

The City Council of the City of Charlotte, North Carolina, convened for a Budget Workshop at 12:05 p.m. on Wednesday, June 1, 2011 in Room 267 of the Charlotte-Mecklenburg Government Center with Mayor Anthony Foxx presiding. Council Members present were Jason Burgess, Patrick Cannon, Nancy Carter, Warren Cooksey, Andy Dulin, Patsy Kinsey, James Mitchell, and Edwin Peacock.

ABSENT: Councilmember Michael Barnes

ABSENT UNTIL NOTED: Council Members, David Howard and Warren Turner.

Mayor Foxx called the meeting to order at 12:05 p.m. and said June 1st marks the day when we promised to do our Budget Straw Voting and we do have some information from the staff on Legislative issues and sales tax issues relative to the budget we are considering. Our sales tax revenues derived from a formula that is based on proportional share of the property tax rates so when we reduce our tax rate we receive less of the share of the sales tax and that has impact in future years. We are going to hear a little bit about that today. It is a reverse incentive to reduce the tax rate, which is kind of a bizarre thing. We will talk about that and then we will get into the straw votes. I know others have some commitments this afternoon so if we can be as expeditious with both the staff presentation and our conversation on the adjustments that would be great.

City Manager, Curt Walton, said we have two updates, first on the State issue. Dana was going to try to be here today, but he is slaying dragons in Raleigh so he couldn't be here. Over the week-end there was a lot of work done on the budget and the Senate will be voting on the Budget Bill today and tomorrow and then the Budget will go to the House on Friday and possibly early Saturday morning. The end of the session is projected to be either June 17th or June 24th so they are beginning to wind down. They expect to have two special sessions, one on redistricting that will go in session on July 11th and one on proposed constitutional amendments, and I don't know what those are as it has yet to be said. Specific to the budget, essentially it is the same position as when we talked last. There is no negative impact for us on any State collected local revenues, which is a good thing. After last week's skirmish on transit it does not forbid NCDOT from participating in the Blue Line Extension or the Red Line, so that is a great thing. I think the regional militia that was launched really had a result there. One impact on CATS, it does reduce capital maintenance for transit property by 6% rather than 4% so there is a 2% loss there beyond what was expected. Powell Bill, which is from the gas tax and we use for street maintenance, will be paid in two payments, October and January rather than October alone so we lose a little bit of interest there. The Powell Bill will have to be spent in five years rather than ten which is not an issue for us. We spend more quickly than that. The Garden Parkway into Gaston County remains authorized but still has a funding gap. I think essentially from the budget side, my recommendation to you would be to continue to hold the \$18.4 million until the budget is adopted and either signed by the Governor or her veto is over ridden. That will probably be by the end of the month for sure, one way or the other.

On annexation, the Bill that was passed in the House which does not include a moratorium, it does have some other rather onerous criteria in it. It has passed the House, is waiting in the Senate and has not gone to Committee yet so it still allows our annexation with an effective date of July 1st to go forward. As you recall there is a million dollars of excess revenue to expense based on that annexation, and there is a million dollars in reserve in case we lose the authority to annex by July 1st but that looks to be in pretty good shape.

Councilmember Dulin said I heard the Garden Parkway and the funding gap there, did you mention the light rail extension?

Mr. Walton said it doesn't include specific monies, but we were not expecting that. It just not forbid NCDOT from participating in the future. Last week at this time it did.

Mr. Dulin said with a little bit of a change right?

Mr. Walton said it is back to the way it was and we are happy.

Mr. Dulin said I'm sorry Speaker Tillis has to jump in and work on that so hard, but he did some heavy lifting for us last week and I was pleased with that.

Mayor Foxx said let me say regarding that, Speaker Tillis did do some heavy lifting for us and there are people on both sides of the political isle who really stepped up for transit last week and I think they deserve our gratitude for that. Also about a year and a half ago, Curt, I think you hired Dana Fenton and we've done some different things with that role. That role used to be one that was really tied closely to the Mayor's Office and it has actually become a Council position and he has done a very good job of reaching out to you guys and representing us in Raleigh. I've seen the evidence of his work very closely last week as this was going on so we all owe Dana a great deal of credit for the result we got last week.

Mr. Walton said the second topic, Sales Tax and other County related issues. First the other County related issue. I mentioned to you before that there are several volunteer fire departments that are going out of business on June 30th. The County has indicated that they would like for Charlotte Fire to take over those responsibilities on July 1st, but we haven't gotten a formal request for that. They have agreed to pay for the cost which is about \$800,000. That item will probably be coming back to you on June 27th for you to consider. It would be paid for from the County's General Fund and 80% of the County's General Fund comes from the City of Charlotte tax payers so that means that the fire protection in the unincorporated areas would be paid 80% by the City of Charlotte. It is the old tax equity issue we had with Police 20 years ago, but I think there is probably not an option for this coming year. Going forward I think we should have a conversation as to what our approach should be relative to this new annexation law because there is such disincentives for annexation in the new Bill so we may not can afford to be quite as benevolent on some things in the unincorporated areas as we have been in the past. That is a future conversation that we don't need to have in association with the budget, but that is something that is out there. That contract will probably be coming to you later in June. It is \$800,000 which is the cost for providing the service for one year and if they want us to do something long-term going forward it would have to be something other than the general fund of Mecklenburg County.

The other item is relative to the sales tax and the Mayor mentioned this in the introduction. Sales Taxes all come into Mecklenburg County and with exception of CATS which keeps all of its sales tax, the rest of it is separate out based on proportions of tax rate. We had calculated the County Manager's recommended tax rate and a flat tax rate, not a revenue neutral, but 83.87 cents and it will have significant impact on sales tax distribution to us in the second year of our two-year budget. The County Manager's recommended budget would be a loss of \$2.5 million in sales taxes to us and if they kept the rate flat where it is right now before revaluation, it would be a loss of \$3.5 million. It is a significant loss going forward. It doesn't impact us in FY-2012 that we are going to begin on July 1st, but it does impact July 1 2012 going forward. I just wanted you to know about that and it is something that we will have to adjust for going forward.

Mayor Foxx said it is like a penalty for reducing the tax rate. Are there any questions for the City Manager on that? One point that I would like to reinforce that I made at the Budget Hearing the other day is that our capital program has kind of zoomed along over the last 20 years in more or less the same categorization and given annexation issues, which are largely capital anyway, I want to reinforce the idea of maybe having a process that may involve citizen input, it may involve Restructuring Government or Budget, looking at our capital program over the next year to figure out whether or not we have aligned our capital categories correctly. You might argue that a lot of the Neighborhood Improvement dollars are really transportation dollars and yet we have two different bond issues that we do for those items. It is just the way of kind of looking at this, particularly given the annexation issues. It might be a good use of time to spend another year looking at needs, figuring out where they belong categorically and then helping us make a determination next year on how to deal with the capital side of our budget because we do have a problem there going forward. That is an idea that I offer. We don't have to act on it tonight but I'd like to have some conversation about it before long.

Regarding the straw votes, we've got several ideas on the table and some information that has come back to us since we initially talked about those ideas. We can start in the order that they are presented here. As you know we need six votes to make any changes to the budget. Last time it took five votes to put ideas on the table so to speak and there was a lot of good work done around this dais on all sides to look at those potential changes. We now have four items that received the requisite five votes and now the question is do we make the change or don't we and that will require six votes today.

Councilmember Howard arrived at 12:15 p.m.

Restoring New Street Light Program.

