

The City Council of the City of Charlotte, North Carolina convened for a Workshop on Monday, October 7, 2013 at 5:14 p.m. in Room CH-14 of the Charlotte Mecklenburg Government Center with Mayor Patsy Kinsey presiding. Councilmembers present were John Autry, Michael Barnes, Warren Cooksey, Andy Dulin, Claire Fallon, David Howard, Billy Maddalon, LaWana Mayfield, James Mitchell and Beth Pickering.

ABSENT UNTIL NOTED: Councilmember Patrick Cannon.

Mayor Kinsey said some Councilmembers have requested that we go into Closed Session now rather than wait until the end of the meeting.

Motion was made by Councilmember Barnes, seconded by Councilmember Cooksey, and carried unanimously, to adopt a motion to go into closed session pursuant to G.S. 143-318.11(a)(6) to consider the competence, performance, character, fitness, compensation and other conditions of employment of the City Attorney.

The Workshop reconvened at 5:45 p.m.

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FEDERAL LEGISLATIVE UPDATE

Councilmember Dulin, Chair of the Government Affairs Committee said in a few minutes we will hear from our Lobbyist Holland and Knight. They will provide the Council with an update on the Federal Legislative Activities and will cover issues that the Council has identified in its 2013 Federal Legislative Agenda as well as Federal Government shut-down. We will touch on that and they will be open for questions afterward at your leisure. Federal Tax Reform reauthorization of the STP, the Surface Transportation Program. Earlier today they briefed the Government Affairs Committee on what is happening in DC or not happening in DC and we appreciate them making an effort. They have come in from DC and Atlanta today to be with us tonight. In addition to the Government Affairs Committee, and I would like to thank the Committee, Vice Chair Claire Fallon, Councilmembers Cannon, Mitchell and Pickering. We had 100% participation in the meeting today and I appreciate the Committee taking out of their time to get going early and your input was very much appreciated. At the Meeting today we received the Manager's proposed 2014 Federal Legislative Agenda and at our next Committee Meeting next month we will be voting on the recommended agenda for the Council to consider in the future as they move forward. As in the past the Committee will be focused on sending to Council those issues of the highest importance and we will go over those issues tonight. I would like to thank the Holland and Knight team that are with us today, Rich Gold, Shawna Watley and Jeff Boothe.

As I start exiting my final days on Council Holland and Knight have been the group that has been shepherding us through Washington and through our Legislative Agenda for these years. They have met our expectations and in many ways they have exceeded our expectations so I'm glad tonight, maybe for the final time, to welcome them to our meeting for an update and thanks to the Holland and Knight Team. Three are here tonight, but hundreds back in Washington that have Charlotte's best interest at heart and I appreciate them very much. With that, Dana Fenton, who has done a great job being our liaison between the City and Holland and Knight, I will ask them to come give us their update.

Rich Gold, Holland and Knight said it is a pleasure to be with you this evening. We are from Washington and we are here to help. I understand that we are starting to see the implications of the shut-down start to trickle down as we didn't have meat for dinner tonight. Part and parcel about pasta if you are wondering. I'm going to do the shut-down part of the program and then Shawna and Jeff get to do the fun part of the program.

The Government has been closed in Washington for almost a week now, since mid-night on September 30th. There is no immediate prospects of the Congress presenting a clean continuing resolution to the President for signature in the next week to a couple of weeks. Of course this week we start to merge two things together with the Congress needing to raise the debt limit.

Usually we are about a week out at this point. The 17th is the date that the Treasury Secretary has penned by which he will have trouble moving money around to be able to stay within the debt limit as established by Congress. The real sort of trouble point comes as you would guess with anybody's finances the same way, at the end of the month and beginning of the next month so October 31st/November 1st payments need to be made on interest at that point with November 1st estimated to be about \$60 billion payment that would be very difficult to make. It doesn't necessarily mean that we can go much beyond next week on the other issues that come into play depending on payments coming up and not everything is predictable in terms of a particular day and time being able to make an interest payment. Of course you miss one and a lot of changes happen very quickly. We've got a lot going on in Washington and we can get into the details of that, but let me let these folks talk about the positive agenda and we will come back to shut-down and talk a little bit more about it at the end.

Shawna Watley, Senior Policy Advisor, Holland and Knight said one of the issues we are following closely for the City of Charlotte and local governments across the country are concerned about are the Federal Tax Reform. It does not look like we will be able to get a comprehensive tax reform plan through Congress. Obviously, there are some bigger fish to fry right now and we are having problems with folks working together. It doesn't seem likely, but we are following it. The U. S. Senate Finance Chairman, Max Baucus and the House Ways and Means Chairman, Dave Camp are interested in moving a bill forward. They both believe that tax reform legislation would encourage economic growth, but currently there isn't any momentum. Chairman Baucus has talked to his colleagues on the Finance Committee to try to see if there are any ideas or suggestions. Not many have come up and Chairman Camp has decided he is going to push a draft tax reform bill, but we haven't seen what that looks like. We are watching the municipal bond interest tax-exemption very closely and if any movement should occur we will definitely keep you posted. We are working closely with other local government organizations across the country as US Conference of Mayors, League of Cities; they are all following this issue very closely. If something comes up or if we see a draft bill we will be sure to inform you all.

The other item we will go through real quickly, it is just to give you a quick update on your priorities for 2013; the Airport Control Tower – we continue to work with FAA to advance construction. As you are probably aware, the design team was in a few weeks ago and met with the leadership of the Airport so things are progressing nicely. The next item is the Blue Line Extension and hopefully we will be getting a continual resolution or the Omnibus bill and once either one of those should pass, then the funding for the Blue Line will be included in that and FFGA's are always honored so there shouldn't be any problems with that.

Councilmember Howard said you jumped kind of quick over the tower so is this where it would be still to be on track to start in 2019 or is this ahead of schedule?

Ms. Watley said currently they are saying 2019, but we are working with the Administration and the FAA to try to get that expedited. The fact that the design team has come in and met, so things are moving along.

Mr. Howard said that is what I'm asking. Would this have happened; is this the regular schedule or is this ahead of time?

Ms. Watley said this part is ahead of time; the design team, we were able working with you all and the delegation to get that process moved up. Hopefully that date will move up as well.

Mr. Howard said I just want to make sure we get credit for it while the media is in the room.

Council Cannon said the question came also Mr. Howard in Committee and I believe Shawna it is about a 12 to 14 month design period that will be undertaken as was reported out in Committee, if that gives you some sort of timeframe in terms of that piece of it.

Ms. Watley said the last item is the Federal Courthouse and we are monitoring the General Services Administration FY14 funding for new construction projects. Last year they didn't get

any funding so we will continue to monitor that and if there is funding available then our project will move along.

Jeff Boothe, Partner at Holland and Knight said the funding for the Blue Line Extension will be included whenever we get a full year Continuing Resolution done and that is important in the sense that unlike the rest of the transit programs that are formula funding, if Congress does a partial year CR partial year funding will be provided, but for the case of the Blue Line the actual money coming for the Blue Line will not occur until we get a full year bill. That is important to keep in mind from a financing standpoint that we have to wait for a full year bill to be done until the FTA allocates the new start monies, but once it is done the project will get it is monies. You can be confident of that. We also see Congress continue to fund the TIGER Program. There is funding in the Senate bill and there is strong support in the Senate Appropriations Committee for TIGER so we fully expect to see another round of TIGER and it has proven to be a very popular program on Capital Hill. The other discretionary program that is available is the Transit Oriented Development Discretionary grants and while that program is authorized, no funding is yet to be provided for it, but it is something to keep an eye on in the event that Congress does decide to fund the program.

With respect to the Surface Transportation Program, or Map 21 Reauthorization, hearings have been held in both the House and Senate. There is interest in moving a bill; right now that agenda is getting sort of stacked up. Preceding it is the Water Resources Development Act and the Passenger Rail Investment and Improvement Act. Preceding it in terms of the committee agenda, but there is a desire to get to it. The challenge for the Committee is that until they know what they are doing in the way of funding, you can't really write a bill because you don't know how much money you are going to be working with. As Shawna was talking about the tax reform, there is hope and in fact there is a tax reform bill that includes in that bill would be some increase in the gasoline tax or some other funding mechanism to provide the resources to maintain the current highway program and to grow that current highway and transit program. Without it, if there is no additional funding provided through a gas tax both accounts, the Highway Trust Fund and the Mass Transit Account will be bankrupt as of October 1, 2014. That is a significant issue in the sense it will begin to impact the City in terms of transit service this spring if there is no funding because you will have a requirement under Title 60, notify your public of service reductions. It is important for the public to understand that the failure to act has true consequence on the riding public so I think this is something that we will certainly keep you abreast of and we are hoping we can dodge that bullet by Congress working on the Tax Reform Bill, but if we don't hit that window and this lapses in the next year, in the absence of a broader tax reform bill it seems unlikely that Congress is going to tackle the issue of the gas tax in an election year, so we are hopeful that in fact there is a tax reform bill that moves forward that an increase in the gas tax or some other funding mechanism would be included to provide the monies.

Another issue that we expect to come up on the bill has to do with discretionary bus fund. There are a lot of cities that depended on discretionary bus and bus facility monies to acquire buses and to build new facilities and that program was cut in half and it was turned into a formula program in the last bill. There is going to be an effort on the part of those cities to restore some discretionary program in the transit program which would then provide the ability to acquire new buses to the extent there is another intermodal facility or other maintenance facility required by CATS, it would fund that program. We expect that ... issue that would come through the bill through the House. I think they are the ones who are most inclined to support the bus and bus facilities program.

Mr. Gold said so back to the fun stuff – back to shut-down. You are going to start seeing in the next couple of weeks the impacts on a local level in terms of what shut-down of the Federal Government means if we are in this space beyond another week or so. Veteran's healthcare is an area that will be impacted very quickly. Homelessness grants under HUD and HHS will be impacted very quickly so that non-profits and government agencies relying on federal funding for that side of their mission will be impacted in being able to provide services. Certain programs are mandatory spending so social security funds should be able to go out, although they could be impacted by the debt limit as we will talk about in a minute. You are not going to see those type of direct transfer payments necessarily be impacted, but all of the services and

social services and really the social network that we all rely on in supporting those who can't take care of themselves really does come in some way shape or form from the government in part. Also the Department of Education is currently shutdown. Formula payments to states for running public schools, paying teachers and that sorts of things will impact over time. Many of these things happen right away and that is why you are not seeing much of an impact except in areas like National Parks being shut and things like that very quickly, but you are going to see it here on the local level if we go for any period of time. It is entirely possible the way things are laying out right now as we kind of shift in Washington this week to debate over the debt limit and raising the debt limit as opposed to the Continuing Resolution which is largely being debated over whether the affordable care act should be either repealed or delayed. The debt limit is going to be about how we balance our budget or get our budget closer to balance. That is really willing to open up the possibility for some level of discussions. Right now the President is saying, look raise the debt limit; you can't hold the country and government hostage and we can have budget discussions. House Republicans are sticking with, we need to have discussions and some kind of deal up front before we raise the debt limit. It is anyone's guess who blinks first but it is more likely at the end of the day the House Republicans are going to agree to some kind of deal to raise the debt limit on a short-term basis in return for assurances from the White House that they in fact will negotiate over the next 6 weeks on a broader budget agreement. We have been trying to get a broader budget agreement for the last 2 years and have pretty much gotten no where with Democrats refusing to make changes to entitlement programs like Medicare and social security and Republicans pretty much refusing to raise taxes except in the one instance where the Bush tax cuts were allowed to evaporate at the end of the ten-year period, December 31, 2012. The parties are at loggerheads and that is why you are not seeing much compromise in that area with Democrats strongly supporting the safety net in Medicare and social security and Republicans fighting hard to maintain a low tax environment.

