

May 2, 2001  
Council Workshop  
Minute Book 132, Page 1

The City Council of the City Charlotte convened for a Workshop on Monday, May 2, 2011 at 5:19 p.m. in Room 267 of the Charlotte Mecklenburg Government Center and Mayor Anthony Foxx presiding. Council members present were Michael Barnes, Nancy Carter, Warren Cooksey, Patsy Kinsey and Warren Turner.

**ABSENT UNTIL NOTED:** Council members Jason Burgess, Nancy Carter, Andy Dulin, David Howard and James Mitchell.

**ABSENT:** Councilmember Edwin Peacock.

Mayor Foxx called the meeting to order at 5:19 p.m.

### **Federal and State Legislative Update**

**City Manager, Curt Walton** said the first item we wanted to update you on our Federal and State Legislative Program and I will turn that over to Dana Fenton to kick that off.

**Dana Fenton, Area Governmental Relations Manager,** said tonight we are going to bring you and Federal and State Legislative Update and we are going to start with the Federal Legislative Update. We have with us Rich Gold from Holland and Knight who has been working with the City for several years to take you through some of the issues of importance to the City that are occurring in Washington, DC. After that I will go through a fairly lengthy State Legislative Update. There are several issues that are burring up in Raleigh right now which I would like to bring you up to date on and then we will end with a little discussion about Town Hall Day activities on Wednesday, May 4<sup>th</sup>.

**Rich Gold, Holland and Knight,** Thank you very much and I appreciate having the opportunity to appear before you tonight. We wanted to keep it simple, one slide and I will go over these items and please feel free to interrupt as I move along. First of all and most importantly, I really appreciate all the folks on the Council who came up for the National League of Cities meeting in March in Washington, DC. We had a lot of good time with the North Carolina Delegation and key folks around town to talk about Charlotte's priorities and the importance of what you are doing down here, everything from the Democrat National Convention coming to obviously the Blue Line Extension and the Airport Tower and other major initiatives on going. While we are there to represent you in Washington, nothing is a substitute for you all coming to Washington as elected officials to convey how important all these things are to the Delegation and the Administration. If I can start through a little bit, obviously we just completed what was a relative extended dance on the FY11 budget which obviously should have taken effect October 1, 2010 under the federal fiscal year. We finished up with a continual resolution a few weeks back that will take us through the end of this fiscal year, September 30, 2011 that resulted in about a \$38 billion in cuts to discretionary spending, not insignificant amount of cuts. The largest amount of cuts in the discretionary budget in the history of the country, the second largest being in the 1995-1996 budget debates between President Clinton and the new Republican Congress at that point was about \$10 billion so that gives you some sense of scale. Obviously, that was an acrimonious debate was really was just hors d'oeuvres or warn up for what we are about to go into with FY2012 and as importantly the debates that will rage over raising the debt limit which we need to do sometime between the middle of this month and most likely the beginning of July. We are bumping up against the edge of the debt limit and obviously without congressional approval the country and Treasury Department can't continue to float bonds and borrow money so that will be a critical next step.

### **Councilmember Carter arrived at 5:22 p.m.**

Councilmember Barnes said Mr. Gold would you explain for the benefit of our record why raising the debt ceiling is important from your professional perspective?

Mr. Gold said sure and while I know you all have to balance the budget and certainly your State has to balance the budget, neither you or the State have to go to war or support the types of programs during bad economic times that the Federal Government does, including supporting a large amount of State budget funding that was otherwise evaporating. The feeling behind the Federal Government being able to go into debt is that the Federal Government has responsibility

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to go above and beyond what local governments and state governments have to do and therefore the idea of a balanced budget requirement on an annual basis would put the country in a situation where we would have to choose between continuing, for instance Domestic Discretionary Programs or deciding to go to war on the country's behalf and thus it has been a position of bipartisan administrations for at least since WWII that the country being able to run debt certainly at a healthy level, is something that is okay to do. At the same time obviously, we are now at a point in terms of our budget situation where we need to work hard to break down our ongoing annual deficits and start chipping away at the debt. To give you some example, if we had not had the tax cuts we had had over the last decade, we would still pretty much be in budget balance. We'd be a couple hundred billion dollars in debt over where we were in 2001, but because we've significantly decreased revenues over the last decade bipartisan the Federal Government is in a situation now where our debt is upwards of tens of trillion of dollars. We are looking basically right now at trying to balance the budget over the next decade using all the levers or tools on the table, including cutting domestic discretionary spending which we have started to do, looking at how we can trim defense spending, looking at Medicare and Medicaid for cost savings and obviously looking at places to close loop holes in the tax code and raise revenues. The debt limit itself is really an artificial limit that Congress sets to keep things under control. If we wanted to raise the debt limit we'd be in a situation where we would potentially be defaulting on what we owe fund and domestic folks who have been paying our bills and put us in a situation where the good faith and credit of the United States would be questioned.

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

Mr. Barnes said are you aware of any financial modeling theories under which we could get back to near balance, say a \$200 billion deficit on purely cuts?

Mr. Gold said no, if you look at the way the budget is structured, the domestic discretionary budget is a little under a trillion dollars a year. The current budget deficit is about a \$1.4 trillion so you could eliminate the entire Domestic Discretionary Budget and not get back there. We literally are going to have to use all the tools at our disposal this time. In some ways this is a much harder deal to cut than the budget balancing deal that was cut, for instance by President Bush the first in 1990 or President Clinton in his first term. We are going to be in a situation where everybody is going to need to sacrifice here including coming up with some additional revenue. There is a bipartisan Senate working group led by Senator Warner of Virginia and Senator Chambliss of Georgia that are working on exactly those types of solutions, based off of the President's Deficit Commission. We expect, as I mentioned, to have the need to raise the debt limit sometime before early July at the latest. Treasury can play around with things for a few weeks from an accounting perspective, but there is not a lot of rope there. As part of the debate over raising the debt limit, the expectation is that we will come to some sort of long-term spending deal that will include Domestic Discretionary Spending Caps akin to what we had in the 1980's with Graham, Redmon and Hollings. For those of you who have studied the federal budget as well as cost containment on Medicare and Medicaid, closing up loop holes in the tax code to raise revenue and cuts potentially in defense spending as well. We'll have the outline of an agreement most likely, as part of raising the debt limit and then that will have to be implemented by Congress in separate legislation moving forward. That is what we expect a lot of the next couple of months to be about.

That said, moving on to the second bullet the Administration has a draft Transportation Reauthorization Bill that is floating around up in Washington right now. This is important for you because on the transit side of that title we need to go and make sure your entire system is authorized for each transportation bill. Each time the Transportation Bill moves through the cycle we need to make sure all these succeeding lines that you are planning on building are authorized by the Congress so that FTA has the authority to fund them. As we are moving forward right now on the Blue Line and in the President's Budget for FY12, we want to make sure that successive lines that you all determine to move forward on and MTC determines to move forward on are authorized and we can get funding for. So we expect the Administration to sort of formerly float that Transportation Bill out there in the next several weeks and the Senate is coming very close in the Environment and Public Works Committee to agreement on a draft bill that looks a lot like the Administration Bill co-incidentally. The House is moving on a much smaller bill. I think the Senate Bill and the Administration Bill are about \$500 billion over about five years. The House bill is going to be a much smaller bill and may be scaled back to only 3 or

4 years. The bodies will take some time to work their ways in the Legislative process on these bills, but the President would like to see Transportation authorization done by the end of the summer. That is probably a little aggressive and we may drift off into the fall or even next year, but we are starting to move and so thus again your trip up in March was critical from that perspective.

**Councilmember Dulin arrived at 5:29 p.m.**

On the Airport Control Tower, obviously since last time we reported to you you've had the Transportation Secretary here to let you know that we are on the list and it is scheduled for FY19 to get the Tower completed. We are going to work with the Airport folks as well as City staff to make sure we are doing everything we can, as we have on the transit projects as well, to try and compress that timeframe down and move things along. We will continue to work with DOT staff at headquarters as well as working with the Delegation to make sure they are weighing in on that issue.

CDBG obviously took a pretty significant hit in the FY11 budget. I don't expect we are going to see significant continued cutting to that budget going forward. I'm hopeful we are about at the back end of what was the 16% cut for CDBG combined with home about 20% for you all. That is my prediction of about where we will end up. I think there will be debate over it and it is still going to be on the chopping block, but I think at the same time the President has pretty much drawn a line in the sand on this one and if he gives anything, it will be just a couple more percent. I don't think we are looking for significant reductions in CDBG to achieve additional deficit reduction at the end of the day. The last, but certainly not least, obviously a big event last night with the killing of Osama bin Laden, it reemphasis again that even though we are in an environment where the leader of al-Qaida is no longer living, al-Qaida itself still is and we are going to be operating in a period over the next 18 to 24 months of heightened security for those of you who have studied al-Qaida in the past, sort of restitution from al-Qaida's perspective takes a long time and you would look at events like big public events that they would want to be taking a look at and make sure that we have as much security in place as needed for the Convention here. I think there is going to be a very strong commitment from Congress and from the Executive Branch to make sure that is the case. We are currently working on security funding through Congress and obviously Congress' earmark rules have made that a little bit more complex, but we are making good progress there and probably most importantly, I think we've got a good coordinated effort between Charlotte and Tampa to make sure this is sort of a unified front and it is not Democrats versus Republicans, but both cities coming forward and expressing the need and working, not only with their Congressional Delegations, but also with the House leadership and the Department of Justice and the Department of Homeland Security to make sure that everything is taken care of on the ground from the security perspective. With that I will open it up to questions.

**Councilmember Burgess arrived at 5:33 p.m.**

Councilmember Turner said are we looking at an increase of revenue for the security for the Democrat National Convention?

Mr. Gold said yes, absolutely, the security costs for the Convention are born by the Federal Government because at that point you will be dealing with a nominee for the party or a virtual nominee and it is the costs of the Federal taxpayer at that point that is responsible for securing the Convention area and surroundings in order to insure that the nominee is protected.

Mr. Turner said so basically the number we were told at the beginning when we first found out that we had been awarded this hosting of the DNC, it will change and we expect it to increase and not decrease. Is that correct?

Mr. Gold said I'm not sure what number you are referring to.

Mr. Walton said \$50 million was what Denver and St. Paul received for 2008.

Mr. Turner said is it fair to assume that we will probably be looking at an increase in that number?

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Mr. Walton said no.

**Councilmember Mitchell arrived at 5:36 p.m.**

Mr. Gold said I think it is fair to assume that what happens at the end of the day is that we will go through the process working with you and with Tampa to insure that your Police Chief as well as the Secret Service and Department of Justice that are working with you come up with basically a risk base number at the end of the day. For those of you who haven't been through this before a large percentage of that costs really comes down to bringing in Police from outside because obviously, there is not enough law enforcement certainly in the City, but probably in the State to cover what is a major three or four day event. It is really a full week, so you are covering salary and expenses for those people from out of state. It is pretty much a formula like basis in terms of the dollar amount, plus any equipment and attendant for the geography that you are dealing with. Whatever that determines the number to be, and I would expect it would be slightly more from last time and I think Congress will work very closely to try and achieve.

Councilmember Dulin said I want to apologize to Council for being late this evening. I had an important family matter going on that worked out just fine. Related to the security monies, does it come with any strings attached to how the Host Committee and the City of Charlotte uses the money and does it come with parameters as to where we can use the money locally? We are going to need security in Davidson, Cornelius and Huntersville and we will need security in Rock Hill because it is a regional. Can you fill us in on that at all?

Mr. Walton said I don't think strings is the right word, but there will be a budget that they will have to approve and there will be eligible and ineligible expenses and I don't know that expenses in those surrounding communities would be eligible. I would kind of doubt it.

Mr. Dulin said if those expenses have to be approved will they have somebody on site so they can be approved quickly or do we have to work through the channels in Washington, DC?

Mr. Walton said they will have someone on site that will help develop a plan. They will have to be approved by the Department of Justice.

Mr. Dulin said okay so that communication is going to have to go back and forth to DC.

Mr. Walton said we already established that so we don't think that will be a problem.

Councilmember Barnes said I want to go back briefly to the second and third bullet point and have you talk through our hope for or anticipated timeline for action in Washington and also helps me pare that up with our hope for/anticipated timeline for the Blue Line Extension.

Mr. Gold said the Transportation Reauthorization Bill does not necessarily impede where you are right now on the Blue Line Extension. The Blue Line Extension is mentioned in the President's Budget for FY2012, which was released in February. That is really an important milestone. It is basically the signal from the Administration that they expect the project to move into full funding grant agreement within that fiscal year. I think we are basically expecting a fall 2012 full funding grant agreement out of the Administration for the Blue Line Extension. What the Transportation Reauthorization would cover moving forward is the other line still to be built out and all of those need to be authorized by Congress before they can be funded by the Federal Transit Administration or included in the budget moving forward either for planning funding or construction funding.

Mr. Barnes said in light of the current conflict around the debt ceiling and other things that I think they are going to be lacking regarding the 2012 budget, do you think that any of the most important timelines regarding any of our projects would be impacted?

Mr. Gold said you are asking me to crystal ball gaze a little bit on something that we are a couple months out from knowing, but I don't think at the end of the day the New Starts Program is going to be compromised in any significant way by the budget cutting debate that we are seeing in Congress right now and certainly not to the extent that it would impede anything with the Blue Line going forward. I also think that if we get a budget agreement of some sort in the next 6 to

12 months and that is implemented, because you recall the Federal Government is much more reliant on Federal Income Taxes for revenue which will come back a lot more quickly than, for instance property taxes, which you are reliant on. The Federal Government can right its ship a lot more quickly in some ways than local or state governments can. I don't see any long-term problem there in terms of the Federal investment, not only in Blue Line but in successive lines.

Councilmember Carter said three short questions – number one the Small Starts not compromised, but how about – you said the New Starts, but how about the Small Starts and the criteria there I've redressed then also as I understand it, everything that has a five-year funding component is what is approved, not that which will start after the five years. Is that correct?

Mr. Gold said correct.

Ms. Carter said so Small Starts and criteria?

Mr. Gold said Small Starts should be okay as well moving forward. The Administration has a strong commitment to, not only light rail but smaller projects including obviously street car. Moving forward we don't expect that to change. It is a top priority. In terms of criteria they are clearly continuing to focus on moving toward a more economic development and transit oriented development model and not simply focusing on the cheapest way to transport folks.

Mayor Foxx said do we know the impact of the recently approved budget on current year expenses to the City like CDBG?

Mr. Walton said 20% between CDBG and Home, the combined was 20% and I give credit to Mr. Gold and Holland and Knight. They projected 20% for us about three or four months ago so they were right on target. We assume that would be carried forward to next year's budget which would hit us after the first quarter of our budget.