Mayor Foxx said starting with Item 1, Restoring New Street Light Program in FY12 by deleting the Criminal Justice Technology Reserve.

Councilmember Carter said I am very much in favor of addressing the current need that we have identified, the residential lights waiting list, the CIP project and other installation costs. That total is \$195,000 plus \$76 and I don't see the benefit right now of accepting new requests, which would be over \$250,000. If we do take away that amount it would reduce that \$445,000 by over \$200,000 that we could allocate to the Police Resource Officers in this coming year. I think that would be responsive to the situation as we try to work intergovernmentally, responsive to our citizens needs for security, but deferring those needs as we have said that they should be deferred for three years and anticipated by our citizens. I think a simple reduction of \$195,076 would be an adequate amount to address these needs for street lights.

Mr. Dulin said is that in writing?

Ms. Carter said no it is not. It is just simply deleting the \$250,370 for expected new requests as shown on Page 10.

Councilmember Cannon said is that still coming from the Criminal Justice Technology reserve?

Ms. Carter said yes sir.

Mr. Cannon said I support the idea, but I'm concerned about the funding source. As I stated in the last Budget Workshop, I think it is really important that we try to hold as much as we can in the way of resources toward anything regarding public safety, not for just right now, but in the future. I was concerned about this last budget when we started depleting funds from what I feel is a very, very important something for us to have in the way of technology. Again, I support the idea, but I'm weary about the revenue source because we really need to hone in on as much money as we can keep, if not increase for technology. I know that I cannot support this based upon the funding source. If there are other sources for consideration I'm certainly open to that, but right now that is of some real concern.

Mr. Dulin said Mr. Cannon are you saying you can't support rolling any of the technology dollars over to the street lighting program?

Mr. Cannon said the \$445,446 in my opinion, needs to remain exactly where it is.

Mr. Dulin said Curt it seems like we always have balances in funds for technology here and technology there, sometimes we can use them and sometimes we can't. This \$445,000 was unused technology dollars that we had put away a year or two ago. Why haven't we spent that money and why is it sitting there?

Mr. Walton said as a reminder, we put \$3 million into Criminal Justice Technology in 2008 and there have been two things. First of all we spent the money for other things so all of the money below the \$3 million, all down to \$446,000 has been spent on non-technology things. The other reason is, and this goes back decades, not just in 2008, we have never found a use that was agreeable with the State in our Criminal Justice area so I had recommended liquidating this account and giving it to Police. Even though \$445,000 is a lot of money, it is not in the technology world and I still don't think we are any closer to finding something we could spend it on.

Mr. Dulin said I thought it was relatively creative when Councilmember Barnes brought it up the other day and then when it bumped it up to let's just zero that account out and spend it all on the street lighting I thought, wait a minute, that is too much, so I left the other day thinking we shouldn't do the whole deal. I got to studying this over the week-end and lighting up these streets is public safety because these bad guys don't like to be seen. If we can light these streets up I'm convinced and we all know that everybody is for street lights until they find out the pole
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is going to be in their yard. I'm convinced that if we can get back on track with this street lighting program we'll be doing as good a public safety as other twenty things that we do. I've figured out over the week-end that I was going to support \$445,446.

Mr. Cannon said I can't really argue that point. I think that is an excellent argument, one I've used in the past and I think there is a place for it. In fact that may have changed my opinion so we'll see.

Mr. Dulin said one of the problems we have, and I'm out and about early in the morning on my feet, is the high number of lights that we have out for whatever reason and I'm guilty also of not reporting those back to Duke Energy. If we report a light that is out Duke Energy will come fix it, but as soon as it gets fired up again it is our responsibility to pay for that juice. One of the things I think we ought to do as a community is not only create this and get started on lighting these neighborhoods up, but trying to figure out how we can better replace outages and I'm going to start trying to write down those addresses.

Councilmember Kinsey said I agree with the Manager that this \$445,446 should go back to CMPD and I have a suggestion as to how it can be used when we get to that.

Mayor Foxx said why don't we take a vote on this item. Do you have an amendment, and can you restate the amendment?

Ms. Carter said to reduce the amount by \$195,076 which leaves a total of \$250,370 in savings from this to be allocated otherwise.

Mayor Foxx said I would like to go through and vote on the Straw Votes that we have and get up or down votes on that and then once we've done that we can come back for some of these other ideas. Is that okay?

Mr. Dulin said a lot of this work should have been done two weeks ago. We're here to vote on the Straw Votes that we came up with this agenda. I've busted my butt getting ready for that meeting a couple of weeks ago and all of them got voted down, but I came prepared and was ready to go. I'm prepared and ready to go today also.

Councilmember Cooksey said my gut feeling is with Mr. Dulin that street lights aid public safety. Do we have any data to back that up? Do we have anything historically backing up that lighting where we have a correlation between a lighted neighborhood and the crime rate?

Mr. Walton said the inverse is usually true. When we have crime hot spots, a lot of time they are unlit or poorly lit, so yes.

Mr. Cooksey said the second item, the list was a little confusing because it shows, for example if you look at Page 11, the individual street light requests, Druid Hills North, three different streets and three different Council members. I didn't quite see what the correlation was on the Council District column. I'm reasonably confident that Druid Hills North is not a neighborhood that spans Districts 3, 4 and 7 so I wasn't quite sure where my name popped up in that one. There are others, if you look further down, Ridgeview at Providence Plantation, that one may span Ms. Carter's District and District 7, but I'm not quite sure of that one either in terms of where the streets are so I wasn't sure about the list.

Mr. Walton said the Council District is not part of the petition process is my guess so that was added to try to be helpful in pinpointing where things were and maybe some of them are wrong.

Mayor Foxx said why don't we go ahead and have an up or down vote on the proposal through the Straw Vote process and then at the end if there are other ideas I'll allow those to come in.

Mr. Dulin said do we expect Budget Committee Chair Barnes today?

Mr. Walton said no sir he can't be here today.

The vote was taken on Item 1, Restoring New Street Lights Program in FY12 by deleting the Criminal Justice Technology Reserve and was recorded as follows:

YEAS: Council members Burgess, Cannon, Carter, Cooksey, Dulin, Howard, Mitchell and Peacock.

NAYS: Councilmember Kinsey

School Resource Officers

Item 2, Defer First Year Implementation of Increasing the Proposed School Resource Officer Payment Formula by decreasing Reserves in FY 12.

Councilmember Howard said from our write-up I think we got somewhat of a good sense on where those issues were with the State, but considering it is kind of a moment to moment thing right now I was wondering if you Mr. Manager could tell us on the annexation and on the other items that we had the reserves set up for, where we are with our concerns for the need for those funds.

Mr. Walton said briefly we covered that before you came in Mr. Howard. The Annexation Bill has been passed in the House, is waiting in the Senate. That particular Bill allows us to move ahead with annexation so I think there is moderate to low risk that the annexation would not be able to go through at this point. On the State budget, there is nothing in there that we know of that is negative for us in our State collected local revenues, however I did recommend leaving the \$18.4 there until the Budget is either signed by the Governor or the veto is over ridden.

Mr. Howard said I talked with Mr. Hall and the Manager earlier and I would like to see us go in the direction of taking the money for the Resource Officers for one year from the reserve fund set up for technology and the reason is because the money that comes from annexation, because that Bill which is separate and apart from the budget process is completed, we still don't know that one. Once we know about that fund and if it goes the way Mr. Walton is saying and the Annexation Bill goes our way, that money then goes to replace the capital, the technology money would come from the reserve account. What I'm saying is the \$958,000 would come from the reserve account right now.