Until we get to the point where we can get some compromise the odds of getting a longer term budget agreement are pretty limited which means most likely we are going to be kicking the can down the road a series of times. We will have about a six week pause on the debt limit, mostly like as the Speaker and the President agree to raise it a small amount to get us through the next six weeks or so. Right now if I were betting today, I would bet that the House Republicans would not agree at the same time to pass a Continuing Resolution. They seem very stock on Obamacare and not giving the President a clean Continuing Resolution. It is entirely possible we could raise the debt limit by the end of this week but not pass a Continuing Resolution and the government could stay shut-down for a while. We all need to be ready for the possibility of a longer term play. If we are able to get a CR by the end of the week it mostly likely will come because the Speaker agrees to reach across the aisle. He is going to lose 40 to 60 Republicans if he tries to get a clean CR through and he will need Democrats to make up those numbers so he will likely pass a Continuing Resolution with a minority of the Republicans supporting it and Democrats making up the rest of the votes. He's only got so many political chits he can play that on and whether he is going to do it for the Continuing Resolution remains to be seen.

That is kind of where we stand right now. We just need to be aware that we are in for ups and downs here. If we raise the debt limit for 6 weeks and either have the government open or we don't the government open we still have another deadline coming 6 weeks from now and we are kind of expecting we are going to be going through this at least until Christmas and potentially until February or March. These are going to be rocky roads for the next at least 6 weeks and potentially 3 or 4 months.

Councilmember Mitchell said thank you Holland and Knight; I know it is not the best environment to be working in right now in DC, but we appreciate you taking some of our top priorities and continue to gather information on things that will be helpful for us.

COMMUNITY SAFETY: PASSENGER VEHICLE FOR HIRE AND DIGITAL DISPATCHING SERVICES

Assistant City Manager, Eric Campbell, said I try to quickly give you an overview of where we are with the Passenger Vehicle for Hire (PVH) Ordinance and the issue of digital dispatch
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and then I will let the Attorney's Office walk you through some of the more technical aspects behind the issue. As many of you know technology is quickly changing and it has definitely had a major impact on the Passenger Vehicle for Hire industry. This past Legislative session the General Assembly passed a Session Law 2013-413 and that law was very significant in that it did two things. It prohibited the City from regulating and licensing digital dispatch services for pre-arrangement and it also prohibited the City from adopting an ordinance that would regulate license digital dispatching services. What that law generally has done is to create two different sets of regulatory actions for the PVH industry. You have a set that can't be regulated at all and then you have the traditional industry, the taxi cabs, black cars, etc. that are now regulated under our current PVH ordinance. The challenge with the new law is that it did not define digital dispatch and our current ordinance does not define digital dispatch. The digital dispatch companies are expanding quickly throughout the country, particularly in large cities around the US. It is a challenge in that many of the cities do not have regulations that define how do you dispatch digitally through a mobile application or etc. One of the things we have been trying to do is figure out what cities have dealt with this and what cities have not and what we have found out is that many of the cities are either beginning to regulate it or are not regulating it at all. This is an ongoing development thing as far as where to do we go with this new technology and the impact it has on the Passenger Vehicle for Hire industry. We have general questions as to how do we begin to regulate this now that we have two sets of concerns between the part of the industry that is not regulated at all and then the traditional Passenger Vehicle for Hire companies that are currently regulated. One of the issues is when we regulate we are not regulating just to regulate, we regulate with the intent of community safety always in the forefront. We want to make sure that those people who are using our Passenger Vehicle for Hire services are actually in a safe car with safe people and relatively safe environments. The new requirements have given us challenges and how do we proceed with that because the digital dispatch can't be regulated at all. As you see we have some very general broad questions that we would like to address from a policy perspective and also at the end of this presentation, what we would like Council to do is officially refer this item to the Community Safety Committee so we can have a forum to look a little deeper into some of the key issues that are currently involved in this from an industry perspective. I will turn it over to Mr. Powers and he can walk you through some of the details.

Thomas Powers, Assistant City Attorney said as Mr. Campbell was alluding to, one of the key issues in regards to Session Law is that the General Assembly did not define the term Digital Dispatching Services. That has led to a legal uncertainty as to what actually the General Assembly intended and then what could be the impact upon our PVH Ordinance. In essence we know that the PVH Ordinance would need to be revised, but we can't give you a distinct direction as to how or in what way it should be revised simply because the actual General Assembly did not define the term as part of the larger regulatory bill. Again Mr. Campbell alluded to the non-established Passenger Vehicle for Hire Companies versus the established ones. In this instance we are talking about the non-established one; these are the companies such as Uber, Lyft, Uber X, Hailo and Sidecar. These are more internet based companies that seemingly are acting as conduits matching the person who was requesting the service with the person who is providing the service. Our more established Vehicle for Hire Companies are what you would consider more your brick and mortar companies. They happen to have the vehicles here in the City; they have to have their offices properly established within the Metropolitan area and also have to have their drivers or employees or independent contractors also within this area. Our more established PVH companies are the ones currently being licensed by the PVH Office and they are the ones that are undergoing the normal background checks; paying the necessary fees and also paying privilege licenses. The non-established companies; the ones that are conduits are where we are having a concern as to whether or not they can be regulated on the PVH Ordinance and then to what extent they could.

One of the things I wanted to clarify is that again with the established versus the non-established is that with the call versus on call demand, the established is regulated by the ordinance. Call or on demand is basically if you were standing on a curb or you happen to call into a taxi cab company to request service that would be more your call or on demand. Basically you are waving down a cab; that is regulated. Your non-established industry, right now the ordinance does not regulate that at all so if someone happens to use their cell phone to pull up an app and say I want to be transported from downtown Charlotte to the Panther Stadium, you wanted that short of a ride, right now if you did that standing on a curb waving on the flag we would

regulate it, but if you happen to pull up your cell phone or use an app, right now our ordinance does not regulate that type of transaction. Again for pure arrangement this is where you are having a black car to actually transport you from a destination, similar to downtown to the Panther Stadium. Again our ordinance regulates that if you happen to have a contract with that black car or you happen to contact the company related to the pre-arrangement, but if you happen to go through a digital app we would not be regulating that type of transaction and occurrence. Fares under the PVH Ordinance or a set fee for taxi cabs, black car companies actually submit their fares to be approved; again that is regulated by the ordinance. With the non-established companies, unfortunately we are not regulating that. Again background checks and vehicle age limits; you have actually set parameters for that. We do not know how the actual private companies are going about their background checks related to insuring that the individuals who are driving are the safest and secure individuals possible. We have acquired information from some of these companies but again because that could be considered private or confidential we are not able to really give you accurate information as to what they do in order to insure that their drivers or even their passengers sometimes, depending on the service, are individuals who are the most upstanding individuals possible.

Kind of highlighting some of the actual companies that we are aware of; these are the five that we have become aware of through discussions with some of the industry representatives. Again Hailo summons Yellow Cab Taxis; they are currently not in Charlotte. Uber right now is in Charlotte and they are some of the black cars that use the digital app. Uber X is a pier to pier rideshare and I want to make sure I emphasize the term pier to pier. Pier to pier is basically where a person uses their own personal vehicle to transport an individual from one location to another. The more popular one right now that is in the City of Charlotte is Lyft. Those are the one with the pink mustache on the front of the vehicle. That is basically where you happen to catch a ride with that individual who is going to a location and you are trying to get dropped off either along the route or possibly somewhere in the vicinity of their destination. That would be pier to pier where you are linking with someone through the mobile app through facebook to actually acquire a ride from your actual point or origin to your destination. It is different than ridership which we have defined in our ordinance. We generally use pier to pier because that is actually what the industry has called this type of service.

Sidecar gives another pier to pier; they are not in Charlotte. I do want to emphasize that one of the things we are becoming informed about is the actually fees or compensation that is being provided. Hailo, Uber and Uber X are set by the company; Lyft as well as sidecar are actually donations. One of the interesting things about Lyft in this regard is that the way this service works is that if the person providing the service picks someone up from point of origin and provides them service to their destination point; the passenger does not have to actually provide for any compensation to the driver at all. Upon getting out of the vehicle they can actually part ways and no money is actually provided whatsoever.

Councilmember Howard said because you are kind of overlapping between regulating and not, I want to ask about the regulated ones or at least the ones that seem to have some structure around the first three. Are any of the services in the top three regulated?

Mr. Powers said all it is right now are the non-established passenger vehicle for hire; unregulated even the non-established industry.

Mr. Howard so really the first three seem to be is really kind of more the dispatched than anything. They are still sending out cars that are regulated some kind of way with our ordinance.

Mr. Powers said no sir, under this actual situation all of these companies are right now unregulated by our ordinance.

Mr. Howard said the cars that go do the work; the yellow cab the black car; the first two, those still have to go through the PVH?

Mr. Powers said I think I understand the question you are asking. You are asking basically in regards to the vehicles and the drivers, irrespective of the service itself; the vehicles and the drivers are they regulated by our ordinance. That is an unclear question and Legal cannot

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provide you an answer on that right now. That is again going back to the aspect of the digital dispatching services definition in which the General Assembly did not define.

Mr. Howard said what I'm getting at is safety. Personal car not regulated; you are taking your safety into your own hands; you are doing a lot of things in that situation. You don't know the condition of the car; there are really two differences; the car is used in the first two we would assume and it would be regulated in some kind of way. The rest of that could be anybody.

Mr. Powers said going back to the ... the reason why Tracy and I are saying that there is a certainty is because the definition of digital dispatching services could actually encompass the actual physical assets of the car themselves and the potential independent drivers or employees of those services which means that Hailo and Uber could technically be outside of our ordinance. That is why besides legal uncertainties there is the potential interpretation that could be that way but another interpretation could be that any digital dispatching service including the car and drivers are outside of our ordinance.

Mr. Howard said because the digital dispatch is what is protected.

Mr. Powers said right and again because the uncertainty as to what the General Assembly intended, we can't give you a definitive answer to your question because one of the ramifications would be that we are wrong, that would be something that would have to be litigated in court.

Mr. Howard said another unintended consequence from this past legislative session.

Councilmember Fallon said it is regulated by the state but does that mean that we couldn't ban it from Charlotte?

Mr. Powers said I would no could not do that because the state has indicated that digital dispatching service is allowed to operate within the state. I think there are ways to look at regulation aspects of it, but I don't think we could ban if altogether from the City.

Ms. Fallon said if it is a donation does that mean they don't pay tax?

Mr. Powers said sales tax?

Ms. Fallon said any kind of tax; if you give me a donation that is cash, that is not taxed unless you want to be very honest and tell the government, which I can't imagine if you are taking a donation.

Mr. Powers said in regards to all the actual companies that you see on the screen, the way they are actually doing the services; they are doing it electronically so your credit card or debit card is on file regardless of the transaction occurring. I cannot answer the question as to whether or not this will be some where the actually companies, the drivers or the actual passengers are filing necessary taxes with the state or with the federal government, but I can say there will be no electric information to indicate that transaction occurred.

Ms. Fallon said as long as it wasn't cash.

Mr. Powers said correct; and what I will say is that one of the things we have learned from all the companies is that they do not want cash to be exchanged in regards to the actual driver and the passenger. Everything needs to be electronically done because they are tracking the actual passengers and the drivers in regards to actually occurrence and transaction. Now could an actual person decide to give a zero in regards to donation and say here is \$2 right now, let's just go ahead and do it that way. That is possible, but I can't say that again if there is a donation through their credit card it will be electronic receipt.

