



Metropolitan Transit Commission



November 15, 2023

METROPOLITAN TRANSIT COMMISSION

Wednesday, November 15, 2023

3:30pm

Charlotte-Mecklenburg Government Center

Conference Room 267 - WebEx

AGENDA

Items of Note

- At the last MTC meeting, members requested the governance review that was completed through UNC Charlotte in 2004 that made recommendations for amendments to the original Interlocal Agreement and minutes from a November 15, 2005 County Commission meeting, where the County approved the amended Interlocal Agreement. Materials are enclosed in the agenda packet. **(p.5-40)**
- As you are aware, attorneys for the City, County, and Towns are working on proposed amendments to the MTC Interlocal Agreement and are scheduled to have their first meeting on the matter Thursday, November 16, 2023.

- I. Call to OrderMayor Vi Lyles
 - Attendance (Introductions)
- II. Approval of the October 25, 2023 Summary **(p.42-48)**.....Mayor Vi Lyles
- III. Public Comments
- IV. Transit Work Group Update.....Mayor Higdon/ Mayor Bales/ Councilmember Driggs
- V. Interim Chief Executive Officer’s Report **(p.50-70)** Brent Cagle
 - Communications to MTC Board Members **(p.50-51)**
 - Safety Reports **(p.53-60)**
 - Ridership Reports **(p.62-68)**
 - Sales Tax Report **(p.70)**
- VI. Informational Items
 - None
- VII. Action Items
 - Independence Busway Update **(p.72-73)** Kelly Goforth
 - February 2024 Service Change & Title VI Analysis **(p.75-83)** Bruce Jones
- VIII. Report from the Chair of the Transit Service Advisory Committee (TSAC)....Krissy Oechslin

- IX. Report from the Chair of the Citizens Transit Advisory Group (CTAG).....Jeffrey Parker
- x. Adjourn

*FINAL REPORT AND
RECOMMENDATIONS*

TASK XIV

PREPARED FOR
CITIZENS TRANSIT ADVISORY GROUP
GOVERNANCE REVIEW
2003-2004

By
The University of North Carolina, Charlotte
PhD in Public Policy Program

June 23, 2004

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CTAG GOVERNANCE STUDY FINAL REPORT

Executive Summary

Introduction

The Transit Governance Interlocal Agreement approved in 1999 includes a provision that the Citizens Transit Advisory Committee (CTAG) will conduct a review of the current transit governance structure. The specific provision reads as follows:

During FY04, the CTAG shall undertake a comprehensive governance review, which shall consider the effectiveness of this Agreement, and the governance structure established hereunder as well as other possible governance structures including, but not limited to, various forms of a transit authority. The governance review shall be conducted in a manner that ensures public and transit stakeholder input and participation. No later than June 30, 2004, the CTAG shall provide the governing boards of the parties to this Agreement with its report and recommendations.

To assist CTAG in fulfilling its charge to conduct a Transit Governance Study, the Charlotte Area Transit System (CATS) retained the services of the UNC Charlotte Public Policy Ph.D. Program and two independent consultants. The UNC Charlotte Study Team worked with CTAG and CATS staff to complete the study using the work program outlined in Table 1.

Transit Governance Principles

CTAG developed six Transit Governance Principles for use in evaluating the current transit governance structure and for developing recommendations for changes to the governance structure over time. The Principles developed by CTAG were as follows:

1. Support achievement of the goals of the 2025 Integrated Transit/Land Use Plan.
2. The governance structure should relate to where the money comes from to pay for operations and cover local share of capital costs and ensure equal representation for the public.
3. The governance structure should be understandable to the general public and stakeholders.
4. The governance structure should ensure reliability and accountability to the general public and to funding entities (i.e. Federal and State governments).
5. The governance structure should promote efficiency and effectiveness by facilitating good policy-making and management practices.

6. The governance structure should be implementable – political acceptability and adaptability to changed circumstances/trends.