The Mayor said so what will we not do that we would have done with that 20%?

Mr. Walton said in the last Budget Retreat we gave you a reallocation. I think part of it is dependent on a new relocation policy that we are recommending that is currently in Housing and Neighborhood Development. There were no major cuts in CDBG or Home related programs, but a restructuring of the relocation policy. If the Committee and the Council approved that.

Mayor Foxx said thank you Rich, that is a great name for a lawyer, Rich Gold.

Mr. Fenton said I'm going to take you through the State Legislative Update and I realize we are getting a little bit behind already so I'll try to go through this as expeditiously as possible. First all the General Assembly is in full swing now and it has been in for about three months. Their focus started with the State Budget, balancing that and creating jobs and it did turn to regulatory reform. There were several hearings around the state on ways that the state could help the regulatory environment. At those hearings it became clear that there was a lot of angst about issues at the local government level as well and you will see that in some of the legislation that has been introduced. Right now the leadership is planning to get a budget to the Governor by the beginning of June and they are targeting July 4<sup>th</sup> for adjournment. That is only a little over two months from now. Back in February, Governor Purdue presented a budget and it had a package or balance of tax increases and spending reductions to help meet its targets. One of the good things in the budget was that the Blue Line Extension, the state's share of that was funded for the next two years in FY12 and FY13. Since then the House Appropriations Committee, which has several sub-committees has split up that budget and gone through it with a fine-tooth comb and they have made recommendations. Those subcommittees went to the full Appropriations Committee and last week the Appropriations Committee did approve a budget to go to the floor of the House for debate tomorrow and final approval on Wednesday, the 4<sup>th</sup>. That budget does reduce the Governor's expenditure levels by about \$1.5 billion next year and \$1.3 billion in the second year. It did not accept the Governor's proposal on temporarily extending the sales tax by  $\frac{3}{4}$  of 1%. There were no changes to the Blue Line Extension Fund which is a very good thing and I will repeat that again. It is a very good thing that there were no changes to the Blue Line Extension funding. There was a special provision in the budget for the Federal Rail Funds. In order to accept them the Department of Transportation has to go to a joint legislative commission

when the General Assembly is not in session and get approval for everything that is under \$3 million annual impact. If the impact is greater than \$5 million they have to go to the General Assembly for approval. There was a concern about the General Assembly not being in session and there was a sentence put in that if the General Assembly does not act within 60 days then a Department can accept those funds. The last chapter on this is yet to be written. It still has to go through appropriations process and there is a Bill out there moving through the Senate now and I'm sure that the Governor will probably want to have her say on this issue before it gets put to rest. A couple other issues – Courts Funding. The Courts would lose 40 Trial Court Administrators around the state, including the one here in Mecklenburg County. Obviously, that is a big concern for the judges and the users of the courts and also the budget does eliminate some victim witness coordinators, about 55 statewide. Also the Mobility Fund, some funding is moved into the Mobility Fund from the Urban Loop Program, however looking at the budget language I'm not sure what impact it will have because that funding that is moved in will still have to be used for urban loops. That may be a temporary measure until those loops are completed and the money can be used to rate urban loop projects against other mobility fund projects. Also it does move in \$50 million of onetime funding. These were gap funds for two toll road projects around the state. Again the House will debate tomorrow and vote on it on Wednesday, which is the day you will be up in Raleigh for Town Hall Day.

Mr. Dulin said going back to the Garden Parkway, the \$50 million one-time – a couple years ago I remember it was big news and good news that \$32 million had been set aside to finish the engineering or maybe the \$32 million was the State's yearly amount that they were going to put in. Do you know how the \$50 million gets divided up between Garden and Currituck?

Mr. Fenton said these two projects, Garden Parkway and Currituck Bridge would be delayed by one year. This is the gap funding that was set aside for FY12.

Mr. Dulin said they put it on ice for one year.

Mr. Fenton said apparently the money is not needed at this point. I believe the breakdown was \$30 million for the Garden Parkway and \$20 million for the Currituck Bridge. Moving on to a very important issue for the City, this is something that the City has done very successfully for the last 50 years and has always abided by the rules and has gone above and beyond what is needed and we are looked upon as a model for the entire State.

Councilmember Howard said going back one slide to the part where you were talking about the differences on where the House is right now with the Governor as it relates to accepting Federal money for rail projects, is that something that the Governor is going to accept?

Mr. Fenton said it is hard to tell right now what that final outcome will be. At the very beginning she was very dead set against it. I don't think the Bill would be able to get through with a veto proof majority, however the Bill itself is a mirror of what is in the budget. It is a special provision of the budget and there are so many things in the budget it makes it very difficult to negotiate so at this point in time it is really difficult to ascertain what the Governor's position will be on that.

Mr. Howard said she doesn't actually get the opportunity to do a veto until, can she line item veto or does she have to veto the whole thing?

Mr. Fenton said the whole thing.

Mr. Howard said this would be one of the things she would be negotiating, not the only thing by any means.

Mr. Fenton said this is one of the things she has had an issue with, with the current General Assembly, and if it is in part of the budget bill she would have to veto the entire bill.

Mr. Fenton said annexation we were talking about, Charlotte has been held up as a model for annexation and the way it is done. When I talked with Legislators from outside of Mecklenburg County about this, they always recognize that we were always doing it the right way. That is why at the beginning of the session we had to hold our breath because of a couple of annexation

moratorium bills that were put in. These bills would have put a moratorium on any annexations planned for this year and until July 1, 2012. We are concerned about the word moratorium because up north of us in Virginia they have had a moratorium on annexations for more than 20 years. They keep on extending it every couple of years and the issue has never been solved. The rationale for the moratorium was to provide a breathing space for all of the parties to come together and negotiate a reform package. We obviously saw that as a great concern and every since then the League and various cities have been trying to get negotiations. The Senate did pass that moratorium Bill, they sent it to the House and House Leadership wisely stopped the Bill temporarily to allow for those reform negotiations to take place and those negotiations have pretty much finished up. There could be a Bill as early as tonight to put forward a reform package. It is in House Bill 845. I have seen the draft to it and there are things in there that we obviously don't like, but one thing it does do is allows the annexations that are planned to take effect June 30<sup>th</sup> of this year to go ahead. The City has sunk quite a bit of money into those annexations, I think it was \$5 million at one count, but there are two things in there that I need to bring to your attention. First, it does provide a way for property owners to get free water and sewer connections if more than 50% of the property owners desire water and sewer service, they can get it free. Second, is the veto petition. If more than 60% of the property owners do not want the annexation to take place, they can sign a petition and the City would not be able to reinstate that annexation for 36 months or three years. There are some pretty tough provisions in here, but it is better than a moratorium bill. When you are up in Raleigh on Wednesday this may be something you want to talk about with our Delegation. They have generally been very supportive of us in our fight, however the climate in Raleigh when it comes to annexation is very much anti-local government.

Ms. Carter said I really hope that our elected officials will be there in Raleigh on the 4<sup>th</sup>. It is an important session and Dana, if you could send us an e-mail with some talking points as I think that would be beneficial to us all to have that in front of us so that we are well informed.

Mr. Fenton said I was hoping that this presentation could serve as that, but I'll try to do that.

Mayor Foxx said one of the things that is different as I was looking at some of these pieces of legislation, what can we quantify the impact. Going back to one of the slides you showed, the elimination of 40 trial court administrator positions, I assume that will have an adverse impact on the ability to administer justice, but what does that translate into? For example does it increase officer time processing people in the Court House, what does it mean to the City's budget and what does it mean to the overall Criminal Justice System? Are there parties out there that understand this stuff and are communicating it back to the public. On the Mobility Fund, what if any impact is there to shifting funds from the Urban Loop Funding into the Mobility Fund, does that help or hurt us? What is happening is things are moving at a break neck pace and the ability to quantify the impact at the local level is hard, although what we can say definitively is that more control to absorb in Raleigh and shifting away from local government. It is not what I would have expected, but it is what is happening.

Mr. Dulin said I agree with you and I know the 45 court administrators, and that is the State, but that puts a strain on local courts to be able to efficiently churn the numbers they have. It is a numbers game. I haven't had a personal conversation with any of the our Delegation about the why or where, I think they have a \$100 million nut they got to hit.

Mr. Fenton said the reason 40 trial administrators around the State will have an impact on the court system, it will not be a good impact. In your Legislative Agenda that was adopted back in December it did declare support for additional court funding to help support the courts. Obviously, this is trying to keep something that has been in the budget for several years. I know that the trial court administrators and judges are working overtime on this to try to get the General Assembly to put the funding back into the budget. They do believe that the decision was based upon somewhat faulty information from one of the other counties in the state, about what they intended to do with their vacant trial court administrator position so at this point I know the judges and the trial court administrators are trying their best to try and get this funding back in. With respect to the Mobility Fund, the funding that is transferred in will really not help out that much at this point. The \$50 million in one-time funding, I'm not sure exactly what that could be used for. Depending on the size of the project, many projects are hundreds of millions of dollars,

some are even tens of millions that could help out with something like that, but obviously that is one-time funding. It is not permanent funding, which is what the Mobility Fund needs.

Ms. Carter said the increase in the cost for water provision in annexation, that will impact the City and the water rates across the City as well as the liability insurance because that is on private property. We have to insure both the property and our workers. If we could figure up the cost and then project that, that is an argument for us as well.

Mr. Fenton said moving on to the next issue, the Billboards, this is something that has been talked about for the last 5 to 6 weeks. There was legislation introduced, both Senate and House Legislation to put into effect a statewide set of standards for vegetation removal around billboards and also to extend billboard new zones. In addition to that the initial version of the Bill did have in provisions to change non-conforming billboards to digital billboards and to allow for compressed spacing of those billboards. That portion and the digital billboard spacing requirements has been taken out of compromised legislation so I'm going to try to stay away from that. The Senator who sponsored the Senate legislation, Senator Brown, did try to bring together local governments and the outdoor advertising industry to talk about this. A compromise was not reached, however there is a substitute bill out there that got through the Senate Transportation Committee last week and is now in Senate Finance. We have a couple concerns, one is the selective vegetation removal. We believe there are too many holes in this definition of selective vegetation removal so that it would virtually allow clear cutting of very useful legislation. Another thing is there was a lot of talk from outdoor advertisers about replanting, however there is no set or hard requirement in this Bill for replanting and also for screening. As you go around the City, there is a lot of screening set up between interstate highways and limited access highways with neighborhoods and commercial and industrial areas. Under this a lot of that screening could come down if there is a billboard within that view zone. The concerns are many and I do need to bring up one other issue and that is the City has a pretty strict requirement about trees that grow up in the face of a billboard. I know that we are very proud of our tree canopy and we want to see it enhanced, however the billboard industry has talked about the trees that grow up in the face of the billboard obscuring the view of the driver to see that billboard and frankly we are just not getting a lot of sympathy in the Senate for our local ordinance on that. I don't expect this Bill to be heard in Senate Finance this week. It will probably be next week and we do expect it to get through the Senate as it goes to the House.

Councilmember Cannon said with regard to the number of state roads that we have in our City, this could turn out to be a major issue for us, could it not? The majority of the roads are State roads and with the amount of clearing that is being talked about, we could lose a lot of vegetation in and around our area. It sounds like we are being ignored. Is that proper?

Mr. Fenton said there are a quite a few interstates and limited access highways in the City. I've seen quite a few billboards around here of course so I would think it would be a very noticeable difference between what you see today and what you would see in a future time if this Bill, as it is currently written, is enacted into law.

Mr. Cannon said this Council and previous Councils have worked very, very hard to try to do something to maintain the level of vegetation and protect our tree canopy as best we can and I think it is a little bit bad to see right now that this industry, which has been a pretty good partner locally with us in previous years, not to really take a hard look at what this might mean for us. Has City staff sat down with them locally to have some level of conversation about what it might do to us locally?

Mr. Fenton said at the statewide level I've taken part in the negotiation sessions with the industry, the League, Metro Mayors, the County association and even NCDOT has been in there in an ex officio capacity.

Mr. Cannon said have you sat down here locally with Adams or any of the others?

Mr. Fenton said they have been represented at those negotiation sessions.

Mr. Cannon said I know they have been at those sessions, but I'm talking about having some backroom conversations right here in our own City with them. We had the broad discussions in



Raleigh with them. We ought to make some phone calls and ask that people look at this City and continue to be the partner that they have been in past and the one we expect them to be in the future. I'll be happy to start making the phone calls tonight and leaving a message for someone at Adams or anywhere else, but I think we really need to take a hard stand on something like this to protect our canopy right here in the City. This is bad news.

Mr. Barnes said I wanted to essentially clarify my understanding Mr. Fenton. Someone earlier mentioned local authority being yanked back to Raleigh and now Washington as well. Under Senate Bill 183 you could essentially have Harris Boulevard or I-85 or I-77 all the way to the Lake lined with lighted billboards along a clear-but pathway. Is that fair to say?

Mr. Fenton said the portion of the Bill that addressed digital billboards has come out of the version that moved through Senate Transportation last week. I will also stress that it does not overturn our local zoning regulations with respect to where billboards can be sited. Right now I believe our ordinance only allows them in industrial zoned districts and there are spacing requirements. Those spacing requirements in the zoning districts would not change.

Mr. Barnes said with regards to the elimination of the buffers between neighborhoods and interstates, is that still within the concerns piece that you have listed there on the screen?

Mr. Fenton said it is. For example you could drive along some limited access highways like US 74. There has been screening that has been put up and it has grown over the years. Some of it may have been put in at the direction of the Federal Government to mitigate the impact of the road upon the neighboring areas. We are very concerned about that.

Mr. Barnes said back to House Bill 845, the free water and sewer hook-ups, which is about \$3,200 each would be on us.