Mr. Cannon said I believe, I'm not quite sure from actual what ... but I believe they are taxed. I know it is not typical to have folk from the industry to come up but if I could just get somebody to stand up and at least acknowledge if that is case; are you taxed and if so how are you taxed?

James Black, San Francisco said Lyft, yes they are taxed. The money goes through a credit card process and it is split between driver and Lyft; 1099's are given to the drivers and it is taxed. It is called a donation because in California there is a statute that use the termination; it is not a charitable donation it is a discretionary payment.

Mr. Cannon said thank you, I appreciate that. I hope that helps a little bit in terms of explanation.

Mr. Howard said I know in North Carolina and this is a federal rule, if you don't get above \$600 then you don't have to do a 1099. Do you do a 1099 no matter what it is?

Mr. Black said I believe they do; that I don't know. The 1099 doesn't come from us it comes from the credit card processor. I'm assuming they are giving out 1099's and if it is below a certain amount they may not have to file based on federal law. I believe nobody is paying money without giving somebody a 1099.

Mr. Howard said I've been involved with non-profits for a long time and I've never had a credit card company give a 1099. They would have an arrangement with somebody that would do that. I would love to know more about that point for sure.

Mayor Kinsey said when we refer this to the committee we will dig deeper into the weeds I think.

Mr. Cannon said what would we be actually trying to solve in committee. Obviously, we just heard one but what are some of the other issues?

Mr. Powers said one of the things we will need to look at in committee and the Council as a whole is trying to actually marry the language from the General Assembly about digital dispatch into the PVH ordinance. We do know that is going to need to be revised and one of the questions the whole Council needs to address is what it would like to regulate as a policy matter and what way you would like to regulate the PVH industry going forward. Right now our ordinance regulates companies, drivers and vehicles and because we do have the question of whether or not their dispatching encompasses just companies or drivers and vehicles. One of the things we will need to go through is how will the ordinance need to be devised implemented now going forward with this new electronic aspect from the state.

Mr. Cannon said I would hope when this does show up in Committee that the one thing we won't do is to have a little pow wow about what we would like to see. It would make sense a little bit to me and mind you we can have that discussion, but I would hope that staff would be in discussion Mr. Manager with the state staff or appropriate officials whom ever those folks may be to begin to sort of find out where is the place where we land to be able to determine what can be done because we all recognize around this table the size of the hammer involved in this. I just want to know before it gets to Committee what the likelihood is in terms of anything being changed that we would have in our purview to sort of move forward on because I'm not interested in trying to spin the taxpayers wheels in oil. I do want to make some traction on something. The question becomes where will the ability to gain some traction?

Mr. Campbell said I think the big question Mr. Cannon is that we are seeking guidance from you all as policy makers on how far you would like us to look into the regulatory aspect of this in general because with the enactment of the state statute we clearly now have a segment of the PVH industry that is not regulated in an area that is consistent we regulate it. If we get the policy direction that that is okay, that is okay but if it is a direction that we need to fine tune something then we will begin to do that. Right now we are at a state where clearly part of the industry is not regulated and traditional companies are.

Mr. Cannon said obviously, I can't speak on behalf of the Committee or the Council itself, but I would imagine that those companies that are having to conform to our regulations would have some problem with having to be regulated when others are not. I would think we would probably want everyone to be in uniform or lockstep in terms of any regulations that they could

be held accountable to. I think the big rub is obviously out of Raleigh and whether we are able to get over that hurdle or not.

Councilmember Barnes said Mr. Powers you have clearly heard us all talk about the importance of safety and protecting the public in this arena. Would you speak to what the key provisions are in the legislation in the 160A-194 and 160A-304? What I'm referring to is this insert in our notebook.

Mr. Powers said the insert is actually the built in language in full. Staff summarized those ... here. Under 304 one of the things the General Assembly did was, it prohibited the City from regulating the actual ... the fares related to digital dispatching service. It also regulated vehicle age limits. Under Section 168-304 under Section 1 is regulation of licensing, regulation of dispatching service and prearrangement. Section 2 setting the minimum rate or increment of time. That again goes to the fares and the aspect. Under prearrangement one of the things that we have required is that there must be some delay between the person actually contracting for the service and the actual service occurring. What this statute does is that it delays it and allows it to be instantaneous. The moment you can contract for it you can immediately get into the vehicle and be taken to your destination. Section 3 goes to our rate situation where we calculate it based on a per mile type of charge, but that is again going to taxi cabs. We do not do that for the black cars, but I think provision is one of the things that again allows these types of companies to operate because one of the things we have heard from other cities through our research is that some cities have established that there must be a minimum increment of time and a dollar amount related to that which created problems for these companies to be able to get into the market and provide their services. I think under Section 3 that is what they were trying to do, is get away from those calculations to allow them to be able to set their rates based on market at that time and allow them to go higher based on it.

Mr. Barnes said if you fast forward to the slide you just left, what would be helpful to me would be an understanding when it comes to committee of where the key differences are between our current PVH ordinance and the way these entities operate. In fact I saw a Lyft vehicle last week over on the Plaza at Matheson. That was the first time I had seen it and so I know they are active now, but it would be important for me to understand in the public safety perspective what these entities are doing that our current taxi cabs cannot do or don't do. It also be useful for the Committee to know who the sponsor or sponsors of the bill are or were and essentially the genesis of the bill. It caught everyone I think by somewhat of a surprise that it was happening and being passed. For example, is this something that they intended to have minimal impact and just pushed through at the end? I don't think it was clearly studied at length because they hadn't defined digital dispatching service. That would be helpful for the Committee I think to understand that so that we can figure out whether we want to or can lobby for some changes in the short session.

Dana Fenton, Intergovernmental Relations Manager said the sponsor of the Regulatory Reform Bill, the primary sponsor was Representative Moffitt from the Asheville area. There were about 67 different sections of the bill and it was first put into one of the bills that led up to the final bill about two weeks before the end of the session.

Councilmember Mayfield said I think Mr. Cannon asked this question would we come back with clear clarification, a clear understanding would be helpful of what the impact is on our current PVH compared to what the impact, and a possible potential ramification if something were to happen with us not being able to regulate locally.

Councilmember Pickering said do we have data at this point as to how these new companies are impacting our traditional taxi and black car industry?

Mr. Powers said we do not have any quantitative data at this point.

Ms. Pickering said that is something we could look at in Committee?

Mr. Powers said yes.

Mr. Powers said I just want to re-emphasize what Mr. Campbell's plan was that we would like to have a referral to the Community Safety Committee.

Mayor Kinsey said I think that is fine, but I agree with Mr. Cannon, if there is something we can do about it we should do it, but if we have to go to Raleigh for something like this I'm just not really sure that we will get anywhere. I do think we need to think about that.

Mr. Howard said I don't know Mayor, I think from the standpoint of safety which I have a lot of concerns about, especially since it is not regulated. It sounds like it is hard to track who is doing what. I would hope that if there is anything we could do with our legislative agenda to the state to lobby to make some changes to regulate this we should do it. That is what should come out of the Committee. If it is something that we should embrace I hope the Committee will figure that out. If there are problems with it they should come back and tell us that. If it is something that we should be fighting over and wanting to change they should come back and tell us. That is what I'm looking for the Committee to come back to us with.

Mayor Kinsey said I think that is fine, but if the decision rests in Raleigh, I don't have much hope right now.

Councilmember Cooksey said on the topic of both these services operating in Charlotte, Uber and Lyft, I think it is worth taking a page out of Secret Shopper Dulin's repertoire and try them out because I've been trying to hold back on this. I appreciate you understanding the concept we are talking about and these are services that are not regulated. That doesn't necessarily mean they don't have regulations in place, it is just they weren't imposed by a government entity. A lot of what is going on in technology these days, especially with mobile apps is kind of crowd source concept of evaluation and regulation. For example, Lyft I've been tinkering around with Lyft and Uber. Lyft has a driver rating system where with one of the pink mustache drivers, you want on a scale of 1 to 5 stars and if you give anyone a poor rating the system will never match you with that driver again. So that is something you can explore with these apps yourself on Uber and Lyft. Uber has its group and they had a big roll out party at 5 Church a couple weeks ago. Don't just go into this based on things that you have read about it. The whole Uber set up they have the Uber X level and depending on the quality of car you want, you sign up and there are different fees associated with that. The car that is done digitally through a credit card company, you already know the protections that you've got on your credit card so there are ways that you can dispute fees or you can nail up exactly what these things are going to be charge. So try it out a bit and see what you think in addition to raising the questions on any kind of isolation based on e-mails and phone calls.

Councilmember Dulin said I don't mind waiting until the end after they have finished their presentation because there are some folks that still need their input or I can continue now.

Mr. Powers said we are done that was the last slide.

Mr. Dulin said very good and with that I will make a couple comments. I really like the free market and my wife and I were discussing this and I have discussed it with others including both sides a little bit. This is the free market trying to figure out how to make money and there's got to be some profit in it for the people who have invented these companies for them to do it. Somebody out in California has figured out how they can be the next billionaire I guess and so I like that. At the same time I've got about 5 years of my 8 years I've been working on the taxi situation for about 5 of them and I've got maybe 100 hours of my time invested in working with the taxi companies, working with the black cars, evaluating these companies, secret shopping these companies etc. The idea there when we were working on the Airport taxi situation was to make the customer experience better and really without fail they have complained about some of it, but over the years the taxi industry and the black car industry have done everything we've asked of them to try to get better. The fleet is in a complete change; now when you pull up at a stop light and you are next to a taxi cab, it is very likely to be a brand new or almost new mini-van or something. It is not a broken down LTD from 1991. They've done what we have asked of them to great expense for them and even more, I feel sorry for the drivers for the drivers live in those car to try to make enough money because it is hard for them to drive and get enough now. Back when we were going through all this stuff the former Aviation Director told me there

are roughly 600 plus taxicabs in Charlotte and there was enough business for 400 of them. Cabs don't make any money riding around empty. We have continued to take the knob and just tighten it down on them and they've done what we've asked of them. I'm gauging that and weighing that against something I really like is to see somebody trying to out think the other guys and make some money, but somewhere on this and this is going to out live my last two months on Council and it is going to get pushed to another Community Safety Committee, but somewhere in here we've got to figure out how to level that playing field and still at the same time not stifle that creative thinking in the market. My guess is that the taxi industry is going to react real quick. That is the free market talking; they are going to react real quick how you can app up for Crown Cab or Universal Cab or Yellow Cab and those kinds of things. What I was shown by some kids the other day and I believe it was Uber; it was very cool what they could do and they were not as concerned as I, being a middle age dad, they were not as concerned of the safety implications of having a car show up with somebody that sits in a car and let that person take them somewhere. This is a tough middle for me because I know the cab industry has done what we've asked them to do and I know that is some groups that are trying to out think the others. In America if you work harder than the other guy and you out think them you ought to be able to keep the profit. That is my 2 cents on it and this gentlemen has come in from California and thank you for coming. I'm a tweener on this thing now.

Ms. Fallon said I think it is an ethics question; is it fair for us to regulate and heavily regulate one part of an industry and let the other just be laissez faire, do we get rid of any regulations and I would also like some kind of statistics on crime from other cities. What has happened with these things, has there been a problem. The Police Chief is here, maybe he could tell us. Has there been a problem with crime and the people driving? That is very important because even though Raleigh has decided to do what they have decided to do, we are going to be the ones who suffer when something happens because we will be blamed. It becomes a suable event and I don't think we want that on our plate when we have nothing to do with it.

Mayor Kinsey said does anyone have any problem with referring this to the Community Safety Committee. Okay, it is deferred.