Existing Scientific Literature Pertaining to Governance of Transit Authorities

Some transit systems in America are governed by what the literature calls “general purpose” governments: cities, counties and states. However, “special purpose” governments govern most U.S. transit systems.

The transit governance structure best suited for regional planning and development of a transit system is a special purpose government. Special purpose governments provide the opportunity to have broad representation across the region from different stakeholders and constituencies. A distinguishing feature of these special purpose governments—and one of the many factors contributing to their strength and popularity—is that they often raise capital from private investors through the money and capital markets to invest in public facilities and services. Special purpose governments can be divided into three broad categories: authorities, government corporations, and special districts. The form used for a particular function is the result of state law, common practice within a state or region, and the preferences of local officials—both elected and appointed.

Special districts come in all shapes and sizes. Special districts are far from a uniform local government type motivated by a single factor or driven toward a single outcome. For nearly every function, special-purpose governments devote proportionally more to relatively expensive capital projects than general-purpose governments. Finally, special purpose governments are linked to the increasingly complex world of land use policies as defined by metropolitan regions and the federal government.

The success of any mass transit system is directly and irrevocably tied to its relationship to land use patterns in its service area and station area economic development. However, given how the prerogatives of land use control and development are jealously guarded at the local level, the regional concern of air quality must usually be overlaid to force cooperative action. The importance of this relationship is recognized and articulated in the 1991 Intermodal Surface Transportation Act (ISTEA), the 1998 Transportation Equity Act for the 21st Century (TEA-21) and the 1990 Clean Air Act Amendments (CAAA). These Acts detail how compact land use and coordinated station-area economic development policies encouraging mixed use, high density, pedestrian-friendly communities (also known as transit-oriented development) lead to successful transit systems and improved air quality. Funding requires compliance with Federal mandates for this type of coordination. Experience has shown that the integration of these factors usually requires the application of a special-purpose government because it allows a unified approach over a broader service area.

Profiles of Selected Cities

Establishing Criteria for the Dataset

Drawing from the academic literature on transit agencies, the Study Team collected data on urban areas with characteristics similar to Charlotte. Three hundred and nineteen (319) Metropolitan Statistical Areas were analyzed and subsequently reduced to thirty-one (31) based on the following criteria: population, mode of transportation, and whether they covered multiple jurisdictions.

Next, the research team narrowed the number of MSAs to eleven for further in-depth study. Each profiled urban area has a light rail or subway system that is currently operational as well as demographic characteristics similar to Charlotte. Preference for inclusion in the dataset was given to MSAs that cross state lines.

Detailed profiles were prepared for the following urban areas:

- | | |
|--------------------|-----------------------|
| 1. Atlanta, GA | 7. Sacramento, CA |
| 2. Cleveland, OH | 8. Salt Lake City, UT |
| 3. Dallas, TX | 9. Seattle, WA |
| 4. Denver, CO | 10. St. Louis, MO-IL |
| 5. Pittsburgh, PA | 11. Washington DC |
| 6. Portland, OR-WA | |

The detailed profiles for these urban areas and their transit systems can be found in the Final Report.

Lessons Learned from Literature and MSA Profiles

Land Use

Communities with successful transit systems find ways to leverage the multi-billion dollar investment that these systems represent. This is accomplished through at least a minimal level of regional land use coordination and, more pointedly, a well-planned and implemented program of station area development. In each instance, the idea is to create a vision consistent with concerns for a “business friendly” atmosphere and to provide incentive for private developers to focus their efforts in ways that support usage of the transit system. Significant regional land use coordination usually requires unique circumstances, such as significant land ownership by the Federal, or state, regional or local governments that are relatively non-contentious and cooperative with regard to land use planning. The need to comply with Federal air quality standards and retain Federal funding for future transportation improvements can also forge arrangements for regional land use coordination. Tools for regional land use cooperation include urban service boundaries, land use plan/zoning concurrency laws and growth management policies. However, the more commonly successful approach involves some degree of public-private cooperation for development within one-fourth to one-half miles of the transit stations that attracts substantial portions of the larger private market toward them.