Ms. Kinsey said what is the amount of that reserve?

Mr. Howard said \$18.4 but I'm also saying just to replace that because Curt has expressed the fact that the technology money is important but we think about it now but wait until we know that it is clear and that money go to replace the capital money to shore up the \$18.4.

Mr. Dulin said one more time. I got the \$18.4, the \$958,000 is roughly 5% of that fund and that is a pretty big hit.

Mr. Howard said that is why I'm saying that once we know pretty much that the annexation money we put aside because we were not sure how that Bill was going to go, we use that to shore up the \$18.4 so it puts it back whole.

Mr. Dulin said I'm looking at Page 18, can you walk us through what your proposal would be. If we fund the Resource Officers this year at \$958,426 and you want to double up on them next year.

Mr. Howard said I don't and I wanted to get the numbers out of the way first because the second point is a bit more of a soapbox issue for me. If the numbers are clear then I will go back to what I think should happen going forward. What I'm suggesting and this is after talking to a number of people, including the Manager, that we actually ask the Manager, Chief Monroe and Peter Gorman to sit down in the next six months to talk about how do we handle intelligence gathering and behavioral problems in the school system. That is what the Resource Officer's roles have been and I question whether or not it has to be a sworn officer with a car to do that. I have talked with a couple of people that are veterans in the force and ask does it have to be a sworn officer with a car and I think that is something that Chief Monroe and the School Superintendent Gorman should talk about and tell us. Ultimately what we want to do is do whatever it would

take to support Chief Monroe's vision of dealing with law enforcement for this community. A school is a part of that so he needs to be at the table helping to figure out how that works in the School System. I asked Mr. Walton directly in the scheme of what Chief Monroe sees as the overall picture for law enforcement for Charlotte, where the schools fit in it. I think it is a part of it, but he had rather have people on the streets.

Mr. Walton said patrol is the priority.

Mr. Howard said in that scenario what we need to do is talk about if schools are important do they have to be the same model that we have been using. I think it costs about \$100,000 per officer, and I haven't done the math for the whole program, but is there another model to get the same results of helping with behavior issues and intelligence gathering without it having to be a sworn officer. That is what I would propose, we help this one year, but we look for another model going forward.

Ms. Kinsey said I want to make sure I understand. We are talking about one year and that is 2012 and then going forward would that mean that we would work toward the 80% of 100%?

Mr. Walton said I don't know that I could assume that.

Mr. Howard said the goal would be to go where Mr. Walton ultimately wants us to be and that is out of the business of funding that at all. I still say we are going in that direction just with a different model.

Mayor Foxx said let me ask a clarifying question because I think I know what you are getting at which is under your proposal, Mr. Howard, are you suggesting that the timeframe for zeroing out stay the same.

Mr. Howard said our money in stays the same and whatever our amount would have been stays the same, but working with a new scenario on how to do what Resource Officers have done in the schools.

Ms. Kinsey said I thought I heard that the 80% of the 100% was the goal in years 2014 and 2015. Is that what you intend?

Mr. Howard said I'm not saying to change anything in the future years that Mr. Walton has proposed.

Ms. Kinsey said Mr. Manager are you okay with that?

Mr. Walton said Mr. Howard and I have had conversations about this. I am okay trying, but this is not a new issue. We've tried having these conversations for many, many years and they haven't resulted in any change. We will be glad to do as directed and will go with all gusto but I don't expect a different outcome.

Ms. Kinsey said I'm willing to try the one year, but I have to say that unless we are working toward the goal that the Manager has said in his budget, 80% of 100% by FY14, I don't know that I can do it another year. They are always going to come back and we keep caving in and it is almost like we are punished because we've managed our money very well and everybody is coming to try to get their share or more than their share. I'm willing to try that for one year.

Councilmember Peacock said I support Mr. Howard's comments, but I also wanted to echo what Mr. Cooksey had said in the last session, which was he was asking questions about the effectiveness of the program and do we need to have School Resource Officers in every school. I think what I'm hearing Mr. Howard say is something that would be pretty effective to be referred to Committee and of course if it is working in concert with what the Manager would hope would produce a positive result.

Mr. Howard said as long as we have the school system and the Police Chief at the table because ultimately that is who should be making the decision because we want to support the Chief.

[Motion was made by Councilmember Peacock to refer this matter to a Committee for that]
[same reason. There was no second to the motion.]

Mayor Foxx said that would be an attachment to the amendment?

Mr. Peacock said sure.

Mayor Foxx said Mr. Howard is that a friendly...

Mr. Howard said sure.

Mr. Cannon said I guess the school system has their own Police Chief as I understand it. I would imagine that you would ask him to be at the table as well in those discussions. Based upon the numbers of the \$958,427, taking into account the number of schools that have been shut down does that change the number at all? Granted some of those are lower schools and I think SROs for the most part have been in the middle and high schools, but does that change the number or are these numbers based on that?

Mr. Hall said yes sir, they drop by one going from 11 to 12. It was 49 SROs with one Sergeant and in 2012 it is 48 SROs with one Sergeant. One of the reductions was the result of one of the schools closing.

Mr. Cannon said what I heard the Chair of the School Board say at our last City Council Meeting was they had budgeted for SROs and I'm going to assume that is what I heard because I haven't been interrupted on that point, but I thought I heard the Chairman say that. My thought process is that if they have budgeted for something as such, do we still need to be in the business of trying to see if they are going to fund it or not. I guess we won't know the answer to that question until one, I think the county has a budget adoption scheduled for June 7th and the question I have is should we defer any action on this until we get our arms around the idea if they are actually going to apply the monies for SROs and if so then we have afforded our own CMPD to have an opportunity to go ahead and man and woman our streets and area businesses for neighborhoods and everything else in the community to be looked after. To Mr. Howard's recommendation, I'm more than open to having that discussion, but I wonder if someone is coming to you and they are telling you they have budgeted for something to take place, are we putting the cart before the horse. If we aren't that is fine but I just need clarification.

Ms. Kinsey said the point is well taken and I would note, and correct me if I misunderstand this, but in our material on Page 21 it indicates that the County's undesignated fund balance is \$102 million as of 2010. Do we know what it is now? That sounds like an awful lot of undesignated money and here we are trying to find it from \$18 million.

Mr. Hall said the \$102 million is equivalent to our \$82 million of fund balance. What that represents is their 8% fund balance policy in comparison to our 16% fund balance policy. One of the questions that came up from the Budget Adjustments Meeting was use of County reserves so we went ahead and identified that number. If they have a fund balance it is an estimate because of trying to get to the end of the year. They chose because of their recent debt issue to not budget fund balance in their recommended 2012 budget in order to maintain certain debt ratios. I guess my response is \$102 million is not a lot of money for the debt position that they are currently in. It is equivalent to our \$82 million of 16% fund balance reserve.

Ms. Kinsey said are you on their side or mine?

Mr. Hall said I'm on the side of the facts.

Mr. Cannon said I still didn't get an answer to my question. What we heard the School Board Chair say was we've budgeted for SROs but we want your money too. I just need some help in terms of what are we doing if they have budgeted for something like this to take place and they are telling us this. Are we ignoring that or why are we compounding?