**City Manager, Curt Walton,** said plus the equity issue with existing City residents.

Councilmember Turner said we have been down this road before as well, but I want to commend our own policy and commend Ms. Campbell and other staff that work with us to formulate our relationship that we have locally and this was discussed then. The thing that I have noticed and it seems to me to be a little late in the game, is that when you start talking about the impact that the State roads may have on us if this passes is that they will be clearing anyway. I was on 74 East in Asheville and if you go up that road today you can see where they have cleared and cut down trees 3 or 4 feet in diameter and that is their right-of-way. To me since there is such a deficit, and it makes sense that they utilize their own right-of-way, it is the trees and the billboards that outdoor advertising people are concerned with the growth of the trees growing up in front of their established billboards. The State wants those trees down from their perspective from a safety standpoint because when the trees get a certain height they may fall in the road, blocking the street so to me you would think that they would look at our policy and the way we operate and try to find to join revenue where it does not have a major negative impact on anyone's tree canopy, but more importantly, still leave the local municipality the ability to help them along this process because this is all about money. I think what we need to do is establish the areas in which we know, the State streets right now that is going to affect us locally, and how it will affect us from their perspective. If we are going to get on the phone and make phone calls and Mr. Cannon was saying he was willing to engage in this matter, I think it is important that we go forth with a solution that is going to be effective for everyone and help them to accomplish what they set out to do in the first place. My local concern is that we are not doing a good job of protecting the trees that grow up in our own area because most of these trees that get cut down, get cut down in the middle of the night. You ride by that billboard that had a tree in front of it yesterday and you go by there today, it is gone. I think our policy says we have to catch them and prove that they did that in order to even go after them. I think we are throwing stones in the ocean and I think until we come to a better way to help them and see how it affects everyone to make it make sense from a business standpoint, I think we have to look at our own position on this and not worry just about Charlotte, but it has a much bigger affect than us.

Councilmember Kinsey said I don't understand. This legislation applies to billboards in state right-of-ways and local right-of-ways?

Mr. Fenton said this applies to billboards that are located along the interstates and limited access highways and federal aid primary highways. The billboards are actually located on private property and they are intended to be viewed by drivers on state roads.

Ms. Kinsey said if they are on private property can the owner not say whether or not those trees can be cut down, or vegetation cleared?

Mr. Fenton said the vegetation to be cleared would be in the state rights-of-way.

Mr. Turner said your point is taken but that is where I believe everybody is missing it because to me it would make more sense for the state to take that away from the private property owners and allow them to put the billboards on state property. That is where they generate revenue immediately because they are leasing the land for those billboards from private owners. If you go Highway 74 East today and I can imagine those contracts are in the millions to remove huge mountain trees to give clearance. It is probably 50 to 60 yards off the highway and it just amazing how they are trimming those trees back. To me to put the billboard on the state right-of-way gives the state the ability to lease that land to the billboard and control it. I've been down this road when we had this discussion before but I think that way we could control all of it and you take the private land owner out of it completely because all they are doing is giving them a location but it is the state trees and the local trees that grow up in front of those billboards and obscure them and they are going to cut down anyway illegally.

Mayor Foxx said it sounds like there is a consensus here.

Ms. Kinsey said we don't like it.

Mr. Walton said it is going to get worse.

Mr. Fenton said that was the calm before the storm, Mr. Mayor. We have several examples of local authority where it would be degraded. There is one bill at the end which is a good deal for local governments. The first bill is Municipal Broadband. This is one that has been a perennial bill and what this bill would do is set forth new requirements for cities and towns that want to provide broadband services to their residents and businesses. We are not trying to do that, but we do have a public safety broadband system we are trying to get installed and also broadband will be used for many applications for internal government uses in the future. We were successful in getting an amendment put into the bill to exempt those governmental uses from having to go through these extra requirements such as a vote of the people or extra steps to go through before the local government debt financing can be approved. Extra Territorial Jurisdiction (ETJ), there are about four bills out there that would change the way our ETJ can be applied. One would basically exempt farms from environmental regulations that cities apply in the ETJ. Another would, in the absence of countywide zoning, it would allow the folks who live in the ETJ to vote in City elections. There are other bills of course out there and how they fit into the annexation debate is going to be the \$64 question because once the Annexation Reform Legislation is done, these bills are still out there. I'm unsure right now just what the General Assembly intends to do. The next one, Prohibition on Rental Registration, Residential Building Inspections, this is a bill being put forth and it is targeting your local ordinance on local rental building inspections and registering of property. It would not allow the registering of property, also your inspectors could not go out and look at all rental properties. Instead there would be standards for which one would be inspected and there are a few other things in there it does as well.

Mr. Barnes said back to the third bullet point, who are the sponsors of that Bill? Is this targeted at Charlotte?

Mr. Fenton said I think it is safe to say yes. The Residential Building Inspections Bill is a committee bill. There is not the name of a representative who is sponsoring it on the legislation. It was filed by the House Rules Committee.

Mr. Cannon said the feedback I get is that those in this particular industry are not against this bill per se. In fact they support it actually.

Mayor Foxx said not against the Bill or the ordinance.

Mr. Cannon said the prohibition of the Rental Registration. They are fine with that from the information I gather. It is not like a blanket registration situation that they would be in.

Mayor Foxx said the ordinance that we have, they are not for prohibiting the rental registration ordinance?

Mr. Cannon said that would be correct, yes sir.

Mayor Foxx said I'm a little bit at a loss. I guess we need to listen to what else you have to say about the rest of these bills.

Mr. Fenton said well, I hope you are finished eating dinner. The next two, Property Owners Protection Act and Municipal Abuse of Authority, both of these bills are similar in that it would allow claimants to receive attorney's fees for suits they bring against local governments. The first one really deals with land use matters. It puts into law the presumption that the use of the land by the property owner is greater than what you might find otherwise. Municipal Abuse of Authority, what they are saying there is that there is an ordinance or a regulation that has been adopted by a local government, if found not to have an expressed power in the State Statutes then the folks could get attorney's fees for the suit that they bring. The next one, Comprehensive Tax Reform/Business Privilege License Tax, this is legislation filed by Senator Clodfelter to enact tax reform at the state level and fortunately it would also do away with the Business Privilege License Tax that localities have had in place for many years, starting in July 1, 2014.

Mr. Dulin said on the Business Privilege License Tax, does it do away with the tax or does it take it from our use and put it to someone else's use?

Mr. Fenton said there is something that is put into the state's coffers for that.

Mr. Dulin said so it doesn't eliminate the tax for the citizens of Mecklenburg County doing business?

Mr. Fenton said in terms of whether it would replicate it at the state level or not I can't tell you, but it does do away with it at the local level and that is a \$17 million hit upon the City.

Mr. Fenton said the next bill, Zoning Aesthetic Controls, this also has been introduced by Senator Clodfelter. This is a result of some input he received at the Regulatory Reform Hearing that was held here in Mecklenburg County from some folks who were concerned about the residential design standards that are in place in several towns around here. This is something that the City had been looking at as well. Basically it would say that any of the exterior features, the City could not require that unless the structures were to be located in a historic district or was part of a historic register, and I can't remember the other but there is another exemption for it as well.

Ms. Carter said Fire and Life Safety Codes.

Mr. Fenton said yes, thank you very much. If you have Fire and Life Safety Codes you can relate the requirement back to that and then you can enact it. Our last bill is actually a pretty good bill because this bill would allow local governments to adopt ordinances to advertise their legal notices on their own internet website instead of going through a newspaper of record. There would be quite a bit of savings statewide. It is not telling just how this bill will fair but it certainly is an attempt.

Mayor Foxx said I've had a lot of conversation with other Mayors across the state, of both parties, and there is a lot of concern as to how these types of bills impact cities. It is literally local government versus state government. It is not Republican versus Democrat and it is really an interesting thing. I don't know the extent to which you all across the table have felt like you have been consulted in the course of some of this conversation about some of this stuff, but I just think it is really, not only rapid change, but I'm not sure that it is calibrated to actually help whatever they are trying to help. I don't even know what they are trying to do. Public Safety,

we've spent I don't know how many millions of dollars supplementing what the state does in Criminal Justice and then have 40 Trial Court Administrators cut and the benefit is what to Public Safety?

Ms. Carter said if they are going to take the control they have to police these things and that is going to be an added expense to the state, if it is in their hands, if they do it, otherwise we've lost control period.

Mr. Turner said the problem I have is that you put a large portion of the population at a disadvantage because they don't have broadband. We've been battling broadband and trying to find a way to get this to more people across this country and local municipalities but now here we are talking about, well don't worry about it. It makes absolutely no sense. I can show them ways to save money, they are not interested in saving money.

Mayor Foxx said I hope that was your last slide because I don't know if I can take much more.

Mr. Fenton said we'll get some happy news real quick. One thing the e-mail subscriber of this bill that you all endorsed in the agenda has been passed and that is not a statewide measure. We are still working on a few other things including at the end the out of state law enforcement. That is the one that would allow CMPD to bring in out of state law enforcement resources for the DNC. There is not expressed authority in the State Code to allow that to occur. Finally, Town Hall Day on Wednesday the 4<sup>th</sup> is a list of activities all day long, starts with issues briefing at the Corium Center and then moves over to the General Assembly and then ends the day with the Legislative Reception provide by the NCLM and also the Mecklenburg Delegation dinner.

Mr. Howard said what about the bill that was filed that would slow down the process of reappointing a vacancy on a local elected body of City Council?

Mr. Fenton said I think you are talking about Senate Bill 266. That legislation has not been heard yet and I'm not sure whether it does have a lot of support statewide or not. That is Legislation put forth by Senator Clodfelter to standardize how positions on City Council and other local elected governing bodies are filled. Right now it has not been heard.

Mayor Foxx said we are running way behind, but that was some important information that we need to get out so I thank everybody for being patient with that.

### **Housing and Neighborhood Development: Charlotte-Mecklenburg Coalition for Housing Update**

Mayor Foxx said one of the most exciting things that has happened in the last year and a half has been the establishment of the Charlotte-Mecklenburg Coalition for Housing which the Council approved this creation about a year ago. We have appointed the Board and the Board has been meeting over the last several months and I think this is the first opportunity we've had to hear back from the Board on what they are doing. This is a real exciting opportunity and Mike Rizer is the Board Chair and would like for him to come tell us how things are going.

**Mike Rizer, Chair, Charlotte-Mecklenburg Coalition for Housing** said I will start with good news which is I'm going to get you back on schedule pretty quickly. I just want to take about 12 minutes to tell you about some pretty important news.

Mayor Foxx said you've got members of your Board here and I would like to have them stand and let's acknowledge the folks who have given their time to serve on the Charlotte-Mecklenburg Coalition for Housing.

Mr. Rizer said thanks for that acknowledgement Mr. Mayor. It is really a fantastic group and in my experience in these kind of things, it is one of the most dedicated and they have put in a lot of hours already in the first six months we've been together. On that score as well, I would like to say that the City staff has been fantastic. Pat Mumford's Team, Pat Wideman, Selica Dearman and Vi Liles in particular has been terrific so thank you for all of the support we've gotten. As the Mayor said about a year ago we had the wisdom to appoint this group and we charged with overseeing the tentative plan to end homelessness. This is a picture of the group which you just

acknowledged and I just wanted to say a few words that beyond their dedication, we've got a really diverse group of folks. We've got a Police Officer, we've got a University Professor, developer, philanthropist and it is really a good rich group of folks who have given their time to this and we are really benefiting from these appointments.

Mr. Rizer used PowerPoint for his presentation to Council. The ten-year plan to end homelessness that Charlotte created over five years ago now really grouped its goals into three big buckets. One was getting homeless individuals and families into housing, the second was reaching out to the chronic homelessness with housing and support of services and the third was to prevent homelessness for those who were at risk. The model we are using is one that is now recognized as the best practice around the country, commonly known as Rapid Re-housing. It is kind of the older model where the homeless would go from shelter to shelter or agency to agency. The exciting news here is that we've look at a lot of best practices, the City of Columbus, Ohio probably being the one most similar to Charlotte, but other cities like Minneapolis and San Francisco and New York, who have really had success driving down their homeless, even during the economic downturn in the past couple of years. If you look at Page 4 it shows our system goals and then down at the bottom gets to indicators of our success. These six boxes across the top, what we've done is taken those three big buckets I just pointed out of the ten-year plan and then blew them out in a little bit more detail in terms of the goals that we see as our system goals for the ten-year plan. If you move one level down it is the System Outcomes, so what in fact do we want to accomplish here? For example, we want to reduce the number of people who become or return to homelessness. Increase the supply of affordable housing, etc. real specific outcomes. The way we have gone about is to divide our work up into three committees. You can see there is only 15 of us, 3 of whom represent the City, the Housing Authority and the County.

What we have done is divide into three committees, one Community Engagement and Advocacy and that kind of speaks for itself, but what I would say there is we know that to be successful in this work we really need to work on the way we communicate around homelessness and affordable housing. We've got to create a story frankly around it, in a way that we haven't done before and we've got to get people in this community thinking about this subject in different ways. Our Development and Service Integration Committee is really looking, not at just development of affordable housing, but how do we successfully integrate the social services and the other services primarily supplied to the County and agencies with the bricks and mortar dollars that you the City provide. I think one of the really great things about this Committee and your creation of it is that you have brought together both the City and County for the first time to work on this in an integrated way and that hasn't happened before. Last our Research and Evaluation Committee, and good decisions are based on good data and we need to know what the facts are to be able to make and recommend good decisions to you. If you will look at the last slide on Page 5, what we've done is have each of the committees pick one or two key actions so we are trying to get this in bite size pieces if you will and then indicate our success so first block is Key Action for the work plan and the last block is Indicator of Success and I have broken those out on the screen so you can see them. For example the Community Engagement and Advocacy group is creating a tool box around communications and their indicators of success are going to be changes in attitudes, volunteer mobilization and more philanthropic resources. I won't go through all of these in detail, but you can see Development and Services integration has chosen two key actions and indicators of success. Research and Evaluation in a like way has chosen two key actions and indicators of success.

This is probably the most important slide I want to show you tonight (Page 7) and that is that I really to leave with the Council the fact that the Committee is really taking its work very seriously and we feel like that at this moment in time where we are at, that the County and the City are aligned in their appointments, that there are a lot of good best practices now that are more empirically based than have been in the past and that frankly you've charged us to take a different look with this than in the past. We are really challenging current assumptions and you will hear if you in our meetings, people asking how this is different and if it is not different the question gets called. We are also looking at taking some risking and asking some hard questions so I may very well be back here to report to you and to make recommendations unlike perhaps things you have heard in the past. In this slide, (last slide on Page 7) I just want to move to the third bullet and say we know that we've got to do a better job in talking about this. I think in this community we've done a good job in talking about affordable housing in a way that the faith

community embraces and some other communities, but not the business community quite frankly. We haven't made a good economic development argument around why it makes a whole lot more sense for us, as a community to house people than not and the data is out there, but what we haven't done is a good job of creating a compelling story and economic story around that. We really need to do that and that is part of our work. We know that resources are scarce, but you will see next week when you look at the Housing Trust Fund recommendations that we are looking at a better way to be more strategic, to guide people in ways that we haven't before. Regarding the Current Service Delivery System, we are going to be looking at setting different behaviors and driving different outcomes. As I said before we are having a difficult time coming up with real solid data to make the decisions we need to make. We've got to ensure that it is accurate and then we want to base our decisions on the right data and then use that data to measure our outcomes.

