are not going to be a mentoring program ourselves but we are going to try to leverage the programs that are out there. But as I look at this some, and I think there is actually some work going on already on this that we could actually ramp up our advocacy for mentoring a little bit, and I have given you some suggestions about how we might do that, but, again, we are going to need the Council to sort of look at this and try to give their thoughts. Then in after-school I think this is probably the area where it's probably the most perhaps radical for us because what is being suggested here is that we basically depart from being kind of a pass-through, which is what we are today, and get into establishing some criteria for the programs that we run and asking the community to submit proposals to meet those criteria with the goal of trying to achieve more reach and more kids served.

Interestingly enough, the Foundation for the Carolinas is going through an exercise right now where they are actually developing a core set of criteria that they think should be used based on empirical experience, and so there is some thought leadership that is already out there right now that perhaps we could tap into, but what I'm suggesting here is that we adopt a model similar to the Housing Trust Fund and basically ask a group of citizen experts to help us decide how to allocate the money that we already allocate, and if the programs we are currently supporting are great programs, they ought to get more money. If they are not as good as the best program out there, they ought to get less money, but I think it's a conversation around creating competition for after-school dollars.

Then, finally, the last recommendation is that we look at bringing our youth services staff together into a Department of Youth Development. That is something that is standard operating procedure in other cities, but I think we are losing a little bit of the leveraging effect by having those people co-located, being able to work and leverage each other's time, experience, etc. on these issues. So, I am talking about this to you because both I and the staff need your feedback on this general topic, and, again, going back to where I started the first question is are these programs programs we think are part of the City's core mission or part of a mission that we think is important enough to support; and, secondly, if it is, are we satisfied with the current level of support of these functions or do we think there are some changes we need to look at; and, third, if the answer is we do need to look at some changes, how do these ideas strike you as a group. So, I'm opening the floor to a conversation, and I look forward to your response.

Councilmember Turner said this is the first time I have had to look at this. There are a lot of good points and questions, and I looked at the recommendations. I guess, for me, I would need to have further dialogue concerning establishing a council or someone else to look at this as we go forward with whatever is recommended beyond this or inclusive with this. I have a couple of concerns. I think a lot of what you said is true in regards to supporting after-school funding, other organizations that receive funding from the City of Charlotte, and other private entities that receive money to support these types of program.

I guess, for me, and I think I heard you just say there is just no measuring stick. I think I have been asking for something like that for some time since I have been on this Council, but there is no measuring stick, and we give a lot of money to a lot of individuals to assist us in these things that we think are important especially during those hours in which our youth are leaving out of school and we all know are not supervised during those times when we feel they are most likely to get in trouble.

I hope what comes out of this is that we do come up with a criteria that is acceptable – more of a universal criteria that we feel we can support as a Council and any other Council that comes after this Council going forward, but I think it still is going to come down to where you get the money from, who do you cut back, and when we start talking about cutting organizations that might not be doing it as well, but they serve some type of purpose that at least they are doing something where those children may fall without any supervision. I think it is going to make all these decisions tough going forward. I don't think there is a quick fix to it. I don't know how you could put this in any committee or counsel or before anyone and come up with a fast solution, and I don't know what is our timeframe that we are looking at because I really think they are going to really get out there and really look at the dynamics that these youth are facing.

I read one line in here, Mayor, where I thought just right off – with no more information than what I just read here – I understand the logic behind putting it there as a consideration to go from \$1,000 to \$500 to be able to increase the amount of youth that can participate in the program, but then I said, hum, how much is \$500 going to really help someone if we thought \$1,000 was the best at that time and with these tough economic times. The other option you put in there is do we increase that amount versus add more people with a bigger pool of money. I don't know, so I'm going to need to look at it

I think this is a good topic to bring forth and have a lot of discussion about, but to me the goal for me would be whoever moves this forward is to have some means or way we can measure these organizations and determine who we are going to support and who we will not support going forward when it comes to taxpayers' money; but, more importantly, I would hate to see our youth or any child fall through the cracks because we removed some money, but unfortunately I know in order to get to that point where you find there is a measure that you want to put in place to make your decision that's going to happen unless someone else steps up to the plate because we can't do it all, and I don't think that is what you are asking us to do, but at the same time, I know we are going to have to go out and find other partners to help us in leveraging these dollars and whatever our goals are that we come up with to move this program forward.