Mayor Foxx said as we've gone through our budget process they have been going through theirs and there was a period of time when I was asking that very question about what the status of both

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their budget and the County's budget was and we frankly did not get an answer until a couple of days around the Chair's visit to our chambers. Let me be very clear that I probably would have a different take on this if the school system wasn't going through what is the equivalent of a 70-year flood in their budget process. They are plugging holes that we created over the School Resource Officers and that is the difference between this and some other line item. We made the decision last year as a group to scale down this program and what I'm asking you to do is un-scale it down if only for a year. Personally, I would prefer that we continue this program, but I've listened to you and I know where people are and I think it is probably not practical to expect the body to essentially change the recommendation, nor could I tell you honestly how we would make room for the additional officers we have coming on line in the future if we didn't take this particular action over time. The school system is still facing significant budget cuts and if we remove a cost shift that we imposed last year to the school system it creates room for them to keep teachers or other necessities that help educate kids in this community. Further to the point I think what Mr. Howard is suggesting makes some sense in terms of giving this conversation with the school system a final time to yield some change. Whether that is a retooling of how the program works or whether it is keeping the program in its current form or making adjustments, as Mr. Cooksey has suggested, I think further dialogue can only help and I think this situation this year has gotten the full attention of the school board and I don't think they will handle this like they have in past years. I think they've gotten the message that this relationship is going to change, but I'm just asking you for some relief in a year that is unusual in the sense that the budget crisis facing the schools is more significant this year than it has ever been.

Mr. Cannon said your points are well taken but I just want us to make sure that we are looking ahead to what could be coming down from the State. The state roads are pretty expensive to maintain for any city to take on that responsibility which they may be trying to shift to us to take over. I don't even know at the end of the day if the pink slip stopped going to other teachers that we want to continue to see educate our children, but I do understand that if we can help to impact saving about 20 of those jobs or whatever it might mean that is a nice thing to do. I still fall on the side of where we're supposed to be in terms of looking out for the City taxpayer as well. I just want to make sure in terms of why we are trying to fill the holes of CMS and we aren't preparing ourselves for the holes that could be made for the citizens of the City of Charlotte. I want to help but when the Chair comes and says here is where we are and we are going to budget for X, I'm saying okay they potentially have it covered. Why are we even in the game if they have it covered, but something can be said for them using those monies to allocate resources in other places.

Mayor Foxx said I think this is a different scenario than if they had come to us and said, City, we know you've been doing this, but we've got it covered. We created the hole and I think that makes the difference.

Mr. Cooksey said I support the motion even though it is for one year only because as I said last time, I come to see the value of this partnership we have with the school system under the core function of public safety. I know opinions can differ around the table, but I think helping with the School Resource Officers is closer to our core function than helping with after school programs and we've sent hundreds of thousands of dollars to those each year. The impact of the School Resource Officers covers more students, it covers more ground and it is again a partnership with the schools that I've come to see the value of. The fact that the School Resource Officer at Audrey Kell High School got the CMPD Community Relations Committee Award, quite a number of nominations doesn't hurt either. I think this is more what we ought to be doing than some of the other things we do, although I realize opinions may differ. I would prefer to see us continue the program in its current form because the way I interpret the School Board's response is when they learned that we were going to do this, they acted to keep CMPD in the school. They didn't say we are going to start looking at how we do it with our own Police force, they didn't say we will look to do it with fewer officers. They said alright, we will find the \$958,000 to do it. That to me is a signal that the school systems response is we want, not simply someone in the schools, but CMPD sworn officers there. Perhaps in the discussion over the next year there may be alternatives, but I think it is a partnership worthy of support and I will support the motion and hope that we can continue to do it for as long as we need to.

Mr. Howard said it is interesting that you say that because it was actually your statement last time that got me to thinking about what is our role with the schools. I've asked the question, is it

behavior, what is that value because the Police Chief is not here and he had rather have officers on the street. The only thing that came to me that made some sense was the whole intelligent gathering thing that happens in the school that helps us to defer issues in the community and vice versa. I work with former Deputy Chief Stan Cook and I asked him for his advice on this and he told about a situation when he was with the Police Department where he actually got information about something that was going to happen at a football game at school that they had already had to deal with in the community before they got to the game that Friday night. There is some value, but I think it is intelligence gathering and what I'm questioning is whether or not we have to have a police officer with a car to do that. The school system has already figured out how to deal with the behavior issue within the administration. I want to have a conversation again about what it is that we need to provide and what does our relationship need to be between the school system and the Police Department to facilitate that.

Mr. Cooksey said I want to be cautious about how much emphasis we provide to this position about more officers on the street because with the exception of the proposal made just today as the amendment to this motion to have this conversation, no proposal added officers to the street. The officers were going to stay in the school system, it was just a question of who paid for them. Neither the proposal that this Council voted on last year, and I was part of that, nor the proposal today nor any other proposal other than discussion being proposed today, would have taken the officers out of the schools and put them on the street. It was just a question of who paid for them being in the schools. I appreciate the discussion and I think to the Manager's point about this being a multi-year issue, I don't want to try to derail the process of discussion, I think when the discussion ends it is where we are today that CMPD Officers in the schools are the best public safety solution. That doesn't preclude that we should have the conversation from time to time, but this isn't about putting more officers on the street by relocating the officers out of the schools they are going to stay in the school under any proposal for a vote present, whether we pay for them or the school system pays for them. Those 48 or 49 officers are going to stay in the schools.

Mayor Foxx said I appreciate your point. Lightning has struck twice, but I think you and I see it the same way.

Councilmember Carter said I truly support this issue. Mr. Howard is right, we're the cavetti, but I brought some information from the Council for Children's Rights the last time we talked about this and indicated that there was some discussion on the table about the validity of having officers in all of the schools. I thoroughly support the discussion whether it be the City Manager or in Committee or however it is handled. As I indicated on the discussion on the street light issue I do have some other funds.

Mr. Dulin said let's remember what the final goal was. The final goal was to help us as the City Board for this community pay for additional police officers that were afforded to us by the stimulus money. The reason why we are in pretty good financial shape around here is that we do a pretty good job of looking out in the future and figure out how much money we need in five years and working backwards to it. That is what the Manager has done here. This is trying to right size our ledger so that in two years we have the money to pay the officers we hired to put on the streets at the request and at the demand of our bosses. We all bought into that deal.

Mayor Foxx said no we didn't.

Mr. Dulin said I bought into that deal and now it time to start paying for them. It is not time to pay for them next June or the June after that, it is time to start paying for them the June after that. To set us up to do that I thought this was a pretty good plan to get the books right so that we can afford the officers that we've hired. At 48 officers it costs \$127,042.18 per officer per year. They've got a car sitting there, etc. etc. Now the two officers at Myers Park High School are great and I know them both. Officer Leak at A. G. Middle School, I'm a consumer of this the service that these officers render to our kids or children in public schools. By the way, if we are going to talk about this, I think it was a big miss for us not to talk about the crossing guards as well which was relatively a small amount of money at \$226,000. I put together a good plan to keep the crossing guards in there too and I'm a consumer of that, but that has been dropped by this group. I don't mind and I would support \$958,426 for one more year coming out the \$18.2 million technology reserve fund for one year, if we get back on track after that. If we get back

on track that would be okay, but we've got to look at our County friends and our School Board friends and say, no really, we mean it this time. Lord knows, last year it was Libraries, this year School Resource Officers and Crossing Guards and ImaginOn so it is no telling what they will be wanting us to pay for next year. If we can figure out the end point of when we are going to let the School Board and the County have these School Resource Officers and then work back to this \$958,426 tonight then I can support the one-year moratorium and I would love to have seen somebody not leave out the school crossing guards, but we've moved on from that.