Our next steps, as I mentioned you will be looking at the Housing Trust Fund Allocations next week and in the interest of collaboration and transparency, I will be making this same presentation to the County Commissioners on June 7<sup>th</sup> and then I will be back to you regularly to report and we may be talking about some different ways to approach supportive services and our needs around data management. That is my report and I will be happy to take any questions.

Mayor Foxx said I just want to say thank you to you Mike, and to the Board Members and to the staff. There has been an awful lot of work that has been done to literally build a new airplane and we are having to do things while we are building it like reallocating Housing Trust Fund dollars, etc. It is not easy work, but it is part of setting ourselves up to do a better job with housing.

Mr. Rizer said we do have a real bias toward action and even if for example, we don't think we have the perfect data, we will work on that, but in the meantime we will work moving toward actual items.

### **Economic Development: Small Business Week 2011 Overview and Preview of Small Web Portal.**

**City Manager, Curt Walton** said we wanted to give you an overview of the activities that are planned for that week as well as an overview of the web portal which go live that week. Dennis Marstall and Emily Cantrell will make this presentation.

**Dennis Marstall**, said if you have looked at your calendar it is May and that means two weeks from today some exciting things will be happening in Charlotte. I'm Dennis Marstall, Economic Development Office and Neighborhood and Business Services and Emily Cantrell is handing out some information about Small Business Week and she will conclude presentation, talking about exciting web portal we are going to be launching for the benefit of the small businesses in Charlotte. What we are going to highlight is really a good news follow-up for City Council. Last year in June 2010 City Council approved a Small Business Strategy. We outlined a number of items on there that we thought would help small businesses in Charlotte and I want to highlight three of them. One of them was we said we wanted to put together a small business consortium of resource partners that touch small businesses. We want to put a coordinated approach to marketing Small Business Week and we also want to increase awareness for small business resources through a web portal. We have been working on that diligently since this was adopted last summer by you and we are on our way to talk about small business resource partners. The City has a lot of programs that we deal with, with our small business opportunity program so we have the list here from Business Expansion and Funding Corporation, down to the Chamber of Commerce, the Library, the Small Business and Technology Development Center to The Employers Association. These are all different, whether federal, state, county, some are non-profit within the Charlotte community that type of small businesses that generally provide free resources for small businesses. We've talked with them and partnered with them and come up with a couple of unique things and the thing I'm looking on is going to start May 16<sup>th</sup> as Small Business Week. Since 1963 the US has celebrated Small Business Week through the President's proclamation and national events are coordinated annually by the Small Business Administration out of Washington, DC. The City, in the past, has done a variety of things, a Mayoral Proclamation, different networking events and receptions for small businesses and even in the past the Charlotte Chamber of Commerce has done Small Business Awards. Those are some of

the past efforts, some things are falling off and we said how can we ramp up Small Business Week. Given the economy for the last two years most small businesses can be a key driver in the turn-around of our economy so we think it is a wise investment to invest in Small Business Week. We've outlined some objectives that we want community partners, we wanted to do a broad outreach through marketing and promotion of Small Business Week activities and coordinate some resource events that have businesses either (1) enhance their operations or (2) grow their opportunities for sales. Those are our two overriding goals for Small Business Week and then provide at least 20 free or low cost events throughout the community during May 16<sup>th</sup> through the 21<sup>st</sup>. We want to celebrate the contribution of our small businesses, we want to educate small businesses on the resources available and we to come up with driven business to business interaction. There is a whole lot of interest and if you get business to business conversations a lot of times that leads to sales and enhance revenue growth. The other key thing would be our Web Portal. We will have a brand new free resource for small business across the country to tap into and learn about Charlotte Mecklenburg and doing business. As I said May 16-20 is Small Business Week across the country. In Charlotte we've chosen to celebrate in a couple of different ways. We want to highlight two weeks from today, Mayor and Council we have at your place an invitation for the Mayor and City Council Breakfast to help us kick off Small Business week here in the Government Center. We will have breakfast in the lobby and then we will have a program in the Chamber and will talk about the Web Portal Launch. Mayor Foxx you may have a unique opportunity to do a virtue ribbon cutting. On Tuesday we will have the Federal Government Contracting event with the General Services Administration on the UNCC Campus. On Wednesday the CPCC are having their fifth annual Entrepreneurial Success Conference and then the Chamber is doing their second annual Access to Capital Conference on Thursday. These are some of the big things that are happening and we have a list of events that are on your table for Council members and we will share with the public and others to see what is going on during the week. But we've also teamed up with the private sector. There are many organizations to help small businesses know how they can do more with the social media, how they can do better with marketing and promotions of their business and enhance sales. In the Entrepreneurial Spirit, we also have on Friday Meck Day celebrating the Independence of our community so there is a whole list of activities that tie together during Small Business Week.

The only other thing I want to highlight today is kind of accentuate Small Business Week and do something out of the box. Small businesses in this community today are trying to figure out how they can do business differently to grow their sales so how can we do something that is kind of outside the box and help one lucky small business. What we created this year is call Extreme Makeover, Small Business Addition and is whereby small businesses have been encouraged to get into the small business website and log on for a chance to win a business makeover. We want to tap into the City businesses that are willing to give free pro bono services to one lucky member to help them with their business practices and management and also we are doing some publications that attract them and do some stories about this business on the Government Channel and the web portal that in essence this one lucky business is going to be selected by the committee, and you have until mid-night tonight to apply for extreme makeover. I'm pleased to announce that we've already got 25 applicants so I'm pleased with that. The MLC Group is going to provide this winner with up to 15 hours of strategic planning, business plan optimization. An advertising firm is going to give them some branding makeover advice and even produce a free ad for them. The Reznick Group is providing up to 15 hours of accounting and tax advisory services. KRS Consulting is helping with sales enhancement and last the Employers Association is going to help with human resources audit. It is a concept that one lucky business I think will be happy to win. Over the course of Small Business Week we will have a website for them on the City's website. We will be promoting that through the Chamber of Commerce, CPCC, all their resource partners so our marketing strategy has been talking to the media. The Government Channel will be doing a special. WJZY and WTVI will have a little program, News 14 will do an interview and a number of local business associations, SouthEnd, NoDa and other business associations in town. We think we've got some good coverage, people are responding and we are getting RSVPs. Extreme Makeover has gotten some good reception already so those are kind of Small Business Week in a nutshell. I would encourage anyone to go to the website – [smallbizweek.charlottenc.gov](http://smallbizweek.charlottenc.gov). That is where we have the full list of activities, how you can register to attend those events. Again most of them are free or low cost and actually we are updating it daily because different events continue to come in. You will be pleased to know that we are working on an Expert University kind of concept with NC Input

Expert Center, so there are some things that are being added daily. It is something for every small business that they can utilize at this website and during the week.

**Emily Cantrell, Neighborhood and Business Services** said I will be giving you a preview of our Small Business Web Portal called Charlotte Business Resources.com. A little bit of background, actually before this past fall we started gathering public input into this Small Business Strategic Plan. Something that we heard consistent was there wasn't a consolidated source of business information in our community so the web portal is really a tool to address that need and it serves as an on-line tool to consolidate the business resources in our community. We went through the formal RFP process and last fall you approved a contract with Crown Communications, a local small business, to work with us on developing the web portal. We ask Crown to do some pretty specific things, one was to help us consolidate the wealth of business information available in a concise and organized way. We also developed a brand and marketing strategy for the portal and above all our message to them was we get simple and easy to understand for the public. I will be showing you some screen shots tonight of what you can expect on May 16<sup>th</sup>. This is a screen shot of our home page and you can see the Charlotte Business Resources.com logo in the upper corner. The logo is consistent on every page so it kind of anchors the site and the user can click on the logo to return to the homepage at anytime. We use bright colors and vibrant pictures to really engage these. This is our main menu and we've organized our content related to a stage of business or a prominent business information topic, such as financing or contracting so if the user clicks on Starting a Business or Growing a Business they will be taken to respective pages with more information and I will show you an example of that in a few slides. We wanted to highlight our partners on the homepage as well so the partners spotlight feature rotates with our partner logos and we can either click on the partner logo to be taken to the partner homepage. We wanted to highlight our calendar as well so the upcoming events box rotates with upcoming events. In the upper right hand corner you can either search by topic or key word. They can also select a foreign language to translate the web portal. In the bottom corner if the user clicks on the get connected feature they can enter their e-mail address and receive updates about new features or events. We hope to incorporate videos in the future so we are really excited about connecting with the users and providing them information as the portal continues to develop. The get info icon is another link to the calendar and we are also allowing users to share pages via tweeter or face book. This is an example of our landing page. As I mentioned earlier if you are on the homepage and you click starting a business, this is where you are taken. You will see underneath the main menu is a sub-menu of topics that relate to starting a business. If the user clicks on one of those topics they are taken to another page with information and links. We also feature our partners on our page. You see score, the partners that provide relevant services to this stage of business are featured on the landing pages and if the user wanted to connect with score and with starting the business services they provide, they would click on that heading and be taken to scores homepage. This is a snapshot of our event calendar and the Small Business Resource Partners will be responsible for populating the calendar with their respective events. If the user clicks on a particular event they will be given detailed information and a link to the sponsoring organization site. This is a snapshot of our debt feedback page. It is very critical in the beginning stages of this portal to gather feedback from the public because this is a community tool and we want to be as responsive as possible to the community needs so we want to hear from them if they are finding the information they need, if we have missed something, if something is confusing, we are really hoping that they engage with us through this feature and provide us good feedback.

As we get closer to May 16<sup>th</sup> we will be implementing a marketing strategy. This will include producing and distributing collateral material. The image you see on the screen is a picture of what our business card will look like. We will make sure that Council members receive collateral material to share with their constituents. We have also asked our partners to help us with the marketing efforts and each partner will feature the web portal logo on their website and we will launch on line and radio advertising starting with Small Business Week and running throughout the first year. We will also be gathering public feedback during Small Business Week. We have a couple of events planned to set up some laptops and ask the public to surf the portal provide feedback to staff. We will be conducting some focus groups and we will continue to provide you feedback through the portal feature, and this is an image of our business card in Spanish. We thank you for your continued support of this project and I'm happy to answer any questions you have.



Councilmember Mitchell said thank you folks of the Economic Development Committee for really taking this new tool very seriously for our small business. The staff is doing a great job and I think this is the type of new tool, new innovation that we were hoping we could put out in the community so hats off to you. I'm looking forward to the virtual ribbon cutting on May 16<sup>th</sup>.

Mayor Foxx said I agree and I think this is a lot of great work touching an awful lot of places out in our community to try to draw on these resources and consolidate them. I got asked this question recently and I honestly don't know the answer to it. When you go on this website and you find information that you are looking for or whatever, who do you call if have further questions? I'm asking sort of a next stage question because the site is consolidating a lot of information and if you have a score question I know you can call score if you have a Ben Craig Center question and there is probably a place to go there or the Chamber. I think the next level of looking at this is trying to figure out whether there is a phone number, a desk and a person on the other end who can be kind of a catch all for these things. How does that work?

Ms. Cantrell said right now the way we are driving public feedback about the portal feature is through the feedback page and that comes via e-mail to right now me. We have an internal team that is addressing those needs. While we don't have a phone number for the web portal we will be responsive to those e-mails and if there is a need in the future for a phone number that is certainly something that we can look at. We've weighed giving this portal a personality because this is meant to enhance rather than replace existing services. If a user has a specific question we are really hoping that they will find the right resource partner and be able to go to them either by phone or in person. The strength of the personality of the portal is something that we are still considering at this time.

Mayor Foxx said as this gets rolled out and we see what the traffic levels are, it may be something to talk about whether we as a City take on that role of being kind of the catcher and maybe a call comes in and we help people find the resource they need to find. I think this is great and it is going to help a lot. Thank you for your hard work Emily and the whole staff. The other questions I had about the Small Business Week and it is kind of tied to website, given that there is going to be some really good information shared at various programs like Luncheon Learns, etc. are we capturing that somehow on video and is that going to land somewhere on the website?

Mr. Marstall said yes, great idea and we are measuring everything during the week events so we can have it on the portal and do promotion for next year. We also want to see if people are taking advantage of the Small Business Week opportunities so we will be tracking during the events, how many people attend those events. We will be doing some filming and tracking of the different events so we can use it for the web portal and for promotion next year.

Mayor Foxx said let me ask the question again just to make sure I'm clear. If there is a seminar that is an hour long on branding, are we taping that full hour and putting it someplace where someone who wasn't able to attend that particular event can see it?

Mr. Marstall said we are not. Some of them will. CPCC will have a couple of workshops during their activity and they will do one or two of those workshops on video. Some will, but not all and those that do will also have use of the web portal. I can't tell you exactly who will but I know at least five of them are going to tape some portion of their program. The CPCC even is a 5-hour program so they are going to capture some of that. The Access to Capital, they are going to capture some of those videos for their workshop sessions.

The Mayor said which is actually us and the Chamber.

Mr. Marstall said correct.

The Mayor said this is critical because 90% of jobs are small business jobs. This is good stuff.

**Community Safety: Mecklenburg County Domestic Violence Advisory Board Annual Report.**

Mayor Foxx said we look forward to this annual report because it puts a lot of things into perspective as to what is going on and I'm going to sound like a broken record, but those Trial Court Administrators, I think about those when I think about some of this subject matter that we are getting ready to get into on domestic violence.

**Joe Marinello, Chair Domestic Violence Board** said greetings from the Domestic Violence Advisory Board and we will co-present this presentation tonight with Patrick Burris our Co-Chair, Bea Cote' and Beverly Foster. The City and County is blessed with 12 appointees from City Council and the County Commissioners. These are people who are so dedicated to the task of ending domestic violence in our community. I realize we are under a time constraint so I will attempt to present the information as expeditiously as possible and ask if there any questions that you hold them until the end of the presentation. I refer to domestic violence as a social cancer. This past year in 2010 we had 8 domestic violence homicides, 4 by gun, 2 by suffocation and 2 by stabbing. North Carolina is fourth in the nation for DV homicides by men against women. In 2010 there were 73 domestic violence homicides in North Carolina. Last year in Charlotte Mecklenburg there were 7, now up to 8. The number of 911 calls for domestic disturbance totaled 35,627. That was up in 2010 about 1,000 calls. Adult domestic violence related arrests were up by 161 or a 4.3% increase. I might add that our officers in blue know that domestic violence call is one of the most dangerous calls that they handle. They never know what they are going to be confronted with, and having been in law enforcement years ago myself, I witnessed domestic violence homicide that probably has formed me into doing this work myself. The number of domestic violence related charges of simple assault and stalking, verbal intimidation and threats in person or by telephone and kidnapping increased. The total domestic violence related charges were down about 1% to 7,014. Charges to women was up and they reflect increases in dual arrest when responding to a domestic violence call. The number of protection orders, the data only from January through the end of November, there were 3,510 filed or an average of 319 protective orders filed each month. That was up 25%. The protection orders, the Sheriff's Department has allocated 6,377 hours or 256 hours per month, which is a 13.6% increase. There were 101 weapons ceased for a 73.5% increase of weapons that were ceased, an average of 9.2 per month. Dating violence, there was a survey done as part of the Youth Risk Behavioral Surveillance Survey done by Charlotte Mecklenburg School System, and this is done every two years. This might be a startling statistic that you might be interested in – 11.7% of the students responded yes to the question during the last 12 months, did you boyfriend or girlfriend every hit, slap or physically hurt you on purpose. That was up 1% from 2007 and also up 1% from 2005 and yet the national average is 9.8%.