Mr. Dulin said is my guess is that the Community Safety Committee will not meet until December or January if we start looking at our calendars in an election year.

Mayor Kinsey said I don't know when the next meeting is scheduled, but it probably will not get on their agenda until a new Council takes office. That would be my guess.

Mr. Dulin said I know that the industry is in the room with us; are we okay with it having that kind of gap before it gets picked up again? I guess we have to be.

Mayor Kinsey said yes because I think if the existing Committee hears it and then the next Committee has to vote on it, it is going to have to go through the process twice. I think it is probably better to hold it until the new committee takes place.

City Manager, Ron Carlee said we have plenty of staff research to do in order to prepare for our Committee meeting, but there is no point in preparing unless there was appetite on the part of the Council to refer it to the Committee. Now we will begin collecting information around the questions that you raised.

Mr. Dulin said I would tell the Council that I would do some secret shopping of this crowd except you have to give them the credit card number and I'm old enough where I don't want to give my credit card number to anybody because I don't trust technology.

Councilmember Autry said technology to app is good, but technology – correct.

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UPDATE ON CULTURAL LIFE TASK FORCE

Valecia McDowell, Cultural Life Task Force said I'm a partner at Moore & Van Allen and I serve as co-chair of the Cultural Life Task Force. My co-chair Pat Riley sends his regards as well and I'm also joined today by Cindy Patterson from the Lee Institute who is supporting our work and Robert Bush, Interim Head of Arts and Science Council (ASC).

The first thing I want to do is thank you for giving us this opportunity to update you on where we are. I don't want to hide bag, we do not have recommendations for you today. That is not the point of today's presentation, but we did want to update you on what we've been doing since the task force has been formed. We wanted to share with you some of the key findings, key take a ways that have been important to us in our work up to this point and forecast for you how the rest of the process will work. That is our goal for today.

To begin at the beginning how did we get to having this task force to begin with? Pretty simple; on one hand we have had a phenomenal public private partnership in this community with ASC and that partnership has nurtured a thriving cultural sector for really four decades and it continues to nurture our sector, but the funding that we are accustomed to has been eroding in most recent years. It is eroding in a very significant way and we will talk a little bit about the numbers. In light of that arrangement of the numbers based in part on basic economics, some situational factors we are really at a bit of a crossroads in terms of thinking about how we are going to fund this work on a going forward basis and in a sustainable way. On the other hand we've reached out to the community consistently and said what do you want from the Cultural Sector, so we've asked the residents of the Charlotte-Mecklenburg Community and they have given us very clear answers. They want innovative programming. They want that programming to be accessible and they want it to be relevant to our increasingly diverse communities. They want additional educational programming for our children and youth and they want art where they live; art in our neighborhoods. There is a bit of a tug of war between how we are going to fund this wonderful thing and hear the wonderful things that our community wants. In light of that we established the Task Force, and again thank you for the unanimous support of the City Council in doing so and this is our mission, we are looking at the model, we are providing opportunities for community input, but we are developing a future sustainable model and eventually in January of February of 2014 we will be recommending action to this body and to the balance of the community.

This is a general overview and there is lots of information in this PowerPoint and I'm not going to go through all of it. What I want you to take away from this is the work of the Task Force has been divided into phases. We are through the first three phases of our work. The focus of those phases has been to learn so we've been doing a deep dive on how ASC works, how it compares to other arts councils in other comparable cities. We've brought in expert speakers from five different communities; we've brought in folks from Americas for the Arts who looked at data and it has really been the learning phase of our work. As you can see we are now moving into phase 4 which I like to think of as the doing phase. We are just at the place now where we are rolling up our sleeves and beginning to vet ideas and determine what recommendations we want to be able to bring back to the City Council and to the community at large.

Art and the cultural sector is important for a whole host of reasons; for the betterment of our community; to help us attract folks to this community. One of the things that we've heard consistently from the City Council is how does this sector impact our community from an economic perspective so we wanted to bring you some data about that, both at a national level and at a local level. As you can see art is big business nationally; we are looking at \$64 billion in arts goods; 4.1 million jobs on a national level. That definitely translates to what we see in this community as well; over \$200 million in economic activity, attributable to art cultural sector in Charlotte. I think that is a fact that most people don't know. We employ more than 6,200 full time employees just in the non-profit art sector alone. We did some poking around and looked at the Charlotte Business Journal and that is about as many people as Duke Energy employs in this community. If you add to that number, so you are not just looking at the non-profit number, but you are also looking at those folks who are in the cultural sector and looking for for-profit entities like art galleries for example that are not non for profit. The number of those are 6,200 people to 14,000 people and that is based on this research, approximately the same number of

people that are employed by Bank of America in this community, just to put some context around how many people are part of our economic impact here in Charlotte.

I think you are all familiar with ASC, the big take aways for our group in our area is about ASC; Charlotte has really been a national leader in the state. We are consistently in the top 10 communities in terms of our arts funding, our arts fund raising on a per capita basis. What is unique about Charlotte is if you look at the other 9 cities that we truly pop up on that list, they don't have private art councils like we have in ASC. Their arts are funneled through arms of the government; the Mayor's office for example or some other institution that is affiliated with local or state government. We are unique in that we are the only one of those consistent ten cities that have a private arts council doing its work. Just to give you again some context around what has been unique about Charlotte.

To speak a few minutes about ASC and some of this data which is actually pretty important, you will see that we are looking at just shy of \$9 million in grants last year. That is 600 grants given by two grant making staff people who are very busy and have other responsibilities at ASC as well, just to give you a sense of how the staffing works. We have these 24 cultural partners that get a significant part of that \$9 million total. They get that money for operating support, and of course some of that money is going to educational support, but it is operating support within those organizations; 24 cultural partners within that group; 10 of those cultural partners are outside of the uptown Charlotte loop so if you think our arts community is centered or headquartered in uptown Charlotte, think again, we've got cultural partners spread throughout the community. Another key fact from this slide, you are looking at \$1.2 million in pure educational funding on top of monies that will be given for operational funding. That is going to 166 local public schools, charter schools, independent schools for things like field trips and other learning opportunities that are so important from an educational perspective. ASC is also funding neighborhood grants for festivals consistent with the cultural vision plans have taught us and I think it is also important to note if you look at these numbers what are we getting as a community for these \$9 million? There are 3.4 million customer experiences last year so that is folks going in and out of the doors, seeing exhibits, taking their kids and of the 3.4 customer experiences 1.7 of those were for children and youth in this community. Again, the work that ASC is doing is consistent with what the community and its residents have told us over and over again that they want in terms of programming.

Cultural Planning – I'm not going to go into too much detail about this, only want you to know that ASC has been very responsive to the feedback it has received from the community over the years. They do deep dives in terms of their learning and you will see that the message has changed with time. When ASC first started looking at this issues such as diversity of programming were not even on the radar screen, but as time has passed and our community has changed that sort of jumps to the forefront. Through this process by which information is gathered from stakeholders and from the community at large, very serious strategic changes have happened in the sector ranging from privatizing the Mint all the way to broadening the cultural sector to include history and science and things of that nature. We continue to think that this is a good model for learning. That process again happened in 2013 and that is our most recent information about what the community is looking for in a cultural sector. We can begin to talk about funding itself. There are lots of slides about this, but let me just cut to the chase, if you are thinking about this from a year over year perspective in terms of how much we had and how much money is missing, we are missing on average per year \$3 million to \$4 million in funds off of the top 20 for the sector. So this is not a one time event, this is something year over year we are having to figure out how to do much more because our population is growing and diversifying, with much less, again \$3 million to \$4 million. Where is the missing \$3 million to \$4 million – what happened? We can start with corporate support. We've been fortunate to have some corporations stick with us through this recessionary timeframe, but we've lost a lot of donors and even those corporations that have stuck with us, their missions have broaden in some instances or they've had less funds to give in light of the recession so there is a lot of money that we are losing in that space. You will see in the last five years we've lost 41% of our corporate and foundation donors alone. That is real money when you start to think about that adding up year over year.

Work Place Giving Campaigns – I don't think we need to spend a whole lot of time talking to you about the challenges that we have in this community as it relates to work place giving. This is not specific just to ASC, this is the broad community challenge that we are going to have to deal with, but it has certainly impacted to a large degree the amount of money that is coming in in general operating support through ASC. Campaigns have declined by 27%; 46% of donors have left work place giving in recent years and again just to contextualize this some of those donors were giving a large amount of money, but a lot of those donors were giving \$50, \$100, \$200, \$250 to the sector and they have backed away from the sector. A lot of corporations have said to heck with it, I'm not going to do a work place giving campaign and then you lose almost all of those employees just by that one individual decision. This has been incredible impactful on the sector as you might imagine. In terms of individual giving the recession plus the change in work place giving has decreased significantly the support for the ASC. This is important because there have been significant impacts as a result of those losses. Reduced performances and exhibitions for sure, reduced hours, I think we've all seen a lot of the coverage about that. Education programs and community activities are among the first things to get slashed so we are saying if the community and our residents are saying this is what we want, while we are simultaneously cutting those things because we are losing funds, that is something we need to address, both in the short term and the long term.

We are also seeing job cuts in the sector as a result of those changes so the types of impacts you would expect, but we are increasing at a very significant pace and we don't want to jeopardize the infrastructure that we've spent so much time and energy developing in our community and that possibility exists because of these losses in terms of funding coming into the sector. We have done well and made great strides in the space of our cultural endowment, the Greater Charlotte Cultural Trust, the current standing we are at \$136 million. I think as most people know we've had some difficulties continuing to fund that, but that is just consistent with the challenges of the economy. Having \$136 million really is a tremendous success story given the time during which that trust was being raised. When the trust is filled up we will be at \$160 million which will get in all the pledges that we anticipate receiving. That is sort of where we stand and again this is important because why do we even have this cultural trust. It was part of a long-term strategic planning process similar to the one we are engaged in now where the community and our stakeholders said we really need to invest resources in building an endowment for our cultural sector.

Of course a key component of our funding is government funding. I want to start with the funding from the City of Charlotte and I will begin with an enormous debt of gratitude to the City of Charlotte. The City, for those of you who don't know this, has been absolutely consistent in its operating support of the cultural sector throughout the recession. People were walking away from the table; the City maintained its \$2.9 million level of giving and we are incredibly grateful for that as are our individual cultural partners. There is a total funding of the cultural sector from the City of \$12.65 million. That money is largely reflected in the support for City owned facilities. A lot of those funds come in terms of bond payments that are made. I think it is in the neighborhood of \$8.7 million in bond payments to give you some sense of why those numbers look the way they look. We have some public art funds and again we have the \$2.9 million in unrestricted operating support. You can compare that to the funding that we are receiving from the County. The County has pulled away from general operating support which is really the most difficult support to provide to our cultural partners but they have continued to support public art and education and have provided operating support for Spirit Square and financial support for some individual joint projects and that has come to an annual support level of \$4.276 million.