Councilmember Cooksey said to answer the question, no, I don't think it's a core function of City government, and the way I tend to divide those core versus non-core because we do a number of non-core things is to me the core function of City government are things if we don't

do them nobody else will, and we have ten business units that back that up. If we aren't the police, no one is the police. If we aren't the fire, nobody is the fire. If we are not building city roads, sidewalks, bike lanes, nobody is going to do that. There are, as we know, many other agencies both of government and the nonprofit sector that work with youth, so it is not a core function of City government. It is a function that we provide assistance to because if we don't do it there are others that are still involved in it. They may not be completing to our satisfaction, but they are. It's somebody else's core function. So that is the frame of reference that I bring when looking at this.

Having said that I do appreciate there were several references in the letter about making better uses of existing resources. I fully acknowledge that we do have existing resources we put to this issue, so making them better is always a valid issue. For one thing, it occurs to me that with ten key business units and four key support services, a billion dollar a year operation, 6,800 employees, what internship opportunities does the City of Charlotte offer to youth who are looking for training and education? I think Ron can answer.

Mr. Kimble said we are a participant in this program.

Councilmember Cooksey said I think within the framework of what we are doing already, but when you look at what our core functions are and the one that continually looms over me is the issue of providing customer service on these core functions, which requires – the last estimate I saw was roughly seven or eight digit expenditure in computer hardware. I want to stick to what we are obligated to do first and deal with anything else second.

Councilmember Kinsey said while some of these suggestions in here are very valid I tend to agree with Warren on this. I'm being consistent. I have always said this that I don't believe this is one of our core areas. Inasmuch as we have invested some money, maybe we can do a better job, but I don't see setting up a different organization or different department because that is not one of our core areas in my opinion, and I think that would cost some money. It's bound to cost some money. Inasmuch as we can do something working within whatever the budget is this year, and this is really a budget issue for me, then I certainly think that's good. I do think we give some money to some after-school organizations that probably don't do as well as they should, but I will guarantee you it's political and we'll keep giving it to them. I have got some problems with it mainly because I don't think this is something we should necessarily be doing, and, as I say, I have been consistent. I have said this from the first time I was on Council.

Councilmember Peacock said last year in our budget session we heard, and I asked Michael Marsicano when we were considering the catalyst fund – I believe it was a \$500,000 contribution that this Council didn't support moving forward in adds and deletes, and really my advocacy for what he was coming to, Mayor, really speaks to what your overall sentiment here is in the letter, which I can read, which is you care, we care, we want to see a better use of our dollars, and we want to see it accomplish a better, greater community result of getting youth into I would call a broader vision of where they can go in the future and being a part of that as community leaders. That would include CMS. That would include the County. That would include, of course, us, and I think most importantly a particularly unique role of what the Mayor's Office can do in a weak mayor form of government is to touch this kind of soft issue that is in between what I would call this one right here.

Just to play a little bit of a devil's advocate debate here to a certain degree public safety is our core function, but yet we define gang prevention as a core function of what we do. Well, how much of gang prevention is involved in after-school programs? How much of gang prevention touches youth employment efforts? How many people have we taken from stop from joining a gang and put them through maybe a Goodwill program, so we are to a certain indirect way doing some of this work. I think what you are speaking to in this letter that I do like the tone of and why I was advocating for what Michael was advocating for, which is we have not been very good at this. I thought what they were saying is they were going to be ruthless, they were going to drive it by numbers, they were going to treat it like Office Putney tonight was talking about they are a data-driven organization focused on results, and we are contributing these paltry amount of dollars to these programs, and we aren't getting a whole lot for it in my opinion on that, and I think that is really where we are trying to go with this.

Mr. Mayor, I very much appreciate the letter because it is showing us a series of ideas and a way to really get our arms around what is this role within our five core functions. I agree with Ms. Kinsey as well as Mr. Cooksey. On the surface, this is definitely not our core function, but I think you are touching on the nerve that our community has certainly sensed especially Foundation for the Carolinas.

A couple of specific comments just as I was reading through it and underlining things, and maybe you got this from staff – I don't know. You said just in the last 12 months the ranks of the community's impoverished youth has grown by 14,000 bringing the total to an estimated 42,966. That's a number I haven't heard, and I would love to have a footnote on that number and learn more about that. Your comment that I'm not convinced that our existing resources are being used as effectively as they could to close the gap – I couldn't agree more. I like your idea about embracing unpaid internships. That was something that as Brad Richardson was talking about and I think you were describing as we were getting things ramped up for Goodwill again I was struck by myself being a small business employer how could I do that under my current revenue model, but an unpaid internship did sort of sound appealing. There is a cost of taking on the responsibility of bringing anyone into your organization, but there is certainly merit to what I think all of us know when we were in college and we were trying to get into the job market the question was during the summer would we fight to go work some cush summer job or what our parents were telling us, which is go get a substantive internship that is going to look good on your resume to get hired somewhere, and I think that is where youth are really, really disenchanted in this community. If all we are doing is creating a youth employment program to put people in retail jobs that lead to nowhere, I don't think that is really a positive and going to get us very far on that.