Mr. Cannon said maybe I'm holding onto the purse strings a little bit too hard. I just really wanted to get some clarity about what we had heard from the Chairman. I don't oppose the ideas that have been on the table by Councilmember Howard, but I also don't want us to lose sight of what the Manager is recommending to try to help us to continue to do what we need to be doing to maintain being whole on this side of the water as well. With that being said I would like to call the question of the vote for the straw vote on this if that is in order.

Mr. Dulin said I don't mind voting on it, but I need some clarity as to Mr. Howard's motion as to what the sunset date of our benevolence is.

Mr. Howard said I'm saying what I said to Ms. Kinsey earlier. We maintain everything else going forward with this recommendation so it does mean that for some reason they've got something worked out it does move up on them next year.

Mr. Dulin said one of the things about this plan it was \$958,000 this year, \$1 million next year, \$720,000 the next year so that is a lot of money, but it was somewhat chewable. My guess is we are getting ready to give them \$958,426 right now, but that is \$1.9 million next year, which is a lot harder for them to swallow.

Mr. Howard said you put your finger on what my point was. I hadn't done the math but I knew it was over \$100,000 per officer, but that is my point, the \$127,000 per person. There should be another solution inside of those numbers is what I'm saying, even if you start to adjust it down. That is the conversation I want to have, but thank you for doing the math on that.

Mayor Foxx said the question has been called and the motion is to bridge the next year on the timeframe for the 80% of the 100% is the same as the City Manager has recommended so the next year would be unchanged in terms of the Manager's plan. I do think that one of the critical things with this, if it is approved, is communicating to the School Board both what the Council's actions are now and what it means for them in the coming budget cycle and having this collaborative discussions with them. I share Mr. Cooksey's concern about the possibility of losing officers in the schools because I think it is helpful to us, but I temper that a little bit with the fact that our professional expert, the Chief, is giving us a different view. I don't take that lightly, but I think that is something over the next year we can get some clarity on that.

The vote was taken on Mr. Howard's motion and was recorded as unanimous.

Mr. Dulin said point of clarification, that \$127,042.18 is the full cost of the officers and we are obviously paying 50% of 80% of that.

Mayor Foxx said Mr. Manager, I know that is not what you recommended and I appreciate you being willing to work through this another year and to try to help us get to hopefully a better place at the end of next budget season.

Children's Theater

Mayor Foxx said I believe this is Mr. Cannon's proposal.

Mr. Cannon said I need to get some information from the Manager. This is on Page 33 of our information. It appears that there has been two different levels of understanding about how this was to occur. I think on one front what the Children's Theater was asking for was that we work down from the \$285,000 to be able to satisfy their ask of what would be \$47,500 off of that and it goes down. What that does as I look at it, it probably increased the cost to the City. This would actually be about 1/6 of a percent each year for six years and that number would go up to about \$709,000. What the Manager is recommending is something that would be 1/3, 1/3, 1/3

over three years and then the City would be out of that. There have been other levels of discussion that have taken place where you would go essentially and have what would be \$47,500 given over six years. I want to say that Councilmember Carter had talked about that and there were some other members of Council that talked about that as well. Mr. Manager, you might be okay with that because I think the logic there is if it is just \$47,500 over six years and that number is not increasing it adds up to that \$280,000 number and of course we phase them out accordingly. Do you have any comments on that.

Mr. Walton said no sir, I agree you've summed it up very well. I think the option at the bottom of page 34 is what Mr. Cannon is talking about and just in conversation with a couple of you after the Straw Votes, that is an option that I think some of you thought you heard, so we put it there just for clarity that we would take essentially the same amount that we are currently paying and have a six-year phase out, but divide that payout by six. It is roughly the same amount of money, just over a longer period of time. The two goals were to get a phase out with a determined end and basically bring the cost under control and that would do it as well as my recommended proposal so I would be fine with either.

Mr. Cannon said with the Children's Theater being represented, I would like to get some feedback if that third option makes sense for them that members of the body were considering and that would be the \$47,500 over six years and it is phased out in its entirety. If there is a representative here I would like to hear from that person. The question is would the \$47,500 over six years help you with what it is you are trying to do to move forward to change your financing model?

Bruce Larowe, Children's Theater, said our requests was the one that is higher up on that page which was reducing by 1/6 per year instead of 1/3 per year, which is a dollar amount of reducing by \$47,500 each year. The option at the bottom of the page was not one that we had implied and actually that is not a request that we would put forth because that would have almost a catastrophic impact in year one.

Mr. Cannon said is it realized the City funding that would be coming from the taxpayer at \$709,115 under the scenario that you have presented? You are asking that we work \$47,500 down from the number \$283,000 over six years. The Manager has suggested that that would equate to \$709,115. Are you aware that number would be that amount?

Mr. Larowe said yes, versus the \$285,000 if it were to be done over a three-year period of time. The net difference by extending out to six years is roughly \$400,000.

Mr. Cannon said Mr. Manager how would you respond in terms how this keeps us whole or where we need to be relative to future years, budgetary wise?

Mr. Walton said I would not recommend the \$709,000 because it is significantly more money than was recommended and six years is okay as long as there is a definitive payout or ending, but it is significantly longer than what I'd recommended. Ultimately it is your choice. I think one observation is that it takes a good chunk out of your Council Contingency for each of those year that may be more than you ordinarily would take out of Council Contingency at the beginning. I think the recommendation was to take, if it was as the middle chart shows going from \$283,000 down to \$236,000, there is a pretty good chunk of money that would be required to come out of Council's Contingency.

Mr. Howard said the basis of your suggestion of six years is what?

Mr. Larowe said it was based upon your agreement with the Levine Cultural Center Campus Organizations from point of notice when you said to them that funding will phase out. There was a four-year period of time that the community raised the off-set money in the endowment campaign, so we are essentially saying if you add that four-year period of time for the organizations to have preparation to raise the money and then do the phase out for another three that is a total of seven. You essentially gave us one year last year so we are asking for another six for a total window of time because we still have to raise the offsetting money. We do not have a community endowment campaign to raise that offsetting money so we are asking for the

same full window of time as the Levine Campus Organization had from point of notice to conclusion of phase out.

Mr. Howard said it was still the last three years that you phased out, right Mr. Manager? It wasn't accumulative affect of what you are asking if you give 1/6, 1/6, 1/6, it is still different from what you have offered to the Levine Campus because I guess they had full funding and they drop off 1/3, 1/3, 1/3 at the end.

Mr. Walton said there are a couple of very material differences, we own those buildings and that is a very basic difference. The second is, that money that they were paying formerly in operating rolled into capital to help construct the facility. Really there is not a lot of similarity in my opinion between the Levine Campus deal and what is being requested here. The only similarity is that six years is somewhere in the equation. The other things I think are very different.

Mr. Howard said are you putting this money somewhere else that it has an effect that we started to shore up like we did with the Resource Officers for the Police. Where is this phase out going?

Mr. Walton said it ultimately would go to the same place. This was a recommendation last year, one of those 52 reductions and Council gave another year. We are now at the other year point so it just goes to essentially balancing the budget and long-term toward helping to pay for those stimulus officers.

Mr. Howard said so what we are doing is really messing with that same thing again.

Mr. Cooksey said what is the ImaginOn's FY11 budget and currently proposed FY12 budget amount totals?

Mr. Larowe said the Children's Theater budget is \$4 million. The total is 7% phase out.