We included in your materials some data around some of these comparison cities. We brought in individuals from each one of these cities and I think it is fair to say we have riddled you with questions because we wanted to know what was working in these other communities and what we could steal from and what we could build on here in our own community. I'm not going to walk through all of these data points as it relates to each City, but I will say a couple of things that you will see; again one of the things you will see is we've got a lot of public support within this group. Cincinnati is the only City that we invited to come visit with us that had a private arts council. All of the other art councils that we looked at, they were all public in nature. The sources of funding varied dramatically and again if you look at the budget numbers, these are not
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apples to apples numbers. Some of the groups are getting bond funds, some aren't getting bond funds so really the better focus is how are they paying for their sector. We've had an opportunity to really evaluate a wide range of options ranging from hotel occupancy taxes to a one cent sales tax for a large region that was a multi county region to everything in between. That is informing some of the discussions that we are already having and certainly discussions that we will be having on a going forward basis. There is some data about those five comparison cities, how many groups they support and the like. Just to give you some sense of where we fall out in terms of our comparison, again we are private, we get some public funds and you guys know where those funds are coming from. Our grant size is from \$1,000 to our largest grant ASC is \$1.2 million and we are supporting more than 200 groups here in Charlotte as well, just to give you some sense of where we are. Our challenges in terms of the key factors we discussed work place giving, a decline in corporate giving and the fact that we don't have some of these more stable defined sources of revenue. We have talked about the cultural vision plan and really the big take away and what I want to leave you guys with is all the work that we do is really driving to what our city residents have said that they want in a cultural sector. Again the way the process works now, having spent this time learning, we will spend the next several months I think wrestling with how to get our arms around these challenges. We plan to come back to the community, specifically to the City Council, with potentially short-term and long-term recommendations. It is clear that Rome was not built in a day and this problem which began and has happened over a period of years will not be resolved instantaneously. Because of that we want to really make sure that we are working to bridge the difference of where we are not and where we are going, but we also want to put together some long-term sustainable recommendations so that when we come together the next time we will add the cultural planner icon to a power point like this we can speak to the work that we've done as a committee.

Councilmember Howard said first of all thank you for that great presentation. I think that we knew that we had a great program, but I'm not sure we knew how it compared. We heard about some of it on our Houston trip but I didn't know we were that far off. My question has to do with is the committee charts very much a business oriented community like some of the ones that you had up there. Any thought about how arts and science play into recruitment of businesses here, kind of how it ranks with companies that are looking to locate here and how that compares? I don't know if there is some type of index that they use when they are looking at that and kind of what the economic impact is that spurs off of this too? I'm thinking about the shows downtown and the meals that are had before and after, just kind of what the economic ripple affect is through the community, direct and indirect. We talked about some of the direct but there is a case to be read about the indirect. I'm asking about the business aspects of this in recruitment and the ripple affect is.

Ms. McDowell said everything that you just described are topics within the task force. I'm going to start with recruiting. I missed the Chamber Retreat several weeks ago in Pinehurst, but I understand that one of the main topics of that retreat was how do we continue to recruit people to the City, what are the questions that people are asking. Among the top three questions continually posed in that sort of setting what does the cultural life of the City look like? It is not an accident when I say there are 3.4 million customer experiences; that is more than all of the sports experiences in Charlotte combined just to give you some idea. The people that are here really want that and there is a lot of data that suggest that cities that are more successful in terms of building out their cultural sectors are also more successful in recruiting and retaining top talent. The Chamber is increasingly interested in this effort. They have an appointee on the committee and there are a number of folks who are on the committee who also serve in leadership roles with the Chamber and we've been working so closely to make sure that we are keeping the business community abreast of the work that we are doing so there is a real nexus there. In terms of the indirect dollars, in you packet I think that we have provided a much longer document than this PowerPoint presentation. I know that there is data in there. My general recollection is this, the folks who attend cultural events in Charlotte they have a tendency to spend money when they go to those events, so the people who are from Charlotte who go to events spend about \$25. The people who are from out of Charlotte who go to those events spend between \$30 and \$40.

Cindy Patterson, President Lee Leadership Institute said that doesn't include the price of the ticket so meals, hotel, baby sitters and parking.

Mr. Howard said I need to know where they go for \$42; I always spend more than that.

Ms. McDowell said if the family goes that is how it catches up with us. To your point it is a lot of revenue, it is a big driver of traffic to an uptown area and to other areas within the community. We expect that to grow. I was surprised to see how the tentacles of our cultural community and our cultural sector reach out into the region far beyond my expectations. We see people coming in from Atlanta routinely, people coming in from ... because of the quality of the arts programming that we have here.

Mr. Howard said you make a really good point and I've been saying this for a while to the CRVA and the fact when you start seeing signs or billboards in Charlotte for a high museum in Atlanta, you get the people drawn to their arts community drawn from a lot further than I thought they would be. I'm wondering what are we doing to do the exact same thing? We have a nice little set of amenities now for people to come see and I've been concerned that we are not packaging them in a real way so that people know they can come here and do a week-end just like we go to Atlanta and do a week-end.

Ms. McDowell said that is part of why the Chamber is engaged in this issue. I think that part of the challenge that we have –

Mr. Howard said we've got some stuff going on in Raleigh too.

Ms. Patterson said that 40% of people that come to any kind of cultural or history ... aren't from Charlotte. They are not from Mecklenburg county, 40% and it is a big number and we have a wonderful map we will be happy to share with you about where they come from. They come from as far away as Washington, DC.

Mr. Howard said do we know how we compare with Atlanta? I would love to get that market share up if it compared well.

Ms. McDowell said those stats of our various closer partners are being cut because we have this erosion in funding. The folks who would otherwise have the time, energy and resources to devote to attracting people from Atlanta or from Raleigh to Charlotte to enjoy our City as a whole, don't have the time to do that so these are interconnected thoughts so the more we can support the funding of the sector it has expedient benefits for doing that from both a tourism perspective, but even from just a general recruiting to the City perspective making sure that we are getting folks, a really diverse workforce who is going to feel at home here. One of the things that was also seen in the cultural vision planning process is that people want to use art to build neighborhood and to build community. We are very fortunate; we have these great parks and a lot of facilities we were looking a recent formula or a task force meeting, looking at these facilities and thinking if we had the resources to be able to offer even more arts programming within the community, across the community, how would that increase our embeddedness? The business community is really looking at how do we embed people into Charlotte. Newcomers, how do we make them feel like this is their community and how do we make them engage, how we get them to give and support and provide their voluntary hours. Art is a vehicle for that.

Mayor Kinsey said I can't say I'm a big supporter of cultural facilities however I do serve as the City's representative on Discovery Place Board and I've mentioned this before that for many years now Discovery Place has been one of the top tourist attractions in North Carolina and right now I think it is number 3 behind Concord Mills, believe it or not, and Biltmore House. I know when we had some of the Blockbuster events we had people come from all over the United States and Canada. When they come from that distance you know they are spending money. People do come and particularly, Discovery Place is a huge draw.

Robert Bush, Interim President of Arts & Science Council said that is true. One of the interesting things in the economic impact study was that they were doing interviews with people going into theatres and festivals; they found that 58% of the people that are at Charlotte Arts and Cultural events that if they were here only because of the event and if the event was in another

city and not here they would drive to the other city. There is clearly a connection between product offering and consumers desire to participate.

Mr. Cooksey said I usually find this missing in the ASC reporting and that is a sense of context. I appreciate the economic impact numbers given the number of people employed and the like, but a number that Mr. Bush just recited to me is even more useful when I get a sense of where your ASC artistic activities actually fit in the larger context of what attracts people to visit Charlotte. The Mayor commented on Discovery Place and the favorite example I use from time to time is we all aware of the gap between attendance estimates and actually attendance at the NASCAR Hall of Fame in its first year, but I also noted that for its first year the Bechtler Museum a fantastic resource for this City, correctly lauded the fact that it had actually exceeded its attendance estimates. While the absolute number of people who attended the Bechtler in its first year was about a third of the people who attended the Hall of Fame in the first year. When you get into these metrics about economic impact and the like and benefits, etc. you've got some relativistic factors in play in terms of actually how many people are drawn to it. That stat of 58% are coming here specifically for an arts event is a great stat as a percentage of the actual people of the number of people who are coming to Charlotte. That gets into Mr. Howard's issue about how we market. One thing I have lost sense of in the past few years since I haven't been focusing on this the same way is to what extent have our artistic resources truly ratcheted out to be a destination in and of themselves for significant numbers of people and how much are they a value add something that people come and do. Mr. Bush cited 58% of people attending these artistic events from out of town are coming specifically for that. That is a decent percentage, I don't know what it translates into in raw numbers. That is the kind of next layer and next level of comparative data that I think would be useful. Not simply the ASC in a silo but arts and cultural in this community more broadly speaking where does it fit among the Hall of Fame and the White Water Center and Concord Mills, Speedway – all these things that attract people here. We aren't a successful city unless we have the artistic component to do that, where does it fit in the larger sense of things so that we know how to market and how to understand the impact?

Ms. Patterson said that is a really important point. I just recently had some feedback on how well the Lion King, which you know was just here, and it was the highest producing number of people of any traveling show ever. The number of people that attended Lion King I believe were higher just for that tour than your numbers for a whole year at the Hall of Fame.

Mayor Kinsey said I don't like to cut a good discussion off, but we do have one more agenda item. I want to thank you Robert, Cindy and Valecia for being here and we look forward to the final report.

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REAL TIME CRIME CENTER

Major Johnny Jennings, CMPD said I realized I was behind the 8-ball when Mr. Dulin said he doesn't trust technology. That is why I'm here to talk about and I'm to change his mind hopefully. Real Time Crime Center with Charlotte Mecklenburg Police Department – the first question is what exact is it when we talk about it? I know the first time I heard about Real Time Crime Center I had those same questions, what is it, what do they do. As law enforcement over the years, we've advanced so much when it comes to technology and the use of that technology towards public safety. Our ability to manage that technology I think throughout agencies throughout the country is what I feel like has been lacking a little bit. When doing this we wanted to be able to identify the most effective way to use that; how do we put that towards our efforts in fighting crimes, solving crimes in our everyday jobs as Police Officers. At the same time we have to make this accessible to the officers in the street. We can't have officers that are not aware of what we have available to them and how they can use that technology towards assisting in their everyday jobs out in the streets. We also felt like an immediate response was necessary, not just having that technology. For so many years we've had cases that investigators have been looking at and it might be a day or two before they want to come in and view the video or see what kind of assistance they can use from videos, tag readers, any of the shot spotter incidents that we have. We wanted to make sure that type of equipment was used as officers are responding as soon as the events happen, as soon as we are notified of it. That immediate

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response is what is important and where we are going to be successful. Just to give you kind of a heads up. I went back and did some tallying of some numbers and we report weekly on how many major cases we've assisted with or serious offences and since July we've assisted with 720 cases that have come from the Real Time Crime Center where we are actually giving information to the officers that are responding and also to the Detectives that are investigating the cases. We feel it is important as these events are happening we are right on top of it in the Real Time Crime Center using the technology that we have available.

I've been fortunate to visit a lot of law enforcement agencies throughout the county and have traveled with Mr. Cooksey before, and I will say that the Charlotte Mecklenburg Police Department is definitely a leader when it comes to the use of technology for public safety. We have taken things a step further than other departments; we've used them as officially and as effective as we possibly can and when we started talking about the benefits during the Democratic National Convention and preparation for that, we were very fortunate to be able to not only acquire new technology to use for public safety, but also to enhance some of the tools that we already had in place as well. We wanted to make sure that when we had that we had subject matter experts and what I mean by that is we had people who were quite efficient in the use of the surveillance cameras. We had people who knew how to use the license plate readers; we had people who knew everything about shot spotter, but we didn't have a centralized location. All of that technology was made effective for the officers who were working the streets and the detectives. Chief Monroe approached me and several other of command and said we have to get that together; we have to make sure that we are utilizing this stuff as efficiently and effectively as we can. We put together a committee and we ended up coming up with the Real Time Crime Center concept; we then pulled 12 allocations that were taken directly from patrol because we felt like the need was that important that we have this in place so we can benefit for the efforts that we are putting forth. We took those from patrol and put them in the Real Time Crime Center and the concept right now eventually we hope to get to 24 hours, 7 days a week but 7 days a week with those few individuals we are covering 7:00 a.m. to 3:00 a.m. and then we have call back form 3:00 a.m. to 7:00 a.m. We are trying to make sure that we have coverage during the times these crimes are occurring where we can be most effective.