Mr. Dulin said what was that number again of the students responded?

Mr. Marinello said 11.7%.

Mr. Marinello said the rate of reporting forced sex remained the same in 2007 with 7.2% near the national average of 7.4%. The lack of response to this increase is shown in these questions not being reported in the Charlotte Mecklenburg School 2009 highlights, but they were reported in 2007. CMS collects data on violent offences in schools. There were 1,298 of these offenses in 2010, of these there were 15 for dating violence, 9 sexual assaults, 1 rape and 5 sexual offenses. All but one were in middle or high school with one sexual assault in the elementary school. CMS offers one 90-minute class in 8<sup>th</sup> grade on healthy relationships and one 90-minute class in 9<sup>th</sup> grade on dating violence. As you can see domestic violence continues to be a major issue in our City and in our County and of course nationwide. Patrick Burris, our co-chair will continue the presentation.

**Patrick Burris, Co-Chair Mecklenburg County Domestic Violence Advisory Board** said in Mecklenburg County in 2010 there is a bit of good news. United Family Services Women's Commission responded to 1,345 cases for the domestic violence assistance. That was a 23% decrease which may due to changes in the Charlotte Women's Commission and Women's Coalitions definitions for services that have been merged. There is a 24-hour, 7-day a week domestic violence hotline and those referrals and combined total 20,711 calls. The domestic violence shelter only has 29 beds and that is for sheltered women and children in eminent

danger. Length of stays is 17 to 28 days due to economy downsizing, etc. impacting jobs and apartments etc. 917 of these individuals were turned away because there was no room or services available. Hotels and shelters provided to women and children in eminent danger due to domestic violence situations, the shelter was full so in that case these women and children were referred to other counties when there were no available resources in Mecklenburg County for that given night. The City of Hope Women's and Children's Homeless Shelter, 334 women reported primary causes of homelessness and the main source there was due to domestic violence. Down from the year before just a little bit, but presently due to job loss and housing, it is up and still presently over capacity. Adult Victim Services, working at legal services, legal hotline, clients accompanied to court, brief education, domestic violence in all County jails and those assisted with applying protective orders by United Family Services or those who had no funding or available assistance at court, pro bono representation is up to 280 from this same time last year to 222. Grant funded attorney and paralegal to recruit others to provide pro bono services to victims for divorce, child custody and support restraining order hearings or other domestic violence related issues, Legal Aid Services has provided 325 victims with assistance so it is a problem here in Mecklenburg County. Legal Hotline, part of the grant that you approved and awarded us handled 4,216 calls alone. Clients accompanied to court by trained volunteers was 2,809 the year before to Civil Court and that was down to 1,454. Profession staff who provided on site jail education on domestic violence, they did that for 1,339 individuals and United Family Services offered assistance applied to for protection orders total 1,109. Previously there was funding for a Professional Victim Advocate at the Court to assist women and to apply for protection but that grant expired in 2009.

**Bea Cote'** said I would like to thank the Council for appointing me to this Board. I consider it a privilege to serve on this Board. I would like to talk to you a little bit about child impugner services. Domestic Violence impacts a whole lot of people. It impacts children far more than most people realize. What we have going on in the county to deal with that is that Department of Health and Human Services has restructured an intake procedure for the Department of Social Services in Child Protective Services. They look at the information they get about domestic violence differently and they are capturing more of the information about the children who are being harmed by domestic violence. What we are realizing is that domestic violence doesn't just harm done physically, but causes a great deal of harm emotionally to these children and we are picking up on that and dealing with that. What they have found is an increase in child protective service referrals up from 152 in 2009 to 184 for the year 2010. That is an increase of 21%. This year we've had 410 children assessed to see if domestic violence was found to be a contributory factor in the now treatment of those children. What they found were 143 cases in which domestic violence was the primary cause of child now treatment.

Another service we offer, and I believe this to be one of the jewels in the crown of the Queen City. It is very much under appreciated and that the CDCP Program. It is the Child Development Community Policing Program and unfortunately in only serves 7 out of the 12 divisions of CMPD. What happens is the Police Officers make a report to this Department when children have observed severe violence or have been involved in severe violence such as murders and they respond immediately in order to provide crises intervention and therapeutic follow-up as needed with these children. Now in only those 7 divisions remember, they found an increase of 16.7 referrals with 5,448 children being seen by area mental health folks who are in this division of CDCP. Of the referrals that they received 44% were related directly to domestic violence. These are children who have watched murders or near murders or their families of children who have been murdered. This is up for the second year in a row.

Our third program is offered by the Community Support Services and the Women's Commission and they provide groups for children and teens and they see teens in the schools well. Their numbers are down this year probably because of the data collection, but I also know they have been impacted by budget restraints. Let's talk about Abuser Intervention – we have two state certified programs in this county, one is the Nova Program which is under the Community Support Services Department and Nova has been around for a long time. Last year they 700 clients enrolled and most of these are men. They do have one program for women, but most of these are men who have been asked to report to the program as a result of a criminal or civil court order. Of those they had 38% complete the program and 7% of those were re-arrested and that is a very low number. 2.5% of the folks enrolled there were women and once again these are court ordered. The women's group as a similar curriculum but it a little bit different and is

designed to address the needs of the women in that group., but they do have one women's group. There is the Be There Group and the Impact Program which saw 33 new clients last year with a 51.5% completion rate. That program, which is my program actually, is a very small private program. The Nova Program is now taking alternative payments and this has been to address the needs of the folks who just simply can't afford the fees. All these are fee based programs. They are accountability based programs and just as you might have for instance a DWI, these folks have committed crimes and have to pay for the services that they are ordered to. Nova services are less expensive because they are county funded and we have folks who are indigent, who don't work, can't work and so they now have this opportunity to do community service work in lieu of the payments to the Nova Program. If they choose to do neither, we hope, and usually what happens is that they do general time in lieu of participating in those.

**Beverly Foster** said I have the pleasure of delivering the good news of what has happened in the year 2010. I would like to say thank you first of our Mayor, City Council Members, our Board of County Commission partner and everyone who has played a collective and collaborative role effort in making this good news happen. One of the things is United Family Services started a capital campaign to build a new 80-bed shelter here in Charlotte. The goal is to raise \$10 million and so far \$5.2 million has been raised. There was a groundbreaking ceremony that was held in October of 2010 and the location of this new shelter is on a 5-acre site in West Charlotte off West Boulevard, near the Old Steele Creek Road area. We are excited about the new shelter for it will provide a longer stay for victims and families, up to 6 months and perhaps even a year. The new shelter will also provide additional space for expanded educational services, counseling services as well as job training. Another thing that happened was Charlotte Mecklenburg Police Department reinstated the domestic violence juvenile unit. The unit has six officers to respond specifically to domestic violence calls for adults or juveniles. They obtain assistance from the assault with deadly weapons unit for those more severe cases. They also work with sexual assault unit for rapes and the youth crimes unit for juvenile offenses as needed. The juvenile crimes cases will focus on dating violence where in 2010 we had 129 juvenile arrests. Due to the volume of the domestic disturbance calls, the majority of these calls are responded to by the CMPD police officer assigned to that area. Typically what happens is if there is a domestic violence call where there is injury involved, that case gets assigned to the domestic violence unit. If there is no injury involved then the district handles the case but the DV Unit insures that there is follow-up. There are 13 district liaisons in this unit as well as the six officers specifically assigned. We also saw the domestic violence fatality abuse team begin its pilot. The mission of this team is to prevent domestic violence death in Charlotte-Mecklenburg County. This team reviews domestic violence fatalities with this objective of preventing death in the future, preserving the safety of battered women and holding accountable the perpetrators. Just to give you some statistics according to the North Carolina Violent Death Reporting System, their latest publication which was in 2008, 56% of women violent deaths were due to domestic violence or intimate partner abuse. 8% of men's violent death were due to intimate partner violence. 51.2% of the victims were killed by a boyfriend, girlfriend, or an ex-boyfriend, ex-girlfriend and 31.2% by a spouse or an ex-spouse. You can see how big this issue is.

The Domestic Violence Data Warehouse, we obtain funding to keep this data updated. This warehouse is made up of law enforcement agencies, the Mecklenburg County Health Department, United Family Services, Domestic Service Providers and the Department of Social Services, Youth and Family Services Division. The data that each of these groups provide is extremely important in us preparing recommendation or strategies to combat Domestic Violence. In an effort to prevent Intimate Partner Violence, leaders from across the State of North Carolina developed a comprehensive ten-year prevention plan. The 35 member state steering committee with three of those members coming from the Charlotte area, work together for nearly four years to develop this ten-year prevention plan. This work was funded by the Center for Disease Control and Preventions Delta Project with collaboration from the North Carolina coalition against domestic violence. The goal for the plan was targeted around what is called a life stage approach with four life stages, children from zero to 10-years of age, adolescence from 11 to 17-years of age, young adults 18 to 24, adults mid-life 25-60 and then older adults who are 61 and above. That is important because the plan has to be fluid enough to address the changes and the needs of each age group because those life experiences are going to be different. The goals also span across four strategic direction. One of those is parenting skills and relationship norms the second is education, the third is community engagement and fourth state and local capacity to prevent intimate partner violence. We are proud to say that North Carolina is one of the 14

states that was selected by the Center for Disease Control to engage in this initiative. Lastly we saw the launch of the new human trafficking taskforce, more than 12 million people around the world are victim of human trafficking with North Carolina becoming a top state for these cases. Estimates are that there are about 6% of the victims are Hispanic, 18% are African or African American and the number of Asians is growing. Charlotte has been found to be a major site of human trafficking activity, therefore in 2010 this task force launched. This team is a response team, working at Federal, State and local law enforcement agencies as well as with service providers to investigate these crimes and to deliver social, legal and immigration services to the human trafficking victims here in the Charlotte Mecklenburg area. In terms of the Human Trafficking Taskforce, in conjunction with the Presbyterian Churches here in Charlotte, we will be holding a two-day human trafficking workshop on Friday, May 6, Saturday May 7, at C. M. Jenkins Presbyterian Church on Statesville Avenue and the workshop runs from 9:00 a.m. to 3:30 p.m. It is free and lunch is provided. It is titled, What is Human Trafficking and What Can I do To Make A Difference. If you can attend please do so.

Our recommendations are we ask that you continue funding for the Data Warehouse. We thank you for the funding for last year because this information is so important and it is the source of the information that we use for our Domestic Violence Score Card. Funding for the Hotel and Domestic Violence Shelter and support for the new shelter. The current shelter for battered women holds 29 beds. It is at over capacity as of right now there are 68 people in the shelter so until the new UFS 80-bed shelter is built there is going to be a continuing need for funding the hotel shelter for overflow and the 29-bed shelter for families in imminent danger. The lack of transitional housing for victims losing their time in the shelter and it retires both their economic and emotional recovery. We are encouraging you to encourage family members, employers, employees, church members, any and everyone to donate to this building effort. I also have a challenge for you, Jennifer Roberts has the volley ball tournament that will be taking place on May 14 out at the Irwin Belk Complex on the campus of Johnson C. Smith University, so I made this possible that there will be a team from City Council that can be in completion. It is going to be a fun evening and it is \$20 per player and you can take your family as the money does go to the Battered Women's Shelter. We recommend the alternative payment for indigent perpetrators on probation to have a treatment option paid for with community service that may lead to behavior change instead of repeat jail time for offences.

Ms. Cote' said continuing with our recommendations we would like to recommend that the Police do a better job of ensuring that the primary perpetrators are arrested and not the victim. We've seen that a lot more lately where the victim is arrested along with the perpetrators, on in lieu of the perpetrators. If you were a victim of Domestic Violence and you were arrested would you ever call the Police again? We would like to see CMS seek to reduce the dating violence in the schools. You heard the number, over 11%. That number has gone up 1% every year that survey has been done and that survey has been done for the past 6 years. In some ways it is also considered relationship bullying which is a subset of dating violence that does deserve attention as well because all of them have lifelong implications and we need to get these kids some help. We suggest possible partners for CMS with UNCC, UFS, the Women's Commission and DSS. We would like for the Sheriff's Office to allocate more resources to serving protection orders. There has been a dramatic rise this year in the number of protection orders served and of weapons ceased and this is straining their current resources. We would also like for the City Council to consider appointing a liaison to the Board just as the County Commission has appointed a liaison to the Board, and that is Jennifer Roberts. We would like to continue to request for a coordinator of Domestic Violence Services in order to work to coordinate all the different services and agencies. This was a recommendation from the Commission to report in 2006 and the need continues. Also a continuing need is a supervised visitation center. This is a safe place where victims of Domestic Violence can bring their children for visitation and exchange with the other parent in a way that would reduce the added harm that often occurs during these exchanges. We would also like to point out that was a recommendation from the 2006 report. We would like to see access to a Magistrate in North Mecklenburg. In 2008 the Sheriff's Department was asked to explore options for a Magistrate in North Mecklenburg County of web cam at a Police Station in order to reduce the time, expense and danger to victims traveling to the center city from North Mecklenburg. This is still a great need and new technology for video conferencing in a Police Station is a cost effective option.

Mr. Turner said thank you all for coming out tonight. This is a very important issue that we are dealing with and have been dealing with in our community and throughout the world. I wanted to acknowledge this Council because I know last year we did in fact fund the Dove's Nest that is going to be on West Boulevard and I personally know that agency does a great job in helping us deal with these issues, but I also know that there is a great need for facilities that will allow the family to stick together. I didn't hear you mention that until you got to the end and you really didn't say that, but what you indicated was how the process works when they visit. Is that something you all are focusing in on? This is when the entire family visits with a mother who has been removed from the house and she has siblings, but in order for that family to be together.