Ms. Kinsey said the Manager said it, but I will say it again. We did give them an extra year and I would like to remind us that we have other cultural groups that are struggling also because the endowment didn't raise the money as quickly as they thought. They are not getting the return on the investment that they had hoped to, so I feel very uncomfortable, particularly with the \$709,000 for this particular organization, although it is a fine one, don't misunderstand, but I feel very uncomfortable when we've got those cultural organizations in buildings that we own that are struggling and we have not come back and given them additional time or more money. About the only way I could support this is if it was for \$47,500 for six years.

Ms. Carter said that was based on my misunderstanding of what was requested, that third alternative. I am very concerned and I would ask the City Manager, what remains in this current fiscal year's discretionary fund for Council?

Mr. Hall said \$123,750 for FY11.

Ms. Carter said this request pulls on my heart strings because I really celebrated the union of the Library and the Children's Theater. There were proceeds from the sale of the building that we did own, where the Children's Theater was located, those proceeds went to the Theater to help with the expenses of refurbishing the building that was created so in essence we do own maybe a brick, not really, but theoretically.

Mr. Hall said we didn't give the proceeds to the Theater. It went into the capital program. They requested that but we didn't do it.

Ms. Carter said oh we didn't, opps, alright well that makes a fairly stronger argument right now. This atmosphere for raising money is very challenging so what I would propose, and this is something that I have thought about and studied, we have an amount in our current discretionary fund and I would like to make whole this year FY12 by the addition of \$47,000 in other words to bring it up to the \$283,662 and then phase down the next year. We are looking at a budget challenge from the County property tax allocation that really concerns me, \$2.5 million or \$3.5 million that we are not discussing today, which we probably should. I think that is probably the

best that we could do, in other words add \$47,000 from this year's discretionary fund to bring it whole for a fund raising year where they can potentially come in the next year.

Ms. Kinsey said I don't understand that.

Ms. Carter said this is a simple allocation from our current Council Discretionary Fund of \$47,000 to bring it up to what the full funding for one year would be, then FY13 would be the \$94,554. In other words give relief in an atmosphere where there is no fund raising capacity.

Ms. Kinsey said so you are really building on the City Manager's original recommended budget, getting out of it in three years, but giving an additional \$47,500? Instead of \$283,662, it would be that plus \$47,500?

Ms. Carter said no it would be instead of the \$189,000 plus \$47,500.

Ms. Kinsey said and how much would it be in FY13?

Ms. Carter said \$94,554.

Ms. Kinsey said the numbers are still eluding me.

Ms. Carter said keeping them whole for one more year.

Ms. Kinsey said FY12 it would be \$189,000 plus \$47,500?

Ms. Carter said yes that takes it up to \$283,662.

Mr. Howard said no it doesn't.

Ms. Carter said sorry that is eluding me. The intent is to take it back to the \$283,662. For what we are working on that ends this current month.

Ms. Kinsey said okay, but the understand is after FY13 we will be phased out and it will be zero and the total would still be the same as in the Manager's recommendation?

Ms. Carter said no, it would be an addition.

Mr. Hall said over three years it would cost \$94,554 more but it would phase it out in three years.

Ms. Kinsey said \$47,500 for six years is beginning to look better.

Mr. Cooksey said how many tickets do you see per year?

Mr. Larowe said about 50,000.

Mr. Cooksey said we are talking about \$1.00 per ticket.

Mr. Howard said what is the full amount that is still costing over what the Manager suggested over the whole period. Right now the way it looks, the difference between what the Manager is saying and what they are asking is \$450,000 over six years and I don't think anybody here, or at least some of us want to help some, but I just don't know if we want to help \$450,000 worth. I don't know where that would come from and that is the bigger question. I wonder if there is a number that anybody has that is a magical number of what our top would be and we add that in and say now you phase it out how ever long you want to phase it out, but we're not going to go over that certain amount of money, whatever that amount is that we are comfortable with. That is basically what this comes down to, how much are we comfortable with. I'm probably comfortable with the number Ms. Carter threw out and probably not as comfortable with the number of \$450,000. I don't know if somebody has that top number in their head of much more we should go over what the Manager suggested.

Mr. Dulin said the difference is \$425,453 of what the Manager has recommended and what their ask is. You can divide that by 3 and it is \$141,000 per year.

Mr. Howard said to Ms. Carter's credit she has already proposed a source for \$94,000. Is there an appetite to go above that?

Mr. Dulin said one of the thoughts I had is I'm not sure how comfortable I am giving future Councils the responsibility to continue these payments. Sure, we don't know what the future brings to us, but we do know that we are going to get tighter and tighter. We are tighter this year than we were last year and the good point about us losing \$2.5 to \$3.5 million in tax revenue, that money has to be made up somewhere. If we don't start saving for it we are going to be the ones scrambling and our employees will pay more so with their pensions and their 401Ks and their livelihoods. This is good discussion, but I've been a little bit concerned and the community has done a good job of finding us over this issue. I've been concerned about putting these decisions on future Councils and future Mayors.

Councilmember Burgess said I like Ms. Carter's idea of making them whole for the rest of the year when we have a funding source for it and as long as Mr. Walton says we don't need that money for something else. It doesn't put any more responsibility on finding that money for the next year and the year following. It doesn't give them what they are asking for, but it seems like in the economic condition that we are in we can't continue it either. I think that is a good idea and I will support that.

Ms. Kinsey said before we go forward with a vote I would really like to know what impact Ms. Carter's suggestion is making, exactly what is it over the \$283,662?

Mr. Walton said in FY12 it would be another \$283,662 so that would be \$94,554 more over the three year period, with the \$94,554 coming out of the current year discretionary fund.

Mr. Larowe said could I just understand what the motion is?

Mayor Foxx said I don't know that there is a motion.

Mr. Cannon said there is not a motion.

Ms. Carter said what I would propose is following the Manager's recommended budget except in FY12 making an addition of \$94,554 and to take it back to the original total on FY11 and finding that money in the current year's Council discretionary fund which ends June 30th.

Mr. Cannon said I'll second that.

Mr. Larowe said does that mean the motion would do full funding for FY12 and then move into the three-year phase out according to the Manager's recommendation?

Mayor Foxx said it would plug the hole for one year and it is silent after that. That is what the motion is.

Mr. Larowe so it is one year payout and then zero from then on?

Mr. Walton said no, \$94,554 in FY13 and zero in FY14.

Mayor Foxx said that is the motion that is on the table. Is there further discussion on this issue.

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

YEAS: Council members Burgess, Cannon, Carter, Dulin, Howard, Mitchell and Peacock.

NAYS: Council members Cooksey and Kinsey

Charlotte Regional Partnership Film Commission

Mayor Foxx said this is the Charlotte Regional Partnership Film Commission, adding \$25,000 from FY11 discretionary. Mr. Hall do we have discretionary available to plug that hole in light of the last action?

Mr. Hall said yes sir.

[Motion was made by Councilmember Dulin, seconded by Councilmember Cooksey, to]
[approve that \$25,000.]

Mr. Mitchell said I would like to speak against that motion. During these difficult times people will come to us and make requests and I think if you talk to Ronnie Bryant, he's been very appreciative that the funding he has received from us has worked very effective for his organization. He did not make this request to us this year so since there is not a big need from the film I will request that we not send an additional \$25,000 to Mr. Bryant and we could use those funds somewhere else.

[Substitute motion was made by Councilmember Mitchell, seconded by Councilmember]
[Cannon to not send an additional \$25,000 to Mr. Bryant and use those funds elsewhere.]

Mr. Dulin said you sit on that Board?

Mr. Mitchell said right.