Dedicated Revenue

Dedicated funds are any funds raised specifically for transit purposes that are earmarked at their source (e.g., sales taxes and property taxes), rather than through an allocation from the pool of general funds. Dedicated funds cannot be diverted for other uses. We have found from our study of eleven profiles that a dedicated source of revenue is an essential feature of many of the more successful governance models because it helps ensure stability and reliability for the public and for the organization's funding partners, both public and private. Therefore, dedicated funding sources are a critical ingredient of any future transit governance structure.

Economic Development

The complex relationships that contribute to and influence the process of economic development make it a very sensitive topic. At issue is whether or not the government, or anyone, has sufficient understanding of its complexities to constructively manage or intervene in the incremental process of development in the many sub-markets represented in most metropolitan areas. That concern, notwithstanding, it is incumbent upon the community to oversee its transit investment for its long term benefit while assuming an appropriate role in an area traditionally the purview of the risk assessing private sector. Communities with successful transit systems have done this by devising station area development plans that reflect a synthesis of the host neighborhood's market strengths and the unique vision of that neighborhood's residents. Community stakeholders, working with teams of designers and economic development professionals, craft these perspectives into plans for transit-oriented, pedestrian-friendly, mixed use, mixed income communities within one-fourth to one-half miles of the transit station that serve as economic engines for the larger community. Such detailed and limited interventions in the private market have a high probability of success, especially when supported by public funding for critically important public goods. However, this approach cannot completely overcome the impacts of a regional land use development pattern that works at cross-purposes.

Governing Board Composition

The eleven profile cities offered a variety of approaches to governance structure, but most use a combination of appointed and elected officials. In Portland and St. Louis all the board members are appointed by the Governor, in the case of St. Louis by governors of two separate states. On the other end of the spectrum lie boards such as Denver where all 15 members are elected by district to four-year terms, or Salt Lake City where all 15 board members are appointed by county and municipal chief executives.

Assessment of the Current System

CTAG conducted a review of the current transit governance structure using the Transit Governance Principles described earlier and with the assistance of CATS staff and the UNC Charlotte Study Team. This review identified a number of strengths and weaknesses of the current structure as summarized below:

Consistency with 2025 Plan Goals:

Land Use

- Current structure helps to reinforce importance of 2025 Plan Goals to local jurisdictions;
- MTC members, by virtue of their positions within the jurisdiction have the ability to influence land use, zoning and facility development decisions;
- CATS peer relationship with other City departments provides the ability to influence and coordinate land use and transportation planning.

Travel Options

- MTC has adopted policies and practices that facilitate the improvement of transit service;
- CATS peer relationship with other City departments helps integrate transit service considerations into other City programs and projects.

Regional System

- Non-Mecklenburg County MTC members have no voting rights but have participated in the policy discussions and debate involved in planning the core transit system;
- As a City department, CATS is subject to pressures to respond to City priorities and concerns.

Sustainable Growth

- MTC members are elected officials only, which potentially limits input on market considerations in policy deliberations.

Funding and Equal Representation:

- The current structure relates well to the sources of funding;
- Current voting structure means Charlotte residents are under-represented;
- Funding of future inter-county transit improvements (i.e. rapid transit) by surrounding counties will require change in structure to provide representation.

Evaluation: Understandability, Reliability, and Accountability:

- Structure complex, hard to understand;
- MTC roles vs. City Council role;
- Elected officials accountable;
- Conflict resolution and veto power could disrupt stability;
- CATS as a department of the City adds credibility.

Evaluation: Efficiency and Effectiveness:

- MTC policy actions;
- CATS as a City department has been key during startup;
- MTC role and very nature limits functionality (e.g. Executive Session).

Evaluation: Implementation and Adaptability:

- The current structure is familiar to those involved;
- Sustainability of the current structure is problematic;
- Money, population, and votes.