Ms. Cote' said we do know that the shelter services are provided for both women and their children and also the shelter and other services that serve victims of Domestic Violence will also serve male victims and that is important to know as well. It is just that there are so many fewer male victims than there are female victims. Those agencies, the shelter under UFS and the Women's Commission provide services to women and children often times together so the visitation center is because women are often at the most danger when they do the visitation exchange with a batterer. He still has the right to see his children and often times he may have gotten custody of his children and that is a very, very scary thing. That is why we are pushing for that because of the level of danger in those visitation exchanges.

Mr. Turner said you also indicated that you saw a decrease in the number of Domestic Violence issues in 2010 versus 2009.

Ms. Cote' said yes, it decreased by about 1,000.

Mr. Turner said what did we credit that to?

Ms. Cote' said I don't know. That is about as high as it has been since I've been working in the field, but it has been that high before. It went down for a little while and now it is back up again so it seems to cycle somewhat, but there are multiple players in the system that could account for a rise in that. It may be an increase in better reporting by the police. It might be interesting for you to know that national studies indicate that only about 10% to 12% of serious assaults even result in a call to the police. If we have about 36,000 Domestic Violence calls per year, we could safely say there are probably around 360,000 assaults in Charlotte Mecklenburg each year.

Mr. Marinello said it generally take 7 times before a victim will actually call the police. We know that this is a serious issue and we certainly appreciate the opportunity to present this information to you and I'd also like to invite and challenge the men in the audience to come out on June 2<sup>nd</sup> to the Men For Change Breakfast at Panther Stadium which is a fund raiser for the Shelter for Battered Women. Since 1997 we have raised over \$750,000 for the Shelter and it is an outstanding program. It begins at 7:00 a.m. at Panther Stadium. Last year we had 400 men there. Men have to become part of the solution. This is not just a woman's issue, this is a man's issue because men commit most of the violence, not only against women and children, but against other men. Violence is something that we are trying to address in our county and with your help and with your appreciation of what we have presented here tonight we think we can make a dent in this and hopefully we will. We appreciate you listening to us.

Mr. Turner said I don't think this is in our budget. Was there a request for money this year?

Mr. Walton said no, this is just a report and they have those micro countywide.

Mr. Turner said I heard that touch where you said we hope you will continue to fund us so I didn't know whether you were actually in line this year seeking some additional funding from us.

Mr. Walton said United Family Services is in our budget and has been for many years, but the other things, no.

Mr. Dulin said we fund United Family Services and United Family Services funds Domestic Violence?

Mr. Walton said we fund the victim's assistance component of United Family Services.

Mr. Dulin said how much funding was that last year?

Mr. Walton said maybe \$250,000 \$300,000. I can't remember exactly.

Mr. Dulin said maybe I've missed it in the budget reading I've been doing, but is that funding going to be consistent with this year?

Mr. Walton said yes. I don't remember their ask but the recommendation would be continue funding at a flat level.

Mayor Foxx said I might also add that we've got quite a bit of skin in the game on the Dove's Nest project. There's a lot of commitment in that but there is a lot that still remains to be done. It may be worth at some point doing a little deeper dive with it in Community Safety, but we will talk about where to land this conversation on your recommendations.

Mr. Dulin said when Dove's Nest opens and we add 80 beds, what will happen to the 29 we've got?

**Amanda Wilson, United Family Services** said our current shelter is located in a County facility and the County will take back over control of that facility.

Mayor Foxx said that concludes the Business portion of the workshop and we now have the Citizens' Forum. Before we get into that I do want to say one brief word about the events of last night. We all kind of watched the drama unfold last night about the announcement of bin Laden's capture and I know there are lots of people in the Charlotte community who have had family members who have served overseas, perhaps even injured overseas or worse. Certainly as a community we are impacted by 911 in so many ways and I just wanted to acknowledge the folks who died on 911, the folks who have given their lives and have had family members who sacrificed to get to a point of closure on that portion of the chapter of this horrible tragedy that happened 10 years ago. Last night was part of closing a chapter of a book that was not the happiest chapter in our history, but I didn't want the night to go by without acknowledging the fact that a lot of people have given up a lot to get to the point where we heard the announcement last night that we did.

Mr. Cannon said it should be stated to the community also that is represented here and those that may get the word outside of here that the City of Charlotte without over reacting to what has happened continues to work in a way to ensure that there is an intelligence level relative to the safety of what happens here. It continues to be monitored again without a level of over reacting, but making sure that the proper security levels are intact and in place. There are continued dialogues going on between the City and Federal Law Enforcement Agencies to ensure that the level of protection, not just for the City of Charlotte, but the region as well, are intact.

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### CITIZEN'S FORUM

**Sharon Dye, 8020 Lauren Kay Court** said I'm here tonight because I've had overwhelming issues with Charlotte Airport. I contacted them on March 18<sup>th</sup> to try to find out why the planes were flying so low over my home and I also contacted the Mayor's Office and they are supposed to get back with me with an answer, but I suppose they are still working on the answer. In the meantime I had called several times to speak with Councilmember Mitchell, but I wasn't able to get a straight answer. On March 18<sup>th</sup> I wrote a letter to Charlotte Douglas Airport to try to get some explanation and they sent me a letter on April 4<sup>th</sup>, which I gave to the Mayor and Mr. Cannon to review. In the meantime I spoke with the regional environmental FAA person and she gave me some specific questions to ask about why the planes increased the traffic and flying so low over my house. At night after 11:00 they fly over until the wee hours of the morning I am disturbed again about 4:45 or 5:00 and it interferes with my sleep. I'm going back and ask specific questions to Mr. Bob Andes and what he said to me was there was a noise map study done and submitted to the City in 2010 and my area wasn't included in that. I'm here to ask the Mayor and City Council if they will put a hold on the submission for approval until they come out and do a noise level test in my community.

Councilmember Turner said thank you for coming down and your concern is not just yours but we've had that call and I've received that call. I have spoken with a representative of USAir and they have started their own inquiry and they will be getting back to me. I think we are going to find that most of this is coming from the regulations of the FAA and they are looking at that. Your concern is a valid one and there is absolute proof that they are flying at a much lower altitude further out than what would have been at much higher altitude. We are looking into that matter and I hope we will have some answers for you as well as others that have that same concern.

Mr. Mitchell said you've been very passionate about this issue and I appreciate it. What I would like to request staff if we can, Ms. Dye made reference that her neighborhood was not in the noise map of 2010 so could we include her community in the noise map and get a report back to us as soon as possible.

Mr. Walton said I'm not sure what is involved with the noise map. Mr. Turner is right, I think the FAA controls the altitude and the flight patterns. We will look into whether we can include that in the community map. I don't know what is involved regulatory speaking with the map.

Ms. Carter said there is a group in the National League of Cities called NOISE that deals with this issue that could be an advocate for us.

Ms. Dye said I just wanted to make sure we were heard and the proposal be put on hold until that is done.

**Coach Willie Gripper, 1225 Remount Road** said we appreciate you giving us the opportunity to be here. I am a coach for the Charlotte Boxing Academy. We are a non-profit organization for kids all across this city. In February, some of the coaches and myself decided that we would have a fund raiser, an amateur professional boxing match. We set out to raise the funds, but most of the money so far has come from the coaches and their families. The bad part about this is the places we support everyday like Wachovia, Bojangles, Shoney's, Sun Trust and he list goes on and on, they are turning us down. Subsequently we need three \$2,000 sponsors and we need him by May 6<sup>th</sup>. Our kids need the money. They have worked long and hard and each donation is tax deductible for up to \$2,000. The forms are here and the kids also sent me down here with tickets and they told me not to come back with them so you folks got to take them. Another important thing is every time we put on one of these shows, valuable dollars come into this city. It is not that these kids are coming and taking from but what we are doing is building. These are the kids who have made the decision, I'm not going to steel, I'm not going to rob, I'm not going to have a baby. What I am going to do is go to school and do my job. Last year Blain was lost and guess what he is doing this year? He is helping the kids in the classrooms do their job because he got with us at the Charlotte Boxing Academy and we did the job that we are supposed to do. All across this City people are getting sponsorship money but every time we step up to the door they tell them no. I'm just a little frustrated with the fact that every time we go ask somebody for some money or some assistance. We are self supporting but this time we just needed a little help because we didn't raise enough funds. We are tired of walking up to these doors and everybody giving us their butts to kiss. If that is inappropriate that is just the way it is.

Mr. Howard said how much are the tickets?

Mr. Gripper said \$25.00.

**T. S. Dillon, 1240 Lucky Penny Street,** said my business is called Charlotte Express Inn, a motel of 99 rooms, located at 1240 Lucky Penny Street on Freedom Drive off I-85. My business is located on a dead-end street which is 1½ miles long and this street belongs to the State. As a business owner I am paying property taxes of \$17,500, business taxes \$2,200 and sales tax \$60,000, approximately per year. It fluctuates depending on the business. My concern is that since this is the only business on this street and this street does not have any lights and this street belongs to the state. I do not know whose responsibility it is to put in street lights. I have extended stay guests with children who have to catch a school bus and they travel this street in the morning and evening time and it is dark so it is also unsafe. There is a fence along the street and the fence belongs to the state. The fence is approximately 4 feet high and it is currently



broken. Either side of the fence is in a bad state. The next concern is there is a business located on the corner of Lucky Penny Street and Edelman Road. As you take exit from Freedom Drive you hit this property. This property is in bad shape. The fence is broken, there are no lights and at night all kind of activity takes place.

Councilmember Mitchell said the one thing we can do for is Mr. Dillon is find out who the State Representative for that area because he made reference several times of state issues. We would like to at least provide you with the State Representative so you can share the same concern so it can be a collaborative approach.

Councilmember Carter said is the business that is closed derelict? Is it deserted and not being maintained?

Mr. Dillon said not being maintained, right.

Ms. Carter said that would be our code enforcement, Mr. Abernathy. Mr. Manager if we could get that information to him please.

Mr. Walton said okay.

Councilmember Cannon said anything on code enforcement and also street lighting up date on whose jurisdiction that falls in.

Mr. Walton said street lighting on state roads is probably going to be the State.

Mr. Mitchell said I think Councilmember Howard already has the information for Mr. Dillon, the State Representative that he needs to reach out to.

**Stanley Coleman, 2165 Belle Vernon Avenue,** said I was here about six weeks ago and the issue is very complex. It is a new issue and you know new issues take a while to wrap your brain around. What I'm asking for, the concern is two things and what happened to us will happen to any other communities, and the advice we have is that we should hire our own attorney and we have done that. We have taken it to the North Carolina Utilities Commission so we are taking responsibility for the fight. We are not asking you to fight this for us, but the law does assume that you would be interested in this matter. The law says that all municipalities are deemed to be directly interested in the rates and services of public utilities. The second is the certificate of public conveniences assessing the issues, so the Utilities Commission granted a certificate of public convenience in necessity so that Aqua of North Carolina could take control of our water supply. Our water is supplied by Charlotte Mecklenburg. Our sewer services are supplied by Charlotte Mecklenburg, but because of this certificate there is an intermediate between us. Our attorney has advised us that the power to get even a letter from a city that says we care about this issue. To my knowledge this has happened only two times in the State of North Carolina and both are in the City of Charlotte and as a result a private company can cut off water to children. They do not give a notice, they do not even follow the same procedure that the City follows. As you know the City expands as you annex and this is pretty much standard that you annex a property the City purchases the line from the private water/sewer. My understanding is that you have agreed to pay \$25 million for the water/sewer lines in ...Woods. Meanwhile without comment and without objection you are allowing another private water company to expand in the middle of the City in an area that doesn't need to be annexed and already is within the designated service area. We are asking for your support and my point is that they had \$25 million, give us 25 words.

Councilmember Dulin said we talked the last time you were down here. Curt can you or Mac fill us in on precedence of us helping folks like this. This is new to me and it might be new to all of us.

**City Attorney, Mac McCarley,** said this is as Dr. Coleman said, a complicated issue. We are the wholesale water supplier and we are not involved in setting the rates. The advise that we have given him is to go to the Utilities Commission and make their point to the Utilities Commission. That is the group that has rate setting authority for water systems.

Mr. Dulin said is there a precedent for a body to help in a situation like this or to give the 25 words he has requested.

Mr. McCarley said the only one I'm aware of the City of Durham routinely will fill objections to rare increases for electric power that affect residences inside the City of Durham, but that is a much larger group of people. Basically it is everybody in the City. I'm not aware of others, are you Dr. Coleman?

Mr. Coleman said no. The issue that happened with us I believe is brand new in the state and I believe it is without precedent.

Mr. Dulin said I need to talk to my lawyer, Mac can I call you on this tomorrow? I will talk with Mac tomorrow and we will be back in touch.

**Jim Hock, 2217 Ledgewood Lane,** said as most of you are or should be aware late last year, a Charlotte Center Partners Board Member David Furman used his position as a Board Member of Center City Partners to threaten a boycott of a small uptown business. He made his threat in an obscenities laced e-mail. The incident was reported in at least three local media outlets, Creative Loafing, Up Town Magazine and the Mecklenburg Times. The threat occurred in response to finding chalk on the sidewalk promoting a local uptown media business. The e-mail read in relevant part your tactics are very effective in helping me remember the name of your company so that I will remember to never do any f----- business with you. As a Board Member for Center City Partners I will pass your name to everyone I know with the request that your business be boycotted. Center City Partners Michael Smith, CEO and Chairman Todd Mansfield are all aware of the threatening e-mail and no action has been taken in the months since the threat was made. Mr. Furman is still a Board Member in good standing at Charlotte Center City Partners. How can this sort of behavior be tolerated? What kind of signal does this sent to others in the community of Board Members if tax supported organizations are allowed to threaten other's livelihood using their Board position? This is an example of how small business growth can be stemmed by those in power. If BS by Board Members are deemed acceptable in this organization, whatever kind of behavior is going on here. It is time this ray or operated tax supported organizations in Charlotte comes to an end. The in for self-preserving nature of powerful organizations like Charlotte Center City Partners needs to change. Let this be an opportunity for the City Council to lead this change. According to the Charlotte Center City Partners bylaws, Article II, Section 4 – City Council can remove Board Members from Center City Partners Board with or without cause. I am here to request that the City Council remove Mr. Furman from the Board of Center City Partners since the Board has failed to take any action regarding Mr. Furman's serious threat. I am also requesting new rules be put in place at Center City Partners and other such organizations to spell out acceptable Board Member behavior to prevent future occurrences. I am hoping the City Council will take decisive and quick action on this request, remaining silent on the matter will condone Mr. Furman's behavior and condone Charlotte Center City Partners in action.

Councilmember Turner said this is the first I've ever heard of this. Is that an official e-mail that has this individual's name and information on it?