Our Detectives are trained in everything and we wanted that centralized location; they are trained in all that technology that we have and that we use. You ask what exactly do we have – video cameras, both surveillance and Department of Transportation. In the future Charlotte Mecklenburg Schools - we are going to be enhancing all the technology with the security cameras they are putting in place. Right now we have over 600 camera streams that come into the Real Time Crime Center. As you can imagine we cannot watch every one of those. It is not possible, but about 100 of those are owned by the Charlotte Mecklenburg Police Department, many of which we purchased for the Democratic National Convention and the Department of Transportation has several. The majority of the feeds that come in we do have access and have the ability to pan, tilt and zoom with those cameras when they are not accessing them and using during rush hour traffic or other special events. With regards to the license plate readers, I know I have spoken to many of you in reference to the license plate readers over the years and how we built that system up. At this point we have 95 fixed license plate readers throughout the City of Charlotte and those are at over 20 different intersections throughout Charlotte. We have 4 marked patrol vehicles that are equipped with license plate readers, those are the mobile, and we have 13 message board radar trailers that are equipped with license plate readers. Shot spotter, if you haven't heard of shot spotter yet, it is the sensors we have. We have two square miles in uptown Charlotte with shot spotter with the sensors that are placed where they can pin point almost to the exact, within 25 meters of where that shot was fired. We also have a square mile in the Grier Heights community and we recently put another two square miles in the Albemarle Road/Farm Pond area so we have some pretty good coverage there with shot spotter. Information Data Bases, we use a great deal of the things that we've already had available to us. We have not just our own report management system, but also you look at social media, things that can assist us in investigations. A lot of times you have criminal activity and whatever has been happening is going out on social media before we begin our investigation so we have that availability with us to be able to do that. Also some of the other information data bases that are for criminal justice purposes like Criminal Justice CJ Leads and some other things that we use.

Electronic monitoring, depending on what day it is we can have over 400 devices out there where we are monitoring people electronically. What the Real Time Crime Center allows us to do is while officers around the city, we are able to look at this information and compare it. We've done crime scene correlation with electronic monitoring, but we are doing that even quicker now. We are pulling up stuff as soon as these events happen and see if there is anyone on electronic monitoring in the areas. Our next step is to integrate this technology that we are talking about. There are systems out there and software out there that will allow us to be able to pull all of this together. For example, if you have a shot spotter alert right now we are manually going in and seeing what cameras are available, what assets do we have, do we have a license plate reader in the area. To be able to have all this technology talk to one another where it can automatically turn a camera in the direction of where the shot spotter alert occurred or it can turn a camera to a predetermined location. You might want it to go to an intersection. You get a tag reader alert, it also shows you what assets are right there in stead of having to pull it up and look at it by itself so there are a lot of different exciting things out there that we are looking at bringing forward.

That is just a diagram of shot spotter and how it works. You have the sensors around and it is able to pin point quite close to where those shots have occurred. That is a photo of a surveillance camera and those are the license plate reader cameras, electronic monitor and there is another Department of Transportation camera and there is my favorite toy, we call it the road warriors, but they are multi-use trailers. We can use them for messages, they also read your speed and by the way when you go past them they will read your license plate. A very effective tool to put into a community that is having issues with break-ins. They are very effective particularly when you are dealing with a specific crime in the community and you want to be able to say I want to see who is going in at that time. Some of our suspects that are breaking and entering suspects that are going into that community and the Real Time Crime Center can enter what we call a hot list. If I have somebody who is a prolific breaking and entering suspect and I know he drives this vehicle I can enter that into the system and I will get an alert when he goes into this neighborhood that we know he is not supposed to be in.

How does it work? The Real Time Crime Center detectives are alerted to a violent case that has occurred; we acknowledge their assistance; we will get on the radio and tell the officers we are monitoring, we caught that last car that went out and we are monitoring and we will help you out for this. We look for available resources that are out there. We can go onto CMPD life where we have all of our assets mapped out on a map and we can click on those and it will take us to that asset such as a surveillance camera. We can look at license plate reader data bases for any suspect vehicles in the area. We've been very successful in this where we say that the vehicle is a gold Honda and we have the time pin pointed when the incident occurred; we are actually able to look at it and say we have a license reader down the street so let's see if we find any gold Hondas that have gone through there within this 10 to 15 minute timeframe. Very successful tool for us. We've been able to solve a lot of crimes in that sense. We can also check the background information on suspects and look at their addresses; see if those addressees that the events occurred if that has been some where incidents have happened in the past. Was there a drive-by shooting the week before or was there anything happening that needs to lift our radar to say that might be a retaliatory type of incident. We maintain communications throughout with the officers and the detectives and make sure they are giving us information and we are giving them information to help solve this crime much quicker.

Just as important as what we do and probably more important for many people is what we don't do with this. There are a couple things, with the cameras I know there is a lot of concern that we can go and look inside and see what people are doing inside their houses or residential areas. That is absolutely something that we do not do and we do anything that is going to embed on citizens where they expect to have their privacy. We don't follow or track individuals that are not expected to be involved in any type of criminal activity. For example, if I'm monitoring in the camera room and I see Mr. Dulin walking down the street and decide I want to follow him and see where he goes, that is totally against our policy we have. We do not follow people just for the sake of seeing what they are doing or just to kill time. We are not going to be doing anything like that as well. We don't search vehicles in license plate reader data base without a legitimate law enforcement purpose. I don't know if any of you have seen reports in the past where license plate reader data has been public information, well it is not public information for

Charlotte Mecklenburg Police Department. It is criminal intelligence information used for law enforcement investigations. None of our officers are going to pull up an old friend just to see where they've been traveling with the license plate readers. Our use of technology is strictly for the purpose of public safety and we do have checks and balances throughout with our audit system. We can tell who has been into the systems; we don't have free lance of officers that have access to this. There are very few people that can actually go in and look at it. We are going to be improving it to where divisions will be able to look at cameras in their areas alone, but we are also able to audit who is looking at the systems and what cameras they are looking at. That is the same thing with the license plate readers as well. Policy has our video surveillance, it is stored for ten days; after 10 days that information is purged unless it is saved for criminal investigative purposes. The data we keep with license plate readers is purged after 6 months.

I will go through some of the positive outcomes; back in the days when we first began this these were big deals to us. We would get a positive outcome and I'm high fiving and jumping up and down and thinking great job guys and now it is almost a daily occurrence where it is almost expected at this point from the Real Time Crime Center to be successful and it is a surprise when we are not successful; when there is nothing on the license plate readers or nothing on the video cameras. On May 7th we had a female that was parked in her vehicle in her apartment complex and was approached by a suspect with a gun. The suspect forcibly attempted to take the victims purse; she fought back and the suspect fled and the victim heard a vehicle speed away. At that same time the detectives were conducting an investigation on another similar robbery using the camera system. The Real Time Crime Center was able to locate a vehicle leaving the complex just after the robbery. The vehicle went through a tag reader at an intersection where we had a tag reader and we were able to get a tab number based on that. This resulted in identifying the suspect and we had a total of three robberies that were cleared from these suspects after we identified them on that case.

On February 6, 2013 a victim was robbed by a group of 3 to 5 suspects in a physical altercation. The Real Time Crime Center reviewed Center City camera footage; we noticed a group of subjects matching the descriptions involved in a confrontation with security at the Transit Center. This happened earlier in the day; we were able to track that group walking from the Transit Center to the Gray Hound Bus Station where this incident did occur and then we were able to make a positive identification because the Transit Center officers actually identified the people that he had an altercation with at the Transit Center. Based on that and back tracking we were able to get those subjects identified and they were arrested. One of my favorite cases; on March 23rd we had some robbery incidents in what we called the motorcycle bandits and we had an on going investigation of three business robberies involving subjects with sky mask and tactical clothing. We were really concerned because of their tactics of doing the robberies that they had some sort of police or military training. The only clue we had at one point we did get a clue that the suspects were riding motorcycles. Based on that we began viewing video footage in and around the areas after these robberies occurred. One of our detectives saw two motorcycles speeding down Independence Boulevard after one of the robberies. I will make a long story short; they viewed hours of footage and they were able to pin point a very small location of where different days where we saw them go into a location and then we would lose camera footage so based on that we were able to determine that they lived in a very small area that we needed to look at. Within that area there is only one apartment complex. Robbery detectives went out and as they went to the complex they saw the suspects actually coming to their motorcycles, getting on them; they made contact with them and the recovered several guns and several items from the robberies were inside their residence and we were able to arrest a total of 4 suspects in that case. That was a very good one.

Major Jennings showed Council a two-minute video of how the Real Time Crime Center works. He also invited Council to the Real Time Crime Center to see them work; see how it is all laid out and he would be more than glad to help accommodate that.

Councilmember Howard said that was very impressive. I didn't know we had that here; I've heard about it but hadn't seen it played out so it really impresses me.

Councilmember Cooksey said as a representative of ... I had the privilege of being part of City of Charlotte participation on a panel of a law enforcement conference in Pittsburg a while back
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and Councilmember Cannon couldn't go so I got to go. It was a great presentation and a room full of law enforcement officials just wowed by the presentation by CMPD. We had Deputy Chief Gallant and Major Jennings there to talk about it and it was also nice to hear what the City of Pittsburg was doing with their Police Department, ours as was said at the very beginning, much better.

Mayor Kinsey said one quick thing from me because my son wanted me to make sure I said this. My son is Assistant District Attorney down in the east part of the state. He attended a meeting in Raleigh two officers from CMPD made a presentation and he said they were absolutely wonderful; he was very impressed. I have their names at home and I will get them to you.

Major Jennings said I'm sure one of them was me.

Mayor Kinsey said I will double check Major. Thank you so much for being here.

APPOINTMENTS TO CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT COMMISSION

Mayor Kinsey said Mr. Manager, we are a little past time we were supposed to start with the Citizens' Forum, but we do have the one last agenda item. What would be your recommendation?

City Manager, Ron Carlee said it is Council's preference. You are not that far over at this time.

Mayor Kinsey said this is an appointment to the Charlotte Douglas International Airport Commission.

Motion was made by Councilmember Howard, seconded by Councilmember Barnes to appoint Linda Ashendorf.

Mayor Kinsey said let me explain what has happened. Council made four appointments on September 23rd, Pamela Bennett, Anthony Fox, Robert Stokes and Pamela Syfert and unfortunately Pamela Bennett checked with her employer and since she is with Bank of America it presented a conflict of interest with Section 4.1A, Senate Bill 380 that prevents a tenant or employee of tenant who possesses a contractual right at the Airport from serving on the Airport Commission and she did send her letter of resignation. I just wanted to make sure you knew why we are having to do this.

Mr. Carlee said we have sent notice to other appointees asking them to confirm against this statutory requirement whether or not they have any conflicts.

The vote was taken on the motion to appoint Ms. Ashendorf and carried unanimously.

Councilmember Cooksey what about the Oversight Committee?

Mayor Kinsey said the request was made to me to delay the appointment to the Oversight Committee until the October 21st meeting and I will delay mine as well. If that is okay, that is what we will do.