CTAG Recommendations

CTAG's recommendations for the transit governance structure in the Charlotte area include a vision for the structure that would best serve the region's interests in the long run and a roadmap on how to achieve that future governance structure. Figure number one provides a graphic representation of both the long-term governance vision and the steps to reach this vision. The text that follows provides details on the recommendations and the rationale behind them.

Here and Now

Under the current transit governance structure, the MTC functions as the governing board for the transit system providing policy direction and management oversight. The City of Charlotte functions as the administrative agent for running the day-to-day operations of the transit system. CATS' employees are City employees, and the City owns all of the transit system's assets, is liable for activities of the transit system and enters into contracts on behalf on the transit system. Therefore the City of Charlotte is the designated Federal and State grant recipient with CATS Chief Executive Officer designated as the "responsible public official" for grants.

Presently the Charlotte-Mecklenburg Planning Commission is responsible for land planning and zoning for the City of Charlotte and its sphere of influence. In the northern end of the county beyond Charlotte's sphere of influence - the towns of Davidson, Cornelius and Huntersville have recently begun to coordinate their planning efforts. However, their formal planning and zoning processes are still maintained and operated separately. In the southern and eastern portions of the county beyond Charlotte's sphere of influence the towns of Pineville, Matthews and Mint Hill have neither a formal, nor an informal mechanism for land use planning and zoning coordination.

The policies included in Charlotte's General Development Policies cover the area within the current City limits and extend to Charlotte's sphere of influence. In the northern end of the County, the three towns have begun separately to formulate policies to support the anticipated transit station area locations. In the southern and eastern portions of the county the three towns have not adopted transit supportive policies.

Expand MTC

In this phase we are recommending that the MTC grows to nine voting members from the current eight by adding a representative from NCDOT. This addition will allow NCDOT to “buy-in” to the eventual independent agency. CTAG felt that giving representation to NCDOT accomplishes coordination at the state level, and recognizes their funding contribution commensurate with the notion of “pay to play” (a key feature of the Transit Governance Structure Principles). The CTAG report is due to MTC by June 30, 2004. CTAG recommends that acceptance of this report triggers the process of amending the existing Inter-local Agreement to expand the MTC. No other legal action is required.

Further Expansion

In this phase the MTC becomes an inter-county governing board. The City remains as the administrative agent and the City and County continue to review and approve the annual transit program and budget. This phase is triggered by the acquisition of a fixed asset (a bus way or rail line) in a county other than Mecklenburg. The Inter-local Agreement will need to be amended to reflect these changes in the governance structure.

In this expansion phase, which is viewed as an interim step towards the long-term vision, the MTC governing board expands by 6 voting members (to a total of 15). At this point MTC is an inter-county agency. This inter-county agency adds one representative from the non-Mecklenburg County communities to which a bus way or rail line is extended. The addition of this member allows the structure to relate to who pays the operating and capital costs. In order to be eligible to have a member on the board, the non-Mecklenburg County communities must have a dedicated (permanent) revenue source and supportive land use policies and zoning ordinances. To move in the direction of proportional representation in this step the inter-county agency adds 2 new representatives from the City of Charlotte giving the City 3 representatives and one additional representative from Mecklenburg County giving the County 2 representatives. One of the new City of Charlotte representatives would be a city appointee to the Charlotte Mecklenburg Planning Commission. This helps to balance representation across all areas. One of the citizens’ representatives is added by including the co-chairs of the Citizens Transit Advisory Group on an annual rotating basis. One person is added to represent the general business community, the support of which is vital for the success of the expanded transit system.

Long-Term Vision

Based on extensive research conducted over the course of a year, CTAG recommends an independent transit agency as the proper long-term governance system for the region’s transit system. Among the most important reasons for reaching this conclusion are the following: a regional transit system requires a regional governance model; land uses supportive of transit are a regional issue that is likely to be responded to more appropriately with a regional governance system; ten of the eleven MSAs profiled in the CTAG study – all of them similar to the Charlotte MSA – utilize an independent transit agency; the Federal Transit Administration is, therefore, comfortable in dealing with independent transit agencies; combining the policy making role with the constructing and operating roles in one agency is inherently more understandable and more functional than

the current governance system; owning a transit asset in another state is not possible for the City of Charlotte. For these reasons, it is imperative that the governance structure for the Charlotte Area Transit System transition over the next few years from the current structure to an independent transit agency.