Mr. Dulin said I was trying to figure out a way to continue the good work over there when we were studying on the budget and I was trying to move money around for School Resource Officers, trying to move money around for the crossing guards and I'm going to miss Mr. Green if he has to go away. My crossing guard is Mr. Green at Runnymede and Barclay Downs. I was putting the pieces of the puzzle together and all of a sudden we came up to where we could come up with some extra money and I called Mr. Bryant and said I'm working on something here. If we can get you some extra money can you spend it and he said yes sir. Given the result they are coming up with, with \$25,000 I would prefer to see it higher than that, but Mr. Barnes made a motion during our meeting last month for \$25,000 additional and I was going to support it because I would like to see what they can do with it.

Mr. Cannon said we do have a representative here from the Charlotte Regional Partnership Film Commission and I would like to pose a question to her.

Mayor Foxx said just for the record we don't just let people come speak at these meetings. If you are asked a question you are welcome to do it.

Mr. Dulin said the numbers that we get from the Regional Partnership about the dollars brought to this community and the jobs brought to this community and the additional branding that we put on our community as a place where the film industry can come for commercials, movies, or whatever it might be, and then of course we have talked about this before and what I have always been most interested in is trying to get back of the house stuff when we can get production work here, then we've got families moving here. I think all of this has to do with trying to promote this and trying to get it pumped up some.

Councilmember Turner arrived at 1:32 p.m.

Mr. Cannon asked the representative from the Regional Partnership to identify herself.

Melissa Hendrick said I am a CFO for Charlotte Regional Partnership. Beth Petty, our Film Commission Director was here but she had a conference call with a producer in California and had to leave a little bit earlier.

Mr. Cannon said we've heard a little bit of information going back and forth with regard to if indeed the Charlotte Regional Partnership would like the additional \$25,000. Would you let us

know if there is a need from your organization for this amount of money, and if so for what purpose.

Ms. Hendrick said there is a need for this money. Currently there are two people within the Film Commission and basically what we do is market California and New York and various producers. With the incentive that was increased in January we have really seen an impact with additional producers coming in which will allow us to host clients, producers to do additional marketing trips. Currently Homeland was picked up by Fox as a TV series, the first ever TV series that will be here on the ground. The producers are from X-Files and Twenty-Four named producers. Ms. Petty is actually meeting with the producer or the head guy at Fox tomorrow who is actually considering this region for additional series as well as productions that he has in his agenda.

Mr. Cannon said last week I was part of a conversation that took place where Mr. Bryant had indicated that there was not a need for the \$25,000. I would imagine that you would not be here represented if that were not the case. Can you tell us if indeed Mr. Bryant has had a change of heart or idea and if so why?

Ms. Hendrick said it was not conveyed to me that he does not want the \$25,000. When we wrote the letter that was included in what was passed out to the Council, he reviewed it and we spoke about it. He was very excited about being able to increase the marketing budget for film to allow us to have new jobs here. When we have production teams on the ground it is new jobs, it is hotel rooms, we are actually putting tax dollars back into the community.

Mr. Cannon said you said you didn't talk about it, but you said you all reviewed the letter and you all spoke about it. What was the indication from that conversation?

Ms. Hendrick said he was very hopeful that we would get the money from the City for the film department. He knew I was coming here today and he asked me to come because he had another appointment.

Mr. Cannon said he did ask you to come?

Ms. Hendrick said yes sir.

Mayor Foxx said we have this proposal and actually there is a substitute motion on the table not to do this. We have an underlined motion to fund the \$25,000 and a substitute not to fund.

Mr. Howard said I respect Ms. Hendrick for coming down and I think the letter was probably more in response to us asking for information. Mr. Mitchell is our Representative on that Board.

Mr. Mitchell said no offense to Ms. Hendrick and I don't want this to get messy, but Mr. Bryant and I was together at a very exciting sporting event this week-end and he shared with me that he was not pursuing the additional \$25,000. Mr. Dulin to your point, I think if you ask anybody would you take the money, I guess in this climate, anybody would have said yes. I think what we try to do as Council is make sure there is a need or a priority and we try to fund them. This is not a reflection that they aren't doing good work because they are, but I think if we try to be cautious and somewhat conservative that wasn't an ask from them and they are satisfied with the current funding levels.

Mr. Dulin said with the acceptance of my seconder I would remove my motion to offer the money to the Regional Partnership. I would withdraw my motion and go on the recommendation of Mr. Mitchell.

Mayor Foxx said that obviates the need for a vote unless there is another motion on this item.

Ms. Kinsey said we didn't vote on this so that means we keep the \$25,000?

Ms. Carter said you had said that we could come back and readdress some of the issues. Ms. Carter said Mr. Cannon made a very eloquent appeal to us about the technology funds for the Justice System. Mr. Hall how long have we had that fund established?

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Mr. Hall said 2008.

Ms. Carter said it seems longer, but unfortunately we have not been able to allocate or use the money to impact the Justice System and I am concerned that there is a Bill in the State House I believe to eliminate the Court Administrators so if we lose our Court Administrator it seems we lose the person who is the engineer behind the system. I think we have good use for that money if we could take that \$250,000 that remains and put it toward our SROs and use it, get it out in the community, get it circulating and get put to use for public safety. I would put on the table, taking that \$250,000 that is remaining in that technology fund and put it into the SRO funding for this current year.

[Motion was made by Councilmember Carter, to take the \$250,000 that is remaining in the]
[technology fund and put it into the SRO funding for this current year. There was no second.]

Mayor Foxx said that would reduce the amount that would come out of contingency?

Mr. Cannon said this is money on top of what has already been voted upon?

Ms. Carter said it is to reduce that amount from the discretionary fund.

Mr. Cannon said you are saying reduce this from the technology reserve fund?

Ms. Carter said yes.

Mr. Cannon said again I going to ask us to be cautious about doing that because we could potentially utilize that money somewhere else. We may have some other future needs coming about that we could utilize those funds that is right around the corner. I think it would probably be good to just hold back on that for a half second. I know where you are going, but I think we should probably move forward with where we are right now and maybe relax moving forward with spending that kind of money.

Mayor Foxx said at this point it sounds like the initial vote we have taken is to direct all of that technology into street lights. That was the first vote we took. So we would effectively be reducing the allocation of the street lights by \$250,000 to do the proposal that you are talking about.

Ms. Kinsey said we are taking on another responsibility that is not ours. First of all I'm not even sure that our Court Administrator is one that gets the ax. I'm not sure because I haven't heard.

Mr. Walton said there were a few that got funded and ours was one.

Ms. Kinsey said I would be absolutely opposed to taking on something else that is not our responsibility right now.

Mayor Foxx said it is a motion that has been made by Ms. Carter, is there a second on that?

Mr. Howard said how does that relate to the courts?

Ms. Carter said it is because I thought we were not going to have a Court Administrator that would be dealing with the technology. We are not funding the Court Administrator at all. That was not a point of discussion.

Mr. Howard said you were talking about taking the money from street lights and putting on the School Resource Officers.

Mayor Foxx said I want to get to a point where we either have a motion to talk about it or we don't. There was no second to the motion so that is where we are.

Mayor Foxx said I've had conversation within the last hour with one of our Council Members and I assume others are having the same thought about this that at the earliest possible time

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having a briefing on the incidents of last week-end. I would like to make that request to the City Manager that we do that as soon as possible because I think there are some questions that Council Members have that they would like to get a response to.

Mr. Dulin said I don't know how fast we can get that report to Council, but before the week-end would be find with me. It might have to go until Monday, but Monday would be 8 days out.