The Mayor's Mentoring Alliance – I sort of joke about that to a certain degree and say that is the Mayor's Matching Alliance. It is about matching people that want to find an opportunity, and we do need to do a better job there. I have not read the timeline and the history that has been provided by staff. One point here – this is one of your topic sentences. We should eliminate entitlement spending on after-school programs and focus on reach and results. I think by the word "entitlement" I am assuming you are meaning that we have been continually funding these programs but none of us have questioned or eliminated them. It gets down to budget time. We all get the political phone calls, we all feel the heat, and we all decide, well, let's just let it keep going one more year.

I do think that needs to stop. That's why I supported the Catalyst Fund because I felt like they were the good go-between between us and them broadly. I'm not speaking to anyone in specific on that. I candidly don't know that much about those after-school programs. That's what I was pushing for was to learn more about it and what are we doing there. It's just frustrating to me. Suggestion to appoint an after-school program review committee. Great referral to the Public Safety Committee. I would suggest that be referred to Public Safety when the time is appropriate. I'm on that.

The only thing I would specifically didn't have a good reaction to, Mr. Mayor, was any department of youth development – I suspect that might be under Pat's domain of Neighborhood and Business Services I guess in its initial idea, but I didn't react to that positively just because when I hear department that's my personal reaction. I don't like the word "department". It means there's all this authority that gets created around a department. I do love the collaborative component of what you are talking about here because coming back to my original point is this our core function? No, but there is also an argument to be made we are already in that through the gang prevention work. I'll be curious what Councilmember Cooksey's reactions are to this.

Councilmember Cooksey said I gave them.

Councilmember Peacock said I know you did. I'm saying your reaction to my comments because I like philosophically debating things with you that have a nature like this of what's the role of government. We can do that on-line or off-line.

Councilmember Dulin said off-line, please.

Councilmember Carter said there are several structural points. I really appreciated the intent of this letter. Children, I think, are the business of everyone in this city, and I think that is the issue that everyone can get together. I think this issue should have been debated at the Retreat. That's when we set our priorities, and I think if we look forward to the next Retreat that's probably the priorities of the new Council.

It is a budgetary issue. I do agree with that point, and that means it should be debated this budget season if we are going to do it, or if we are offering something new, we should put that out. I'm not sure our timing is right in this arena. Administrative effect, what impact is it going to have on our staff? Do we have the staff to deal with this? Are we deviating staff from principles we really think are more closely allied with our commitment to the City? I like the idea of an advisory group. Perhaps the Foundation of the Carolinas has already formed that group. Perhaps they can fill that function for us and save us from forming another group. To administer a unified children's committed group, perhaps putting together DSS, CMS, and their public safety people, looking at it from sort of that cross level boundary, seeing what we can do holistically across our boundaries of local government. If we can't give money, perhaps CMS can give credit. Looking at other ways of rewarding and engaging our youngsters. I want to help with the kids. I do. That's a basic core instinct that I have, but I don't know whether it's our function or not. If we can go through the programs that we have, refine them, refinance more efficiently, and then maybe reallocate that funding.

Councilmember Turner said this is going to be my last comment about this tonight because I do want to really study this and look at it. A couple of things I want to look at is the focus area for your paragraph No. 2. There is some good information there with regards to the children that we are pretty much speaking about. On that same page under youth employment, when you talk about and provide the number of children that are arrested by the Police Department, and that brought me back to one of my issues with accountability of all the other organizations that are involved in our budget. It is no secret. My first year on this Council I took a bullet, and I keep taking that bullet. I believe in accountability. We have given a lot of people a lot of money. Some folks took shots at me because they chose not to come back and apply and thought we just should give it to them without any accountability.

But the concern that I have here is there has to be something else, and, again, this is a huge topic for a lot of organizations other than just the City of Charlotte because somewhere in there there has to be some forgiveness. When you start talking about that drop-out, that kid that has been arrested, that kid that is struggling in school, I would rather pay, and I use this in my church – I would rather pay teachers that go and work at Wal-Mart, that get a job at Carowinds, and our teachers go to work at Carowinds for the summer than to teach these kids that are failing in the very important subject matters that make them end up on the street anyway.