While not all of the details of an independent transit agency have been resolved, CTAG has developed recommendations on some of the possible elements of such an agency. The independent transit agency would have the array of corporate powers authorized under state law. At the core, this means the agency would own, maintain, and be liable for the transit system and its assets. However taxing authority and land use planning would remain, as now, with the local jurisdictions. The City of Charlotte and Mecklenburg would lose the budgetary approval role that they now exercise. This role would pass to the independent transit agency. Local jurisdictions petitioning to join the existing transit organization or its successors would be expected to meet two qualifying elements: the jurisdiction would have a long-term dedicated revenue stream and the jurisdiction would have a land use plan for the transit corridor that would meet the generally accepted principles for supporting transit development. Protective measures would be required regarding long-term dedicated revenue sources and regional land use planning to insure system stability.

CTAG recommends a mix of elected and non-elected representatives on the Board of Directors of the independent transit agency with a minimum of fifty percent of those members non-elected to insure direct citizen representation. CTAG also recommends that the size of the Board be limited to approximately fifteen. The board's membership should be proportional with weighted voting. Appointments to the Board would continue as a function of the local jurisdictions as is the case presently, although the appointments will be guided by designations necessitated by the mix of elected and non-elected members. These recommendations are also based on the analysis of the eleven comparable MSAs. Mixing elected and non-elected representation, holding the size of the Board to a manageable number, and allowing local elected officials to make the appointments could all be characterized as best practices gleaned from the study of the eleven MSAs.

The creation of an independent transit agency would require legislative authorization by the General Assembly of North Carolina. At the time that the transit system extends into South Carolina, action by that legislative body may also be necessitated. In fact, the pursuit of an Interstate Compact, which would require joint action by the Congress of the United States and the two state legislatures, might be desired.

Not all facets of the independent transit agency have been fully explored in this study; however, CTAG or its successor agency seems perfectly situated to continue the work toward a successful transition from the present system to the independent agency envisioned as the long term preference for governance of the transit system.

Recommendations

- **MTC approve Governance Study Final Report in its entirety within 90 days of June 23, 2004 (September 23, 2004).**
- **MTC assign CTAG to monitor the implementation of these recommendations.**

Open Issues

- 1) How is proportional representation achieved using a weighted voting system?
- 2) By what mechanism will the governance structure continue to be reviewed and amended?
- 3) Specifically, how will the implementation of these recommendations be monitored? What role, if any, will CTAG and TSAC play?
- 4) Who will determine the newly created independent agency's operational procedures? Procedures include items such as appointments, by-laws, quorum requirements, eligibility requirements, rotation of board members, committee formations, attendance, determination of conflicts of interest etc.
- 5) How will land use policies in station areas be specifically determined? What protective measures will be put into place to ensure that transit system participations continue to adopt and implement land use plans which meet the accepted principles for support transit development?
- 6) How will the requirements of dedicated revenue sources be defined? What protective measures will be put in place to ensure that the transit system participants are required to maintain long-term dedicated funding of the system?