CITIZENS' FORUM

RELATIONSHIP OF EDUCATION AND CHILD POVERTY IN CHARLOTTE, NC

Sheila Peltzer 475 Fenton Place said at Councilmember Barnes' suggestion I am here to help educate you about Mecklenburg's children, their poverty and education. I am a retired public school teacher and President of KN2P (Kids need 2 parents), a statewide volunteer organization working for child custody reform. Here is part of a graph published in the Charlotte Observer this past August. Child poverty about 54%, single mother families about 56% and there is a connection. Children in father absent homes are five times more likely to be poor, twice as likely to drop out of school so how to keep more fathers in our children's lives. We can start by modernizing our vague child's best interest standard by which mothers win custody battles about 85% of the time. Isn't this discrimination? Isn't it illegal? Aren't our kids paying the price?

How can you help? You have no influence over our judicial system but you do as individuals. This past session we finally got 2 shared parenting bills proposed in Raleigh, one by Democrat Dan Clodfelter and another by Republican Jacqueline Schaffer. Both bills died, as more and more children lose a parent in family court each day, usually their father. Was it wrong during our eugenics program to take away parents' rights to have children? It is wrong now to take away parents' rights to keep their children? It is wrong to take away children's rights to maximum time with both parents? Imagine you are the parent or grandparent of two children with a fatal genetic disease and you see little of each other in their few remaining years. This is where I get my passion and from my failing fatherless students. This t-shirt has our KN2P logo – a red mom, a blue dad and a purple child in between. Red and blue make purple. The child needs both. Purple is also the color of justice. This sign was one of many posted around this state this past year.

Will you remain silent or will you call our legislators and judges to make sure custody reform happens? Shared parenting is in the child's best interest in Mecklenburg's and North Carolina's. I may be 75 but I plan on living to 100 if I have to, to get this job done.

Mayor Kinsey said this may be a good time for me to remind everyone that we have bonds on the ballot this year for schools and for community college. I encourage you all to go out and vote for the bonds.

Councilmember Maddalon said I would also like to point out as a matter of information that not all families in our community are mothers and fathers; two parent homes can look a little different than that and be quite successful. I would also remind Council that our court system is very backwards with respect to that as well.

Mayor Kinsey said very well taken Mr. Maddalon; I totally understand what you are saying.

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TRAFFIC LIGHT BETWEEN SHARON AMITY AND CASTLETON ROADS

Lucy Crain, 1028 Worcaster Place said thank you for giving me the opportunity to speak to you tonight on behalf of my family and my neighbors. You may remember that I came before you last year with my son Thomas who was critically injured in a traffic accident while exiting our neighborhood onto Sharon Amity Road. Thomas spoke to you about his extended coma and his long recovery from a traumatic brain injury and he asked you to help provide us all with a safer exit into the community. You see, Thomas' accident was one of many affecting our neighbors. Just months before his own accident my son was the witness to a very similar crash at the same intersection that nearly took the life of our neighbor, Elliott McKinnon. Another neighbor, Renee Foster was hit exiting the intersection with her four children in her minivan. Since I have lived in Charlestown Manner six families on my little street have been involved in accidents trying to exit our neighborhood. We came before you last fall begging for your help with this problem and Thomas ended his speech with these words. It is a miracle that Mr. McKinnon and I are alive and able to bring this issue to your attention. If things do not change at that intersection the next person may not be so lucky. The next time an accident occurs there

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and one will, things may not go so well. My friends and family are driving through that intersection every day and I do not want one of them or anyone for that matter to go through what I have been through or worse. They should be allowed to exit into the world safely everyday. Please think about if your son or daughter or spouse was trying to turn onto Sharon Amity Road everyday. Please help us make the intersection at Sharon Amity Road and Castleton safer for everyone.

I'm actually thrilled to report to you that I was just at parent's week-end at the University of North Carolina-Chapel Hill where my son is now a freshman. After months and months of hard work and with the help of vocational rehabilitation and the Department of Accessibility Services Thomas was able to attend college. He is a miracle; he had less than 10% chance of ever waking from a coma and even less in ever regaining his physical and cognitive abilities. We are incredible fortunate and I know that, however Mr. Paul Stevenson was not so lucky. He was killed in an accident in that intersection on September 5th and he will no longer be able to attend the family week-end or a football game. Perhaps the saddest part of all of this is that we saw it coming. Thomas even predicted it for you. While I do understand that traffic signals are expensive and they don't just happen, I beg you to reconsider this intersection again and find a solution to this life threatening problem. I e-mailed all of you a petition signed by our neighbors and we appreciate your interest so far. The flashing speed limit signs, while appreciated were not effective and some even think that traffic actually speeds up after the see the sign, hit their brakes and then speed right through the intersection. There are other intersections in the City that are ahead of our in terms of crash rating, but our neighborhood has no other option for exit other than turning onto Sharon Amity Road.

Councilmember Howard said if you had another minute would you wrap up I want to hear it.

Ms. Crain said we are a hostage neighborhood. We have no other option for exit everyday other than turning onto Sharon Amity Road without a light. We are a hostage neighborhood and it is incredibly dangerous. My family, my friends, my neighbors have to go through that intersection many times a day and I'm here to fight for the things I care about. I almost lost my son and now I'm asking you to keep another mother from losing hers.

Debbie Duniec, 1022 Worcaster Place said I also live in Charlestown Manor next door to Thomas and Lucy Crain. A few weeks ago Councilmember Autry was kind enough to meet me out at the intersection and discuss what the problems are with the intersection and what the options were. As I told him I've lived in the neighborhood for 15 years. The current situation is not just a result of Thomas' accident or any of the other neighborhoods' accidents. In 1998 we would turn right and we would be able to go to a Target on Independence; we used to go to a pet food store on Idlewild or the Belk at Eastland Mall, even 18 months ago we would turn right to go get school supplies at the Office Depot. What has happened slowly is that our neighborhood and community have shifted so that left hand turns is where our schools, our grocery stores, our drug stores are and yet we are trapped with infrastructure that supports traffic patterns from the 1980's. What we are asking is that we update the infrastructure and acknowledge the fact that now Independence has become an expressway. When it becomes an expressway this is just going to cement the current patterns that our neighborhood is already following. Literally, everything that we do is left; our churches; our jobs are all left hand turns and as Lucy said we are hostage, we don't have another option. Mr. Autry brought with him the list of Charlotte DOT's intersection that are prioritized. I've gone through these and the one thing those intersections have that our does not is options. You can avoid going through those intersections if you want to and if you need to. I've needed to because on September 5th my 12-year old was riding his bike and witnessed the accident that killed Mr. Stevenson. He was 15 to 20 feet from Mr. Stevenson when Mr. Stevenson's motorcycle hit a Lincoln Towncar. He watched as his body was covered up with a sheet and stood at the intersection for 2 ½ hours to give his statement to the police. When I walked him back to our house he was shaking and nauseous and he didn't understand why this had happened a year after his friend and neighbor Thomas Crain had been in a coma at the very same intersection. We send our children and our parents through this intersection everyday because we have no choice. We are asking you to please give us some other options. If Charlotte DOT says we can't have a traffic light don't accept that as the end of this story. They have the expertise to come up with some other creative solution whether it is connecting our neighborhood through the bridges that are already stubbed in to the rear of the

neighborhood to Sherwood Forest or some other creative solution that traffic experts are able to come up with.

Councilmember Autry said Ms. Duniec if you had another couple minutes is there something else you would like to share with us?

Ms. Duniec said I'm just asking City Council to ask Charlotte DOT to come up with a range of solutions and not just accept no to the traffic light as the end of their tasking and to task them with presenting those solutions to you.

Mr. Autry said Ms. Duniec I thank you so much for coming down here tonight, you and Ms. Crain, I appreciate that. I felt like we had a very productive visit and we talked about a lot of different things to consider for providing these folks a safer opportunity on the streets of Charlotte. What I would like to ask is for the Manager to direct someone from C-DOT to arrange a meeting with the neighborhood so that we could dive a little deeper into this issue, get into the weeds with it and come up with a little more creative opportunity and options to address the issue there.

Mayor Kinsey said you took the words right out of my mouth. That is a good idea.

Councilmember Barnes said Mayor we got a memo Friday I think from C-DOT about a potential solution as I recall. There was some informational update in there and I don't know if you have shared that with anybody Mr. Manager, but I thought it was at least a step in trying to find a solution.

City Manager, Ron Carlee said the Transportation Department has been looking at a variety of options here and I do believe that Mr. Autry's recommendation that Transportation staff actually meet in the neighborhood with the community, talk through them and really look at to what extent there is a sense that these will be helpful or are there other alternative creative ideas that can help alleviate the situation. Let's work on it together and see if we can find something that can improve the situation. I will also go by and take a look myself.

Ms. Duniac said thank you very much. I really appreciate it.

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HISTORIC PRESERVATION IN THE CITY OF CHARLOTTE

Nicole McBeth, 214 West Tremont Avenue said I'm Executive Director of Historic Charlotte. Since 1991 Historic Charlotte has been promoting people saving historic places. We do this by supporting and coordinating activities of history and heritage groups throughout the region and by encouraging individuals to learn about and protect the stories of their past. At Historic Charlotte we believe that understanding and preserving tangible evidence of our diverse history allows us to see the present and plan the future with more clarity; turning the places that we live into the places that we love. Historic preservation happens on every level from neighbors supporting a beloved local landmark to national organizations advocating for preservation legislation. There are rewards of community support by demonstrated and preserved and rehabbed historic structures that form the foundation of our present day community. This past spring Historic Charlotte hosted a successful mid-century modern home tour attended by 850 people who came from across the state to experience the best preserved, restored and rehabbed homes showcasing Charlotte's mid-century residential architecture. Over the summer Historic Charlotte worked with leaders from the Eastland Area Strategies Team to save the four rising sun medallion signs from the Eastland Mall to one day be part of a public art project on the City's east side. In ten days Historic Charlotte will host its 13th annual Blast for the Past. It is a party; it is an award ceremony; it is a silent auction; it is the best chance the community has all year to be inspired by the greatest restoration, renovation and reuse projects in town. Please mark your calendars for Thursday, October 17th when we will gather at the Bechtler Museum of Modern Art for this popular annual event open to the public. Information is available on line at HistoricCharlotte.org. I want to thank Mayor Kinsey for her enthusiastic support of Historic Charlotte and help in building connections with cultural and civic partners in the community. Historic
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Charlotte is here to support the activities and groups working to save the places that the community connects with and cares about. We welcome hearing about what matters in your District.

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POLICE OFFICER SHOOTING OF JONATHAN FERRELL

Crystill Cravers, 7500 Claymont Drive said I'm speaking for the voiceless people here in Charlotte. I move here from Buffalo, New York because our kids were dying rapidly there so I come to a place where it was nice, the streets were clean; you didn't hear of anybody kidnapping people and murdering people at such a rapid rate. It is ridiculous and this is how Charlotte is now and I lost a lot coming here. I bought my first house when I was 20 years old with my student loan money and I'm disabled now. I worked since I was 13 years old and I went to apply for food stamps and there was a young lady in line crying. I'm disabled and I gave her \$5 because she was crying because she had no food for her kids so I said with this \$5 you can get some peanut butter, some jelly and some bread and some milk and maybe that will last 4 or 5 days because I used to live off this when I was in college. These kids don't have any food here in this City, they are starving and we have the Mayor and the Council and other people that can do things or the governor. We are voters and we deserve much better than this with this City with so much money. This City has a lot of money because you all spend a lot of money wastefully on a lot of places and it is ridiculous. What else out there is ridiculous is a young man Jonathan Ferrell who come to this City and get murdered. How can you justify that? I heard you guys say a long time ago that you were going to have somebody just like you did for the Airport, you have somebody that is governing how they are spending; well you are going to have that with law enforcement so the guys that don't know nothing about people of color, we can introduce ourselves to this young man and make him more exposed to people of color. I'm sick of our children getting murdered. This is a college young man and I'm a sticker for education. This is something that you politicians that we voted in office need to do and I'm ready for you all to do something. I'm disabled now but I will still volunteer my time whatever it takes. I was a City Clerk as a teenager and I will help in any kind of capacity I possibly can. Help our children and let us know that you care and then get us some food because this is ridiculous. I just want to recite something that everybody in here should know. I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all. Justice for all.