If you are out there and you deal with these young people, they will tell you. When you really push all that façade away and you get beneath all these tough guys telling you girl's stuff, these children are failing in school. They have so many other issues going on in their live, but when they fail at school, they act out. Then they end up in our criminal justice system, and we try to get a child on the right path that has no forgiveness. If a child gets caught with trying to make a hustle, one piece of crack cocaine, they are convicted as a felon. Where are they going to go to work at? They quickly engage that and say I tried. I made a mistake and I tried to get back on the right page, but because no one will forgive me and give me a job to allow me to do that then they are back doing what they were doing, and it gets worse. It magnifies.

To me, you have to have a program also that is going to be willing to forgive these kids if they do what is right over a period of time. Put them in a program, put them in after-school as a babysitter. That's my opinion. Most of the after-school programs are simply babysitting jobs. Those kids are not performing; their grades are not improving. It's just somewhere to go and someone is paying themselves a lot of money as a director and their staff. I don't support that, and I won't support that. In this budget, I won't support that. Organizations that have come before us in the past years I voted against them. Somehow or another some of them have somehow found themselves back in our budget, and I don't understand that, but it just happens year after year. So I hope when we put this kind of language on paper that we mean it when it is time to raise our hand and vote for what's important, and, again, put some teeth in the thing.

Make it make sense and not just from a political standpoint but sense from an overall standpoint because you can't continue to help in one aspect but they fell in another and we are not even close to reaching that other area. So I think we help them to set them up to help them to fail again until we are ready to address the entire process, and I don't think we can do that as a government by ourselves. I think we can bring people to the table and have that conversation as a whole and get people more involved in what is really causing these issues because that number won't go down when you start talking about your youth arrest based just on that alone. That number falling below the poverty line will not change when they have a criminal record and are unemployed; they can't get a job. That's not going to change. It breeds generations of them.

Mayor Foxx said that is a very, very well put statement, which is why I actually disagree with most of you who made this point because we are in the business of economic development. We also are in the business of public safety. In my opinion, this is a third rail economic development issue that will nip us in the back rear end if we are not real careful. I think we have got some real threats with graduation hovering around 50% in some of our schools and to Ms. Carter's point I don't think there is a great time to have this conversation. I just don't. We talked about it actually during the Retreat some, and I was in a small group with Mr. Mitchell. Some of these ideas were even talked about then independently of me.

But we have a crisis on our hands, and in my opinion, we are dithering through that crisis, and I want to see this Council step up and first of all look into ways to optimize the resources we have. That's the only way I think you can really make a case for justifying more resources is to use the resources you have extremely well. I would say let's look in our budget and assume a neutral amount of money. Let's just try to drive performance out of what we are spending, and then we can take up the issue about whether there needs to be more or less later, but I mean this is – We are obviously not the only group that has some role in this.

I'm not saying the City takes place of the School System or County Social Services or the nonprofits out there. In fact, I think there is a lot of discussion here about trying to leverage the resources that are out there in the community. But, I'm telling you we are closing our eyes to a problem that is going to get worse. If you want to spend your money arresting people for the next 20 years, go right ahead, but you will do it over my strong objection because I think there are some things we can do right now to prevent it.

Councilmember Barnes said I will be fairly brief because I'm going to be leaving in a moment. I did see the "60 Minutes" piece last night, and it was startling on the one hand and on another it was not because what we are seeing is the absolute decimation of the middle class. On another hand, what I would prefer to see politically is some energy put into actually advocating for policies in Washington that will help us reestablish the middle class. We incentivize folks who actually send jobs and money out of this country, so globalization has kind of become a destructive event for America.

Regarding your proposal when I read the memo -- and I may actually say some things that are in here – I like where you are coming from because as I said last week about the money we accepted for the PAL program we either pay one way or we pay another, and I get that. I wonder whether we would save money/resources by collapsing the Youth Employment Program and the Mentoring Alliance together. I don't know. It may be worth looking at. I do think that looking for better ways and more effective ways to spend about \$1.2 million I believe it is that we put into after-school programming would be useful because to Councilmember Turner's point, to Councilmember Kinsey's point there are a lot of people who are just used to the check.