Mr. Walton said were you speaking of a written report or a presentation?

Mayor Foxx said a presentation.

Mr. Walton said we will try to do that on Monday.

Mr. Dulin said obviously that is one hot potato in this community right now. My wife and I were in that crowd two hours before it blew up and whether it is me and my wife or anybody else in America and their wife or boyfriend or kids, I told you all about my son going through that transfer station last Friday and how proud I was of him. I've got to be able to send my 15-year old boy to the transfer station and not know he is going to take one in the thigh or in the head. We all have to be able to do that and having a safe community and having a safe downtown, somebody described it to be as a safe urban core today. We've got to have a safe urban core so that people can move about.

Mayor Foxx said just because of the way the timing worked out we did not have a Council meeting this week and I have a regular press briefing which will happen tomorrow morning. The Manager has been kind enough to have the Police Chief be present at that as well as the CATS Director. There is a lot of misinformation out there about what happened and what didn't happen. We want to be sure we get the right information out there so we will do that and a briefing at the earliest possible time to the Council.

Mr. Cannon said this is the time where of course we are reacting and I think there is a bigger measure that must be before us which is what do we do to be more proactive. That comes down to being able to create a strategy, devise a strategy such that we don't find ourselves in a situation as such once again. Obviously, people congregated at one particular location and then they saturated in other areas. Mr. Dulin, to your point it was earlier in the day when my wife and my two young children were down there. Something can erupt anytime that anybody chooses to do something that is not good for us. We have to make sure that we are coming up with proper strategies and having an emergency response to any incident like that where we have so many people gathering in a certain place. It is my hope that we will have that piece being worked on and I believe it may be already. I'm certainly interested in this report that will be coming out and hopefully will be able to make your conference tomorrow morning Mayor.

Mr. Howard said I first want to thank the Manager and the Police for getting us the report that you did e-mail to us. You are right Mayor, you made it clear to me that the way it was reported on the news was not exactly the way it went down. You kind of got the feeling that all 70 people in the same area when that is not the case, it was over the whole night spread throughout all of downtown. Thank you for that information as it helped me to feel better about the job that was done. What we do have is some perception issues that we need to deal with and that is what I heard Mr. Dulin talk about. I want to make sure at least from this body that we are clear on the fact like Mr. Walton said that downtown is one of the safest places in the City. We need to be clear and not even start from this body saying otherwise because over a five-year period we've had two incidents that have happened. I'm not excusing incidents at all, they disturb me greatly and probably what disturbs me more is why in the heck were those kids downtown that late at night. I'd like to challenge the community that they should be a part of this conversation, but I haven't heard anybody calling for community meetings or anybody inviting us for anything outside of what we would do and I would encourage the community to do so. The things that happened over the week-end had more to do with what the Police could have stopped and we need to all care deeply about it. I would like to commend the Mayor and others for taking on finding things for our youth to do, if nothing more than giving them a job during the summer and finding other ways to make sure we keep youth involved. Let's just be clear that downtown is still a safe place, a place where we want NASCAR to be and we should be really careful about saying people don't feel safe downtown when in fact people are there every week-end without

incident.

Councilmember Turner said I think the first thing I want to speak about regarding this whole matter is misleading anybody to believe, and I've said this before and I continue to say it until it draws blood I guess. We can have an officer on every square inch of our property and you can't control people's actions. We can do the best we can and be prepared for that and I honestly feel the City handled it very well. The Police handled it very well, but if anybody has a crystal ball that they can look into and tell us what someone is going to do at the next moment, I think about the CIAA when we had over 300,000 folks in three of four blocks of this City and nothing went wrong. You can't dictate that and you can't predict, you can only do what you can and I think we as a City, and the City Manager said it best, we are the elite among the elite and I wish we could tell everybody that it can't happen or it won't happen. That is just not true and we would be lying to them because it could happen and obviously it has happened and it can happen again. It is not what we want and I don't think it is negligent on behalf of what we do as a City and what the Police does, it is people behaving that you can't control. We can create laws and we can create policies but people have to police people and their actions. That is something we can continue to talk about it and having a neighborhood meeting is not new and we can have those too. It only last as long as the media is there and when the media is gone and the stars drop it is over and we forget about it until it happens again. I think we have to continue to do what we do and it is important that we address it. I don't think anyone on this Council takes the action as though it doesn't matter. It does matter. Someone lost a son, someone lost a brother, someone lost a relative and maybe someone lost a father. I don't know, but what I do know it can happen and it is unfortunate when it happens. I really hate when it is blown beyond the boundaries and I think it is important that we do a better job communicating and it is important that the media do a better job of communicating with our government and the people that are in authority and in a position to give a better and more factual position of it versus saying a panic to make people believe it is just the opposite. Anyone that would have taken time to listen to the news would assume that you had a thousand folks fighting in one spot and everybody had a gun shooting at each other, but that is not the facts. People frequent uptown and either you feel safe or you don't and you can talk about perception and you can talk about the reality of it, but if you don't feel safe at your home in your neighborhood you don't feel safe there no matter what the statistics are. I think we do a good job at what we do and I think we are handling this properly. I think we will address it and it seems that we are going down the right road to do that, but I don't want us to send the wrong message and make people believe it was something more than what it was. That is the part I find to be more disturbing, other than the act itself which as I said it is very unfortunate, but you can't fix that here. You can't raise other folk's children and you can't teach them how to conduct themselves if they are not yours. We can talk about it and put that responsibility back on the parents. I've had opportunity to say this in years past and I continue to say it, we can govern the laws and we can create more policies and laws, but we have the tools and we should exercise them and use them when necessary and where it fits. To sit here and make anyone feel like they are responsible for someone else's actions or the outcome of that I won't take that responsibility and I won't put it on anyone else but the parents and those individuals that were there and chose to make those decisions. I put it on the children who make the decision to join gangs and break our City curfew and come downtown and conduct themselves in a manner that they should not. We can talk about it but that is not going to change anything until people learn to be responsible and have respect for one another and respect for people's property and more importantly respect for life. It is just amazing to me that there are children our here among us every day and I'm sure someone got on the bus today with gun in their backpack. You can't prevent that and someone probably walked down the city street with a gun in their backpack, but what can you do about it. You can't see it until they display it or someone tells you about it. We live in a society where people often times do not want to value the laws and rules that we have so I think the best thing we can do is continue to talk about it and try to find a way to make people more responsible for their actions and not expect the government to do that for them.

Mayor Foxx said we will get a briefing at the earliest possible time.

Mr. Walton said we will do that and the Workshop Book would ordinarily go out today but we will hold that until Friday until we can rearrange the agenda and add that to the agenda.

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Mr. Dulin said I wanted to check the fund balance on our contingency fund. It was \$123,750 and we were going to take the Children's Theater and the Film Commission out of that and the Film Commission is staying in obviously, so out of the \$123,750 we are going to subtract \$94,554 and that \$29,196 stays in there and we build on that for next year?

Mr. Hall said no it reverts to your overall general fund balance and operating expense at the end of the year. It gets zeroed out.

Mr. Dulin said I don't recall us tapping down into that fund that far before. Have we done that?

Mr. Hall said yes sir you have.

Mayor Foxx said is all hearts and minds clear? With that we will adjourn.

Adjournment

The meeting was adjourned at 1:57 p. m.

Ashleigh Martin, Deputy City Clerk

Length of Meeting: 1 Hour, 57 Minutes
Minutes Completed: June 17, 2011