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CITY EMPLOYEE FMLA POLICY

Fabian Washington, 6827 North Ridge Court said I have concerns when it comes to the Manage Return To Work rules of procedure with the City's policy on managed back to work policy #HR 23 which states Managed Return to Work Procedure. The City requires managed return to work or modified duty for employees who suffer work related injuries or illness to facilitate this manage to return to work procedure all KBU's and employees will follow the procedures outlined below.

1. If the City's designated healthcare provider determines that an injured employee cannot return to his or her job without restrictions, a modified work assignment of the regular job or reassignment to a different job will be made. Every attempt should be made to modify the employee's current job assignment to meet the stated restrictions.
2. Any modified duty or job reassignment must comply with the recommended job restrictions indicated by the designated healthcare provider.
3. In all case, managers and supervisors are expected to work with the employee to identify modified duty opportunities. The primary focus is return the employee to his or regular job. In some case, the KBU will make reasonable accommodations to return the employee to his or her regular job. Modified duties may include a temporary modified work schedule, or temporary reduction of work hours. As with any change to a job assignment, the employee's PRD should reflect any modified duty assignments made that may be different from regular performance objectives.
4. If a suitable modified duty position cannot be found, Human Resources should be contacted to assist in finding reasonable accommodations, including tasks within the KBU that

may be different from the employee's regular job or reassignment to a different job of equal or lesser value.

5. If a suitable modified duty position cannot be found within the employee's KBU, Human Resources will work to find a suitable modified duty position within another KBU. Salaries, wages and benefits will be charged to the cost center of the employee's original work assignment.
6. Employees are responsible for providing their supervisors with written notice of the designated healthcare provider's change in restrictions.
7. The modified duty assignment will end when any of the following occur.
 - The employee is released to pre-injury job status by the designated healthcare provider.
 - The workers' compensation claim is closed.
 - The employee has accepted an alternate position.
 - The employee reaches maximum medical improvement.

This is a policy and procedure that the City has but for some reason in certain areas of the City in some departments it is not being carried out. As city employees we all have responsibility to uphold the city policies and procedures. These procedures should not be used to terminate an employee who meets the guidelines and requirements of the City policy.

Councilmember Mayfield said have you reached out to our City Manager's Office?

Mr. Washington said yes I have gone through the chain of command.

Ms. Mayfield said I just needed to get that clarification and I would like to ask the City Manager's Office to continue the conversation because I didn't really hear what the exact request was so if we can turn it to the City Manager's Office that would be helpful.

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HOUSING CODE ENFORCEMENT CONCERNS

Robert Guarino, 11860 Hidden Forest Lane, Davidson, NC said I live in Davidson and in August of 2011 I purchased some property on Carmine Street which is located just south of I-85 and east of I-77. The property consist of three buildings for a total of 16 units. When I obtained the property is was full of vagrants and a large volume of crime because the owner of the property lived in California, did not maintain the property; it was cited constantly by housing regarding the violations. The first thing I did when I bought this property was to eliminate the negative element within the complex by way of eviction. This was a timely process due to the fact that it appeared most of the tenants knew the laws and restrictions on land lords better than most attorneys. Finally by the end of June of this year and \$5,000 later I was able to get all tenants removed. By this time I was in the process of renovating these buildings, starting with one at a time, totally gutting it to the studs. My goal has always been and will continue to be to self-fund this project so I can provide affordable housing to the people in the community. I have been involved in that community, meeting with the community police officers in the neighborhood monthly to try to deal with the crime and the negative element in that community. Since owning that property there has been no cause for police service on the property that I purchased.

Back in October 2012 Neighborhood and Business Services conducted an inspection of all three buildings. Each was cited for deficiencies which they deemed the property inhabitable. The inspection process included the buildings which had been totally gutted to the studs. Those units were cited for not having operable sinks, toilets, lights, heat, windows, doors, etc. I find it odd that the buildings were cited for being inhabitable when in fact anyone could determine you could not live in these units. It has never been my intent to rent these units out in a state of disrepair until they are 100% complete. Prior to the end of 2012 I had a meeting with Neighborhood and Business Services at the property. What was striking about this meeting, one of the representatives from the Neighborhood and Business Services who has since retired, thought I was a fool to renovate these buildings, especially since they are in the City of Charlotte. He suggested I just to the minimal repairs, get them in rental condition and start generating income. I explained to him my goal was to eliminate his job by making sure he never
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had to come back to this property on any kind of housing complaint. Subsequently Neighborhood and Business Services decided to continue with the process and at that point I had to hire an attorney to determine what I had to do. I was threatened with demolition of the buildings even though I explained to them my intent was not to rent them, but to totally renovate them from the studs. I actually signed an agreement that said I have specific dates for completion of each building because of security issues on the property, the eviction process and the inspection and permitting process I've not been able to do that. I've being fined every day because these buildings are not rentable. There is no difference in me renovating these buildings than me building new construction.

Mayor Kinsey said we have heard from you before and I appreciate you coming back. I would ask Mr. Krise to send us an update on the situation. We've heard this before and I'm concerned about what the status is.

Councilmember Howard said when is this one coming to us? It is coming to us soon for demolition?

Ben Krise, Neighborhood and Business Services said we have not prepared it and it is not on the schedule for in Rem at this point in time. We've been working with Mr. Guarino for the past two years.

Councilmember Maddalon said how many extensions has Mr. Guarino received in the process?

Mr. Krise said I would have to do some research, I just know the timeline we've been working with him for two years.

Mr. Maddalon said can you tell me how many failed inspections there have been on that property?

Mr. Krise said there have been multiple failures regarding the ... the county made; the electrical, the plumbing, mechanical and building have all had failures.

Mayor Kinsey said could you maybe put that into the report and get it to each of us.

Mr. Maddalon said I've got the answers to it and I was hoping Mr. Krise would too so the Council could hear. You will get it in a report. I've seen the report and it is pretty compelling.

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UPCOMING ELECTION

Fred Mauney 61, Newton Moore Road, Peachland, NC said I suggest everyone get this copy because it is what I've been talking about with Bruton Smith closing the race track and all the races. This is just a couple of weeks ago by University of North Carolina saying the New South Presents Sports in the New South Culture, Color and Cash, full contact economic development Sports teams as City Partners. I attended the part that was in the evening for the public to come to and they had speakers that helped with development with cities and stuff. It was a heck of a resume about cities and how the business sports teams deal together and how to make a profit, either directly or indirectly. The next part, Ron Kimble, Deputy City Manager, City of Charlotte speaks and the first thing he talks about is how you all have the Charlotte Motor Speedway and behind the Charlotte Motor Speedway you also have the only city with three NASCAR race events. That 85% of the race teams are here bringing \$6.5 billion to this community and you also have the NASCAR Museum. The City of Charlotte is taking total credit about the teams being here and the money that is generated and if you just make a triangle real quick and divide the \$6 billion down, Concord/Cabarrus gets \$2 billion; City of Charlotte/Mecklenburg County gets \$2 billion and Mooresville/Iredell County gets \$2 billion and you cut it back down that half of it goes to taxes, there is \$1 billion that comes to this community in taxes through either federal income tax, gas tax, state income tax then how much of that billion actually gets to the City of Charlotte, \$400 million or \$500 million a year. I spoke about it and they were stunned. All the

people that attended come from the different cities to attend this meeting to learn how to deal with ... and professors and all that.

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Councilmember Mayfield said I just want to make sure that everyone is aware that Wells Fargo made an announcement in partnership with Charlotte Housing Partnership as well as the City for \$6.6 million worth of grant funding. You can receive up to \$15,000 towards a home loan and after owner occupied five years a good portion of that can be forgiven. It will be at the Charlotte Convention Center from 9:00 a.m. to 7:00 p.m. on October 25th and October 26th. The actual class is about 2 hours. The AARP will be having a financial freedom conference on Saturday October 12th at Mt. Carmel Baptist Church 7237 Tuckaseegee Road. Registration is 8:30 a.m. and the conference will be from 9:00 a.m. to 2:00 p.m. and it is free, open to the public. They will be giving information about the affordable healthcare act as well as financial investment.

Councilmember Dulin said a couple things and the first one predates Manager Carlee. I brought up several years ago the darkened streetlights. Manager Carlee, we have around 700,000 streetlights and we had 10% or 7,000 of them out and were dark that we were paying about \$9 per month every month which came to a couple hundred thousand dollars a month we were paying for non-service. We got that down to about 3,200 outages and at one point Mr. Kimble had given us a report that we were going to try some new technology. It has been my contention that there is no urgency from Duke Energy to fix the problem because we are paying them every month anyway. One of the streets I walk on in the early morning hours was dark. It was lit and now it is dark again; the lights are already out again. Unless I walk it in the early morning with tape and put tape around the poles there is no way for me to call them and say it is the fourth one in from the corner on the northbound/southbound way. I have a little bit of sense of urgency on this as my tenure wanes and I would really like to hear from Duke or from staff of a plan where if there are 1,000 to 3,200 lights out all over our city, then we need to start to getting some rebates back from them. They will fix the problem quick when they stop getting paid so it is something that we need to work on. It is dangerous for our citizens and we are the customer so I think it is up to Duke to fix our problem.

Secondly, I was out Statesville Road again today and have noticed again that the Fire Headquarters Building at the old Seal Test site, there is no work going on over there. There was no work going on two months ago so I called the Chief and he told me something about a contract dispute, but still there is no work going on and we need to know what is going on with our building. It is a \$42 million building this Council voted for and I think we need to have a report on that.

City Manager, Ron Carlee said on the first issue I will be happy to look at it. I unfortunately have seen that movie elsewhere and it is a bit challenging, but there are some things that can be done to try to attack the streetlight outages. The Fire Headquarters, we will give you a full report on that, but my understanding is that our contractor mis-ordered the windows. It is on his dime but we have a contractor era that because of the lead time in the product has setback completion of that building. We will give you the details on it, but that is in essence one of the problems.

Mr. Dulin said it has been at least 4 months that they are having to redo the windows or something.

Mr. Carlee said there is a lead time on them that makes this problematic and very annoying to the City.

Mr. Dulin said yes sir, thank you very much Mr. Manager and staff.

Councilmember Maddalon said I've been doing a little work on nuisance businesses in Charlotte, a particular concern that a number of our communities in District 1 and throughout the city; I'd like to try to refer the issue of nuisance abatement to modifications to the State Statutes to the Housing and Neighborhood Development Committee if I might for further discussion. It will survive my tenure here but I would like to at some point be able to share with the Committee what I have been able to learn and perhaps prepare for the North Carolina League of
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Municipalities and our own legislative agenda moving forward. I think we might have an opportunity to make some progress on this issue which would be a terrific help to our law enforcement; our Police Officers; our District Attorney, etc to help empower our communities to get rid of nuisance businesses.

Mayor Kinsey said I think that subject could go to any number of committees. I believe it has been taken up previously with Housing and Neighborhood Development. Is there any objection to that, if now we will go ahead and do that.

Mayor Kinsey said the discussion we had in a closed session, I will take that information and meet with the City Attorney since that has not been discussed with him and then we will take the final vote in public at the October 21st. meeting.

The meeting was adjourned at 8:26 p.m.

Stephanie C. Kelly, City Clerk

Length of Meeting: 3 Hours, 12 Minutes
Minutes Completed: October 18, 2013