I have been asking questions about what happens, and you are right. You vote it out, and then all of a sudden it pops back up. But, anyway, I don't know if a referral is necessary. I would like to see it perhaps go to the Economic Development Committee for further review so the Council remains engaged with the topic itself. I don't know what your intention was in that regard. I would make that motion at least.

[Motion was made by Councilmember Barnes and seconded by Councilmember Carter to refer]
[this item to the Economic Development Committee.]

Councilmember Barnes said I spoke to the chair about that, by the way.

bvj

Councilmember Burgess said I wanted to say that this prevention is so important, and one thing that hasn't been mentioned I don't think tonight is that what it does to a child and to a whole family's self-esteem when a child gets arrested is devastating. To your point, they can't get a second chance, but it would be great to prevent the first mistake from occurring, and we have to start somewhere, and it sounds like we are not doing a great job from a community of doing this, so somebody has got to take the lead, and who better than the leaders of Charlotte.

Councilmember Mitchell said I have been a fan of after-school programs since I have been on Council. I do think it's a great opportunity for us to collaborate. There is a lot of synergy with Foundation for the Carolinas. Mayor, I agree with you. Let's look at our resources we have right now so we don't add any more staff, and I think everyone knows we need to deal with entitlement. I think Councilmember Kinsey is exactly right. If nothing else, in the short term, we can come up with a standard of how we give money. I think that is a big success for us, and then long term look at ways of partnering. Kids are precious to all of us, and any way we can be more proactive and help every child to be successful I think we ought to have engagement and try to do that.

Mayor Foxx said there is a motion pending. Has there been a second on the motion?

Councilmember Barnes said there was a second.

Councilmember Cooksey said my concern going forward with this distinction between core and supportive, if you will, as a secondary one. If youth development is not a core function of Charlotte, and I would so assert that it isn't, that means it's a core function for somebody else – that the School System isn't doing an effective job in handling the responsibility that they have or the County Commissioners with the variety of social programs that they supervise are not doing the job sufficiently. Both of those or charities are not doing the job sufficiently. Each of those three – two elected bodies and one volunteer component to our community – are wide open for involvement.

I don't think that trying to create an infrastructure on the City side to do what other agencies should be doing but aren't is the way to go. If that's a calling, run for School Board or the County Commissioners, get involved in the United Way, run that organization, find the organizations that directly attack this issue and clean them up because clearly they are not the ones doing the job well. Meanwhile we have Police and Fire and streets and Planning to run, and if we don't do it, nobody else will.

Mayor Foxx said I respect where you are coming from. I really do. I think the challenge though is that there are some public agencies that have responsibility for kids from the time they get on the school bus to the time they get off the school bus, and you have got nonprofits out there that handles programs that extend after that time, and you have got a county that provides kind of a backstop on the human services front. But one of the glaring absences I see out in the community – and others can have their own views based on what they see – but one of the glaring absences is that you have more and more kids who have literally no ambition, none.

If kids don't have a stake in the future, what are we really expecting to do in the school house or any place else; and I'm not saying that the City takes full 100% responsibility for effectively giving a kid a dream, but I do think there are kids out there that have dreams that aren't connected to it. If you connect to it that kid can influence other kids that he or she deals with. I completely understand where you are coming from. I'm respectful of it. I see some fissures in our community, and I'm very concerned about what happens if we allow them to grow.

Councilmember Dulin said nobody on this Council has got a hard heart for kids. We all want to do what's best. Last year we were using, and, as a matter of fact, your mother used to say we need to keep in our lane. She used to use that term from time to time, so I appreciate Mr. Cooksey's and Ms. Kinsey's and those that are core function and so forth, and I'm a big core function advocate for us trying to keep in our lane and do what we are supposed to be doing. This is budget time, though. Paying for an increase in this is a budget item.

I'm more than willing, if you want to add something at budget time, then you need to find something to delete. Adds and deletes, adds and deletes, and I am more than able to help y'all work through some nonprofits that have moved into the entitlement category of what we are doing and saving some money and some of these nonprofits that have become more than entitled, in their opinions, to the cash that we give them every year. Budget Committee chaired by Mr. Barnes, we are going over some of the upper end, but this is the time of year that if you want to save money and have money to do something with other projects – by the way, I think the Police Activities League is giving us good value for our dollars, and I suspect we are going to be getting a report from them pretty soon. I have been over there to the League. That's pretty cool what they are doing over there, and that is somebody – they work for us.