Mr. Hock said yes, it was reprinted in a magazine and has been reprinted in multiple publications without anyone questioning its authenticity.

Mr. Turner said well I am. Do you have the e-mail?

Mr. Hock said I do not have the e-mail.

Mr. Turner said do you know who has the e-mail that would prove such a statement?

Mr. Hock said I do.

Mr. Turner said I will only respond and act on that when I see the original e-mail.

Mr. Hock said I can get you a copy.

Mr. Turner said I think that would be the most appropriate thing to support your comments to this Council in order for us to take any action or make any comment in regards to the comments you made tonight. I personally have not heard this, and while I can't speak for the rest of the Council, but that is my request if you could provide that information to the Manager's office so that we can get it.

**Moses Kanessie, 1050 Chalk Hill Lane,** said I am a driver for the Charlotte Checker Cab and I am here today to talk about the abuse in this industry. We gave you some documents that was in the City Ordinance that needs to be revised. As we see the buses going by it looks like these are the things we came to you about for help. Conditions are getting worse. We were at the last meeting and the ordinance was going to be revised. This was on the conditions that we were presenting to you guys, but it was not presented in the evidence. We came to you guys believing that if the system works but it's like anything we talk about just falls on deaf ears. This is our livelihood and we are the only ones who want to talk about it and that is why we come here because we believe the system works and to talk to you guys. If you guys don't help us we don't know who is going to help us. We went to the Union because no-one would help us. Can you tell us who to go to for help and what is next for us?

**Sidique Koroma, 3476 Forest Rook Drive,** said I work for Charlotte Cab Company. We the drivers welcome the test to improve the cab service at the Airport. We do so because the drivers will make more money. Comments were inaudible.

Mr. Cannon said one of the things Mr. Koroma did bring up was the fact that during our City Council meeting one of the things I did ask for was that we have the RFPs come before the Community Safety Committee, which we will look at that on this upcoming Thursday I believe. He is right, the other proposals that I had expected for us to be able to look through to decipher and determine if indeed there were other proposals that were better than what we had in here are absent. I would like to make the request that we have the remainder of those proposals which would be five because there are only four represented here right now.

Mr. Walton said we will be glad to provide that. I think my recollection from the referral at the time was the three that were recommended, but we will be glad to provide the others to you.

Mr. Cannon said I apologize if there is some level of confusion.

Mr. Turner said I'm glad you brought that up because I have yet to receive mine and I am the one that requested it. In fact I'm the one who made the point with the solution and how I thought it was important and I haven't received anything so how did you get it?

Mr. Cannon said I got it because I'm the Chair of the Community Safety Committee and Ms. Kinsey got it because she is Vice-Chair. Mr. Dulin got his.

Mr. Turner said I didn't vote for it for you all only, I'm the one who requested it.

Mr. Cannon said I think what happened, it got referred.

Mr. Turner said that may be the case but that does not give me what I want.

Mr. Cannon said you can still get a copy of it.

Mr. Turner said I still want it and I'm upset that you all got it. I don't care who is on the Committee and the Committee has it and the Councilmember that requested it don't have it.

Mr. Cannon said typically I think what happens anytime there is a referral made to a Committee, the Committee members will automatically get the material that they will be going over. Later, maybe right before a workshop is to take place, the rest of the members of Council will receive it. I'm not on Transportation Committee and Councilmember Howard Chairs that, but if he has something in his committee we will get it a little bit later on and then we will review it accordingly. Mr. Howard said he doesn't want this book and I understand because it is pretty thick. However, I think there would not be a problem if a member of the body would like to

have a copy in advance. That being said, can we please get Councilmember Turner and/or any other member of this body a copy of the material we have so he can have it for his pleasure.

Mr. Turner said with all due respect, I understand the process. I have also Chaired that Committee and many others and I understand the process. You are missing my point. I don't care whether it happened or not to the process of going to your Committee. What I'm saying to you and this Council, I'm the one who requested it from you. I don't care about the process. I know the process but I should have one.

Mr. Cannon said you can get one.

Mr. Turner said I know that, and I don't worry about me getting one now, I should have had one.

Mr. Cannon said you are fine for the record that we both made the request, a little bit different, but we made almost the same request.

**Henry Bendu, 4116 Cedar Hill Drive,** said thank you for the opportunity to stand before you on the taxicab issue. This issue is still bugging us and we are not making any headway. We tried to give you a proposal, but you refused and said you would not allow us to put in a proposal. The companies who were selected to submit a proposal are the companies who have been abusing us up to this time. Yellow is one of the companies that charges the highest fee at the Airport, but they have been given the contract. We don't know what is going on and we don't know this is done so we come back to you guys to appeal to you to do something about the mismanagement that is going on. We are left out and out lawsuit is centered around the RFP.

Mr. Howard said Mac, is there any chance you can give us any update on any lawsuit dealing with this?

Mr. McCarley said it is still pending.

Mr. Howard said which one?

Mr. McCarley said one of the ones related to the Airport RFP.

Mr. Howard said you opinion on that?

Mr. McCarley said my opinion is that we are eventually going to win it, but I really don't want to see any of you all in deposition for it.

Mr. Howard said that is what I wanted to know. Thank you. Mayor Pro Tem, your Committee is dealing with the overall PVH issue?

Mr. Cannon said yes sir.

Mr. Howard said and I'm sure that deals with fee structures, but the same reason after they reviewed the PVH, something changed about fee structures for companies, then anything going on at the Airport would have to be amended to that.

Mr. Cannon said if the Committee came up with the idea to cap fees or not cap fees, anything of those things could I believe apply overall, but I don't believe they would apply specifically to the Airport because the Airport has its own RFP, the way it has been drafted.

Mr. McCarley said two specific answers, the proposal in front of the Committee today does not address rate changes. Secondly, whatever the Council decides at the end of the day you want to do, you can make the system fit that.

Mr. Howard said so there is an RFP at the Airport but there is also another bigger picture coming that could even change that?

Mr. McCarley said yes and both of those items are in the Public Safety Committee.

**Frank Hinson, 4009 Hargrove Avenue,** said with respect to the RFP process City Council has to vote on something about which they know little or nothing. City Council needs to lead in this process and not follow. You gave the process to Jerry Orr without guidelines about what you want for Charlotte. The selection committee members were part of the good old boy network with no real qualifications and no written guidelines. They took no notes and recorded nothing with respect to why one company qualified and others did not. From the start, all the companies who submitted proposals were muzzled, forbidden from any discourse among one another or with City officials. Perhaps that is standard behavior requirements during RFPs but a tremendous amount of lobbying had already occurred for years on behalf of HTAs members. I know this because Mohammad Jenatian called me a number of times and told me so. In addition, more than one Airport employee told me that Mr. Jenatian, Tim Newman and Jerry Orr frequently had meetings, often leaving the Airport for lunch breaks. When the letter from Mr. Orr dated April 7<sup>th</sup> which stated that now the City will open up the communication, but those who spoke to Airport officials and City Council prior to that, and I quote, until today's date could still be considered grounds for disqualification. That same statement would seem to include all the speakers at the March 28<sup>th</sup> Council meeting. Among those speakers were Mayur Khandelwal from Crown Cab Company, the attorney for King Royal Cab Company, representatives from City Cab Company, three of the companies that were chosen. Council should consider that these changes will result in lost jobs. If some companies close due to the loss of Airport drivers, then office personnel, managers, dispatchers and mechanics will also join the unemployed. There are more repercussions than simply paring down 39 drivers from serving the Airport. My attempt, and everyone else's that I have spoken with, to speak with Council members has fallen on deaf ears. You guys have refused to speak with us so that is the information I have.

**Muhammed Mustafa, 2715 Rozzelle's Ferry Road,** said I am the son of the owner of Universal Cap and I'm here to talk about the Airport RFPs. The Airport proposals should be reviewed again by the City Council and the independent board of qualifications and ground transportation. Clear guidelines from Charlotte City Council and their affiliations with PVH companies or organizations like HTA, CRVA, CAHA or CCP. If that can't be done the RFP should be scrapped and begin all over, which may be the best situation after all. . After companies were chosen the ground rules changes as well as the demands from the Airport. Instead of the chosen companies demonstrating the ability to provide the technology that the Airport wants, now after the fact, Charlotte Douglas International Airport officials say they will provide the system to Airport taxis. In addition, the much higher yearly fees have plunged from Airport's baseline of \$3,000 per unit per year to \$500.00. The chosen companies now only need to provide the newer cars, and keep their own paint schemes. This changes the entire complexion of the RFP. Were the companies that were rejected done so because they didn't appear economically strong? Why would the companies chosen need this help from Charlotte Douglas Airport? While uniformity of service from one service provider to the other may be desirable, this amounts to a taxpayer subsidy for private business. To my knowledge City Cab has never filed income tax Form 940 on reported tax because they have never had employees. The company also has not owned any cars. How can a company without any financial background be chosen to serve the Airport? You may have noted the posting of the RFP on the City's web site, along with the proposals of the three chosen companies and a couple examples of Airport statistics. Believe me, these stats are not typical as Taxi USA's performance over the years has been among the worst. I have studied these statistics for years. If you want to get a true picture of this process, you should view all the proposals. You will discover that there is no significant difference between the proposals, as all of us pledged to provide the Airport with everything they required.

**William Dobbins, 7910 Waterford Ridge Drive,** said I would like to first give knowledge to our Heavenly Father, Jesus Christ for giving us another day. Council and Safety Committee, I would like to take time to recognize your responsibility in the whole matter that we've been bringing to you for the last couple years. As President of the Association, I know you are familiar with what we normally talk about which is the Airport. We have a situation here which addresses the fact that King Cab and Royal were dismissed on this proposal based on the fact that they have some activities going on. Those activities obviously should have been noted earlier, but that was a mistake made. We do know that and we are suggesting that there are other mistakes within this framework of the RFP and we'd like to see those things corrected also. There was an indication at some point that just because the taxi cab drivers that are at the Airport

were losing their jobs to attend the Airport that still could basically work on the street. If you look at a similar situation, which the Council is mostly attorneys, if the State of North Carolina requested that your license be suspended and you were still allowed to be a legal entity or legal person in the office, I'm sure you would not recognize that as being just employed. You would understand there has been a drastic difference made in your situation. I would ask that you consider the fact that these people work very hard and they deserve the positions they have and the opportunity to work at the Airport. We agree that the RFP is something that needs to be done and we do know that the Airport itself needs a revamping. We realize that will likely do that and we are getting pressed by that process, but in essence, looking at the same situation, we believe that everyone should be treated fairly in this situation. We don't expect 100% cooperation from everyone here, but we would like to see that justice is done in the process. I think enough information has come out that the City Council and the Safety Committee understands the information that has been surrendered to you. There is accuracy in all the information we have allowed you to get and we would hope that you would review that in essence to making decisions that will impact numerous lives here. We haven't even touched on the fact that there is probably another 400 taxi cab drivers in the City. The ideal situation would be to allow all of us to have the ability to work independently. We are all independent entrepreneurs in the City of Charlotte which pay taxes. We have a license for that. We drive our own vehicles and we pay for all these things. We are asking that you allow all the drivers to more or less be in a position that they would own and be able to operate their vehicle the way any other entity in this City that is licensed to do. I don't think we are asking too much in that process. You don't like the word Medallion, we understand that and it doesn't have to be Medallion, it could be named any other form of recognition and I think you would still see the point. I hope I have given you enough information to make a case.

Mr. Mitchell said in speaking my personal opinion, we have speakers to come down here, but you are always very respectful to us and I really appreciate that. If we could do this a different way, what would you suggest?

Mr. Dobbins said what I would suggest that the Council look at would be a situation which would allow all the drivers in Charlotte to have independent rights. If you didn't like the word Medallion, it doesn't necessarily have to be that word, it could be permits to drive in Charlotte. All we are suggesting is that the driver has the opportunity to be utilized throughout the whole organization, not be isolated to one particular company. This gives unilateral ability for the driver to act as every other independent contractor here in the City of Charlotte has and in any other state. If you look around the country you will probably find that most of the larger cities and some of the smaller cities have already taken that approach. They have given the drivers more independence because they realize the driver has the ability to more or less control his own destiny and what he is able to do. It would open the doors for him to have the ability to do that.

**Abdi Duale, 6818 Chastain Drive,** said I am a small business owner. I consider myself to be a small business owner because the same license I get for owning a taxi I can take that same license and go to Bank of America, open a business account. I gave you two sheets and the first one is PVH recommendation. I am one of the PVH Board members and as you know the PVH consist of 11 members. Out of the 11 three are appointed by the Mayor, three are appointed by the City Manager and five by you guys. We work together. We see the problem, we spend a lot of time studying the problem. The Board Manager issued this letter and it states: If these points are addressed the problems of the taxi industry in general would be solved. We spent almost two months studying this. That is the first sheet and on the second sheet you will see it is RFP page 5 and RFP page 32. On July 2010 I stood before you, you are given all this information and you don't consider it, you just make a decision easily. If you implemented the RFPs you are going to find some ... who will know how the taxi service bid. If you give three companies monopoly of the Airport all these other smaller companies will be out of business. Those three companies that took over the Airport ... you have to take the good with the bad. You cannot just say I'm only going to work at the Airport, so you have to take that into consideration. The system, the way it is right now, it only relates the drivers.

**Deborah Larke, 3414 Park South Station Boulevard,** said I just wanted to continue some of the discussion about Aqua of North Carolina. One of the things is that when we buy, when I personally bought my home they never told me that my water was going to be provided by a company called Aqua of North Carolina that was charging such high rates. The other thing,

unlike other utilities that I've gotten in the past where you get some kind of a notice if you don't pay your bill, the way it works with Aqua, for example you pay your bill on time for two years, something happens you don't pay a bill. If that bill amount is \$100 or anytime your outstanding invoice gets to \$100, you get a ten-day notice and your water it is shut off. It costs you hundreds of dollars to turn that water back on. We also had an incident in the neighborhood where we asked the people to come forth and give their story personally, but we had a women giving birth to a child, had some complications, they left the hospital, the ten-day notice came in the mail, they didn't get it because they are dealing with a child. They bring the child home and they have no water and on a Friday they called Aqua and asked them, do whatever it takes, turn the water back on. Aqua's response was, we'll see you on Monday, we don't work weekends. What are you supposed to do with a newborn and you don't have any water? Water is essential to life. We feel like we are hostages. It is not like we can go out and buy our water service from anybody else. We are stuck with Aqua. We have talked to the North Carolina Public Utility Commission and we are asking for any help that we can get from Charlotte. Even if you don't use your water you are still charged a water bill. We have a couple that spent three or months in Florida during the winter and there water bill was still approximately \$80 per month for water and sewer. You use, you pay and you pay very high, if you don't use you still pay. We appreciate any assistance we can get.