That is something we can control, but there are plenty of nonprofits on our list that we went through last Wednesday that we went through in our Budget Workshop that have been on there since way before I got on Council in 2005 and more than likely – they were getting money before Mr. Mitchell and Ms. Carter and Ms. Kinsey got on Council in 1898. If you want to add and delete, this is the time. I'm going to support the motion, and we can have a nice conversation about it and send it over to Mr. Mitchell's Economic Development Committee. I circled the word "entitlement" on your letter when I read it, and there are plenty of folks around here that think they are going to get their check, as Mr. Barnes would say, they think they are going to get their check this year – most of them don't even show up to say thank you.

Mayor Foxx said I put that word in just for you, Andy. Now, what is the motion?

Councilmember Barnes said the motion that I made, Mr. Mayor, was to refer to our Economic and Development Committee a discussion of the things that I said, but I'm willing to amend that, and what I said was exploring, consolidating the Youth Employment Program and the Mentoring Alliance and also exploring a retooling of the after-school programming model. That was my motion. I'm open to an amendment, but I wanted to suggest something to perhaps move the matter along because I recognize that you are looking for some sort of Council action.

Councilmember Peacock said I would amend to your motion, and I support your two points there for the referral. The mayor talked about forming an after-school program review committee. What are your reactions to that? Do you want that to be a part of the scope of the work for staff on that subject as an end result?

Mayor Foxx said may I perhaps add to that. Maybe inclusive of your thoughts, Mr. Barnes, perhaps just referring the letter to the Economic Development Committee and ask the ED Committee to study the ideas. We are not limited to those ideas, but it provides a starting point.

Councilmember Barnes said that's fine with me, but inclusive of that consolidation issue. I don't know if Mr. Kimble has a response to that.

Ron Kimble, Deputy City Manager, said I'm not going to weigh into the policy discussion, but I simply want to make sure you know of the factual information of what you have done to date, and I have shared that with the Mayor today. I wanted to make sure that all of you had seen that, and also a comment that back in 2005 the Privatization and Competition Advisory Committee at your direction developed a report that kind of summarized the criteria that you might be able to use in the after-school programs, and at that point in time in 2005 you chose not to follow that, but there is archived material that came out of the Privatization Competition Advisory Committee that we could look at in committee and just have that be part of the factual information that we present to the committee.

Councilmember Barnes said, Mayor, I would revise my motion and move to refer to the Economic Development Committee the Mayor's March 4, 2011, memo to Council regarding youth issues in Charlotte.

Councilmember Dulin said what about his amendment?

Councilmember Mitchell said that's included in the memo.

Mayor Foxx said that's all in there. The question Mr. Peacock raised about the after-school committee is contained in the letter, so by referring the letter, we are referring that issue.

Councilmember Carter said time deadline. It needs to be well in advance of the decision process with the budget.

Councilmember Mitchell said we are only meeting one time in March. It might require us to meet twice in April, but I have got a good committee. We can get it done.

Mayor Foxx said can we say by the end of April?

Councilmember Mitchell said end of April – Andy, are you okay with that?

Councilmember Dulin said I don't mind doing the work, but I do have another comment, Mayor. It turns out I'm not real high on forming another advisory committee.

Councilmember Peacock said that's where I was going with that. I wanted to find out if that was extended in his motion.

Councilmember Barnes said may I ask a clarifying question of the Mayor, I suppose. Mr. Mayor, it would strike me that the committee could review and then make recommendations as to whether or not any advisory committees or task forces are to be created at their recommendations; is that your understanding – your intent?

Mayor Foxx said, yes, it is.

Councilmember Barnes said in that case, Mr. Dulin, the committee you are on, I believe, may choose not to recommend to the full Council the incorporation of a task force or an advisory committee.

Councilmember Dulin said as long as I have an opportunity to speak to the issue in committee on the record then I'll be all right with it.

Mayor Foxx said, Mr. Kimble, does that motion give the staff some sense of direction at this point?

Mr. Kimble said I think it's going to committee, and we'll work it through committee and present information and respond to their questions and comments and see what recommendation they come out with. Again, I think you are wise to say it needs to be fairly quickly because that's where it is.

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

Councilmember Barnes said, Mr. Mayor, I want to point out that the Crown Ballroom at the Hall of Fame is more robust than we thought. Those rigging points could actually accommodate not only the end of the year NASCAR award celebration but other Hollywood type functions, so we have a robust facility there.

The meeting was adjourned at 9:02 p.m.



Ashleigh Martin, Deputy City Clerk

Length of Meeting: 3 Hours, 37 Minutes
Minutes Completed: April 24, 2011