Mr. Dulin said I'm listening intently and I'm going to be getting with our attorney to see if we can help.

Mr. Mitchell said is this a condo, single family or apartment development?

Ms. Larke said we have condos and we also have townhomes. They started the discussions about rezoning so they could put 91 family units in there as well. It is estimated to be approximately 800 total.

Mr. Dulin said for reference Council, this site is the old Hertz Celanese site on Archdale. There have been numerous problems. They've got parking problems and road problems and this is trump card probably for the community.

Mr. Howard said because this is my first time hearing about this, I don't know if it is Barry or you Curt that could explain how often do we do a situation, are we providing the water wholesale and then they are selling it at their own rates. How often do we do that?

Mr. Walton said usually we encounter it in annexation areas and sometimes we buy the system and sometimes we don't. It usually happens in more suburban and it unusual for it to be inside the City as this. I couldn't tell you the number of cases that we sell water wholesale. We can get back with you on that.

Mr. Howard said I wonder under what circumstances. Why would we have done it in a situation, because they were not part of the City at the time it was built?

Mr. Walton said I can't answer that for this specific site.

Mr. Dulin said would you take 30 seconds and finish your thought for us please?

Ms. Larke said we were told by one of the attorneys for the North Carolina Public Utility Commission that the reason the City of Charlotte does not provide the water is because the roads are private. Aqua entered into a contract with the developer and for every home that is hooked up, the developer gets \$1,200 back as part of the negotiation in that contract. They are up for a rate adjustment in the State of North Carolina and we at Aqua, my personal opinion is, because we've been so vocal they are offering us a pittance of a rate reduction. Every other location in the State of North Carolina is getting an increase and they also got a rate increase two years ago.

Mr. Dulin said that is something the City Attorney and I will be discussing this week.

Mr. Cannon said whatever that level of discussion is that comes out of the Attorney's Office between Mr. Dulin and the Attorney, please provide that information to the full Council and Mayor.

**City Attorney, Mac McCarley,** said we will do so.

**Doug Ernsberger, 4835 Fonthill Lane,** said my case is a little different. I'm a Charlottean, born and raised and to add to Mr. Dulin, who has been a great help to us and served our community, I'm very proud of him. This is a pristine 115 acres two miles from South Park. I was fortunate to grow up there in a neighborhood next to it. It has always been Charlotte-Mecklenburg water and instead there is this enclave that is private water Aqua. My concern and my reason for addressing the Board is different. I'm here to ask what can you do to protect future citizens of Charlotte who go out unexpectedly to buy a new home in the community and the developer and the builder do not disclose that there is private water. That is what happened and it wasn't just one person, it was hundreds of us there who bought and just assumed, because it is right here in Charlotte, that it was Charlotte-Mecklenburg water. Until they gave us a little form to call Aqua I just assume that maybe Charlotte-Mecklenburg was going under a different name. I'm here to ask what can the City Council do to hold these developers because if you want to see greed to South Part Station and look every single square inch of that property is primed and ready to go because all they were thinking of was how many can they sell. So now there are over 500 empty lots primed ready to go and no buyers. Our values have plummeted so I would like to see something come out of this where the City changes, and I don't know whether it is called the law ordinance or something to protect future homeowners that there is disclosure from the developer or from the builder that say, oh by the way you are going to have a private water company, no different than you would expect there would be anything different from Duke Power. You wouldn't expect to have a private power company.

Mr. Burgess said what multiplier of what we are paying in the City of Charlotte and you guys are paying?

**Dr. Coleman** said the current rates are an average mark-up of 355%. We have an individual meter, not an individual bill with a 5000% mark-up, a \$306 profit on a product that Charlotte Mecklenburg charged \$6.00. The new proposed rates are not an average. It is going to be \$534 plus the actual cost of the water/sewer so \$534 or we don't get water. The 2-inch meters which we have three large buildings, will be charged \$4,200 per year plus the cost of the water/sewer, so the proposed rates which are lower for those three, they want \$13,000 to read three meters and get us three individual bills. Did that answer your question?

Mr. Burgess said you said it is three individual meters, how many families is that?

Dr. Coleman said one is a clubhouse and that is the one with the 5,000% mark-up. They are bills where they use 300 gallons of water, currently they have it classed as a commercial account which in my official complaint I put commercial. Now for us and only for us, they are going to rate it commercial designation and going to a 2-inch meter, it is charged the fixed fees of \$4,200. The other two are condo buildings, one with 12 people and the other is for 20 residents but they are not all occupied.

Ms. Carter said if we have our staff looking into this difficulty of notification, there is another issue that is implied in this same development and that is private streets. We've had that discussion brought before us where private streets are not completed or they are not up to standard where we can use emergency vehicles. I am of the opinion that we need to have some disclosure in transfer of title of what any residence it is, that there are these difficulties. I don't know how we would go about that because that should be a State legislative disclosure I believe.

Mr. Walton said we could not require that without some enabling legislation and I'm not sure if then.

Ms. Carter said if we could do some research with our attorney to see the process and to see what would be necessary for our citizens of North Carolina as I think that would be a benefit to all.

Mr. Dulin said Nancy, I don't disagree with you, but you know we do know that our timing is not such that we can get that into this legislative cycle, but the communications can certainly start.

Mr. Cannon said and start as early as Wednesday.

mpl



Mr. Dulin said start as early as Wednesday, but I'm going to be discussing this with our Attorney and finding out where we are as a body.

**Eric Heinke, 404 Main Street, Pineville, NC** said I am speaking about Taxi USA with Yellow Cab, Green and Eagle. They are replacing their own drivers with new drivers to work at the Airport. It is unfair treatment for the drivers who have been driving at the Airport are losing their jobs. They are actually hiring people all over worldwide because they have other countries and they are bringing other drivers to replace the ones who are working at the Airport. It is unfair treatment.

Mr. Dulin said can you elaborate on recruiting worldwide a little bit?

Mr. Heinke said the company has drivers who have connections to other countries who would come in and work here in Charlotte.

Mr. Dulin said you are specifically saying Yellow, Green and Eagle?

Mr. Heinke said yes, Taxi USA.

Mr. Dulin said Taxi USA, are those the same ownership?

Mr. Heinke said same ownership.

**Nicole Scott, 1240 Lucky Penny Street,** said I want to take this time to thank you Mayor Pro Tem and Council members for their time. I am part of the Thomasboro Neighborhood Community and my main concern is the lighting on Lucky Penny. It is at a school bus stop that my children go to. I'm a single parent so unfortunately I can't be at the bus stop, pick-up and drop off. I have two children that are on away after school programs so they get out of school between 6:30 and 7:00 and I'm at work. I feel that is very unsafe for anybody's child, let alone my own. The Lucky Penny business that is across the street from the bus stop is atrocious. There are broken fences, bob-wire where people can literally but their legs open walking by. The motel called the Lamplighter Inn is within 10 feet of this bus stop. It is within 10 feet of one church, probably approximately 20 feet of a second church and within 100 feet of Thomasboro Elementary School. There have been three shootings there. One of them resulted in a death. There is prostitution and drug dealing and I understand that you have to go through representatives and stuff for the lighting issue, but in the meantime is it possible that we could get a little more police circulation around drop off and pick-up times with the bus. Unfortunately I'm in a position where I can't be at two places at one time so I think we all need to work together because the community is trying to better that area but we need a little more help.

Mr. Mitchell said thank you for your passion. Thomasboro is one of our top priorities for revitalizing that area and we've put in a lot of effort. I think the Freedom Drive Division serves that area so City Manager if we could reach out to the Freedom Drive Division about maybe more police presence and we will check the lighting. Another gentlemen was here and he raised issues about that also. As soon as I get the report from the City Manager, or some action is going to take place, I have your number and I will be sure to reach out to you.

**James Galvin, 301 South McDowell Street,** said I am a local attorney here in Charlotte and I work with the independent owners and operators association of the taxi cabs here in Charlotte. I wanted to speak to you specifically on point of the PVH ordinance amendment that is in the process of coming before you. I would like for you all to consider removing one part of that ordinance which requires company affiliation in order to be a permitted driver to pick up at the Airport. I feel there is this corporate bias built into the statute that I think would benefit the City to un-regulate that portion of all this that is going on. It is timely because as you know it is being considered to be amended right now and Mr. Duale who is on the PVH Board worked in conjunction with us to present the proposals, what should be considered and one of those was we really need to look into this corporate affiliation requirement. Why is there, why is corporate bias built right into the statute or the code? From the PVH Board to the Safety Committee, it just got lost so I called Mujeeb Shan-Khan who I have deep respect for and consider a friend and said what happened. How come it didn't get from the PVH notes to be requested to the Council. He said well, that is a policy decision. I walk the line of legal advice versus policy and I said I

respect that and he said that policy decision has to come from the Council. I'm here asking the Council, will you guys request your staff to look into removing the corporate bias and here is my short quip on why. The drivers who own their own cars have to pay this franchise fee you've all heard about, but the question is what do they get for it. What is this company affiliation really produce? It produces them paying the middle man who makes a lot of money and provides very little and questionable degrees of service, some better than others, but also creates a system of abuse, which you have all heard about as well. If the company holds this permit that has really been bestowed upon it, but it is such a valuable thing to the drivers, the companies know what the drivers will do to get it. Be it accept money for it, be it say I'm going to make you buy a brand new car if you are going to pick up at the Airport. You take out the corporate affiliation, you are taking out that middle man and you are also taking out this area of real abuse that the system lends itself to it. That money, instead of going to companies can then go back to the City and be retained by the independent drivers themselves to reinvest in their cars.

Mr. Cannon said we will look to take that issue up as well.

Mr. Howard said I wanted to wait until we heard from everyone who came to speak on the Airport taxi issue. We heard from a couple of you guys that we won't talk and I want to be clear about that because I don't think we have a problem with talking to anybody. It really has more to do with the fact that there is a lawsuit pending and we are very sensitive to disturbing that process. That is the sensitivity and there is no problem with meeting, none whatsoever and I wanted to make it clear. I've been pretty clear about how I felt about when we had the subject come up, but just so we are clear, it is not that we are ignoring you, we have to wait and see this process through just like you guys do.

Mr. Cannon said very good point. I've made that point to several people who have called me as well and we've spoke, not out of the idea that I didn't want to have conversation with them, but largely based upon exactly what you said Mr. Howard.

Mr. Howard said I've gotten a couple of candid e-mails since the last time we dealt with this at Council and I just wanted to say this. I think during our time I told you I suggested to my colleagues and the City Manager that we do something along the lines of training or working with CPCC and from what I understand that offended some folks because they had advanced degrees and I didn't mean to offend anybody. I just wanted to go on the record with that. I was really talking about the fact that in this community when there is a particular industry challenge, CPCC is real good about handling retraining and helping people find other industries to work in but I did not mean to offend anybody who has an advanced degree.

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### **Mayor and Council Topics**

Mr. Howard said we had a couple Council Members who celebrated birthdays over the week-end including Nancy Carter. Nancy you were always special to me, but I didn't realize until over the week-end that you shared a birthday with my mother, so Happy Birthday to you and to her.

Mr. Dulin said tomorrow I don't know if anybody else is going to be trying to participate in some of the Dr. Charlie Sifford golf activities at Renaissance Park but I'm scheduled to be there at 3:00 for the ribbon cutting and I'm going to try to get out for a little bit of the golf also during the day.

Mr. Mitchell said something the City Manager and City Attorney can look into, is there a way we can give some local preference for small companies to participate. I can't remember, is that discrimination or something we can or can't do. Can you all provide some type of information?

Mr. Walton said if it is a bid we cannot.

Mr. Mitchell said we cannot give local preference to a company?

Mr. McCarley said the bid law says that you will go with the lowest responsible bidder.

Mr. Mitchell said so if it is the state, federal or city funding we still have to go with the lowest possible bidder?

Mr. Turner said I have intentions to bring to the Council to discuss a small portion of this thing with the CRVA and get some clarification on how this process was initiated. My recollection is that Mr. McCarley stated to us that he thought it was a consensus because no-one raised a question with regards to Mr. Barnes request. I personally told him that is not the way I took it and I still don't take it that way. More importantly, I wanted this Council to one way or the other, whether we are in support of this process, which I understand is about ¾ complete. Is that correct Mr. McCarley?

Mr. McCarley said probably closer to 9/10.

Mr. Turner said 9/10, it is pretty much done but I wanted the record to reflect that at least as a Council, whether we did or did not support this process. The problem is that our policy is that anything after four hours we have to approve that. Mr. McCarley has clearly exceeded that and I'm not clear that this Council voted on that. I know that I did not and when I presented that question to the Council none of the members indicated that you did. I wanted us to have the opportunity tonight to vote that we support the process that has been initiated and where we are today with this process.

Mr. Dulin said Mr. Turner can you help me clarify your request a little bit for me. The CRVA has a report being worked on. Is that correct?

Mr. McCarley said the CRFA has hired an auditor.

Mr. Dulin said our 9/10 thing is what Mr. Barnes asked you to look into.

Mr. McCarley said Mr. Barnes asked me whether or not payments to the particular individual violated CRVA policy.

Mr. Dulin said okay and we are 9/10 into that?

Mr. Turner said which exceeded our four hour rule.

Mr. Dulin said Mr. Manager do we need to go back and have a Council vote to authorize Mr. McCarley's time is what I believe Mr. Turner's request is.

Mr. Walton said I don't know Mr. Dulin. There is not a precedent one way or the other. You certainly could but if it is done, it is done.

Mr. Dulin said I'd forgotten he was doing the report, but I don't have any problem with the time he is spending on it.

Mr. Cooksey said I'm reasonably confident that when we see the minutes of that meeting the Mayor asked if there was any objection and no objection was stated so it was considered as Council action.

Mr. Turner said I don't recall such question and that was the whole point. I don't recall the Mayor saying anything.

Mr. Cooksey said I remember it because I was kind of surprised that you didn't say anything. That is why it stands out.

Mr. Turner said the point is that I wanted to make sure the media and everyone is comfortable in saying the Council and it has been portrayed. I want the record to state clearly that I would not have objected to it, but I want to also make sure it is clear on the record whether we participated and how that process came about.

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**ADJOURNMENT**

[ Motion was made by Councilmember Mitchell, seconded by Councilmember Dulin, and ]  
[ carried unanimously to adjourn the meeting at 9:08 p.m. ]

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Stephanie C. Kelly, City Clerk

Length of Meeting: 3 Hours, 47 Minutes  
Minutes Completed: June 2, 2011