Table 1. Executive Summary. CTAG Governance Study Plan and Schedule

Task	Description	Responsibility	Timeframe for work	CTAG meeting where reported
I.	Determine goals and objectives for Governance Review	CTAG	July	July
IIA.	Determine list of stakeholders and plan for public input	CTAG	July	July
IIB.	Conduct first round of stakeholder meetings and public input sessions	UNC-Charlotte Team and CATS staff	August–September	September
III.	Prepare history of public ownership of transit in Charlotte	CATS staff	July	August
IVA.	Prepare preliminary governance issues paper	CATS staff	August	September
IVB.	Prepare final governance issues paper and stakeholder sessions	UNC-Charlotte Team	September–October	October
V.	Literature review	UNC-Charlotte Team	June– July	August
VI.	Develop database on Mesa’s comparable to Charlotte and on transit systems within MSAs	UNC-Charlotte Team	June– July	August
VII.	Analyze data and select 10-12 transit systems/MSAs for further study based on governance issues and literature review	UNC-Charlotte Team	October–November	November
VIII.	Develop detailed profiles of 10-12 transit systems	UNC-Charlotte Team	November–December	December
IX.	Develop transit governance models from analysis of 10-12 systems	UNC-Charlotte Team	November–December	January
X.	Conduct second round of stakeholder meetings and public input sessions	UNC-Charlotte Team and CATS staff	January–February	February
XI.	Review results of 2 nd round of stakeholder meetings and public input sessions	UNC-Charlotte Team, CATS staff, and CTAG	February – March	March
XII.	Preliminary CTAG findings and recommendations for discussion	UNC-Charlotte Team and CATS staff	March–April	April
XIII.	Final CTAG findings and recommendations	CTAG	April– June	May
XIV.	CTAG Final Report for submission to Interlocal Agreement signatories	UNC-Charlotte Team	May– July	June

Transit Governance Recommendation

PHASES

HERE AND NOW

EXPAND MTC

FURTHER EXPANSION

VISION

DESCRIPTION

*MTC policymaking body
*City as administrative agency

*MTC policymaking body
*City as administrative agency
* MTC expands to 9 voting members
- NCDOT becomes voting representative

*MTC as intercounty agency
-Policy making body
-City as administrative agency
*MTC expands to 15 voting members:
-Charlotte City Council Transportation Subcommittee Chair
-CTAG Member Co-Chair (City/County)
-CMPC Member (City)
-Mecklenburg County Commission MPO Representative
-Business Community representative with 2-3 year term limit
-Outside County representative (Dedicated funding source and land use policies required)
*City Council and BOCC continue to review/approve transit budget

*Indep. Transit Agency with full powers to own, build and operate system
*Proportional representation with weighted voting
*Policy board with mixture of elected and non-elected individuals; min. 50% non-elected
*Approximate number of board members = 15
*Dedicated funding sources from member jurisdictions
*Member jurisdictions must have adopted transit supportive land use policies/zoning

TYPE OF TRIGGERING EVENT

Acceptance of CTAG Report

Create transit asset across a County line¹

Create transit asset across a 2nd County line or the State line²

LEGAL ACTIONS

Amend Interlocal Agreement

Amend Interlocal Agreement

State Authorizing Legislation³

¹Construction of a rail line or busway.
²Inter-state Compact required when crossing State line.
³State legislation process will need to start 2 years before triggering event.

MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

NOVEMBER 15, 2005

5:00 P.M.

**NORTH CAROLINA
MECKLENBURG COUNTY**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, November 15, 2005.

ATTENDANCE

Present: Chairman H. Parks Helms and Commissioners
J. Daniel Bishop, Dumont Clarke, Bill James
Norman A. Mitchell, Sr., Jim Puckett
Wilhelmenia I. Rembert, Jennifer Roberts
and Valerie C. Woodard
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None.

Commissioner Bishop was absent when the meeting was called to order and until noted in the minutes.

-INFORMAL SESSION-

(1) STAFF BRIEFINGS – LAND BOND STATUS REPORT

The Board received an update on the 1999 Land Bonds.

Nancy Brunnemer with Real Estate Services gave the report.

The report addressed the amount allocated for the six Towns, the balance remaining, authorized expenditures to date, amounts Towns estimate that they would like to spend out of the remaining funds, total acreage acquired, completed acquisitions, and acquisitions moving toward completion.

A copy of the report is on file with the Clerk to the Board.

It was noted that \$1.4 million was expected to come back to the County from the sale of the Trolley Barn property back to Crescent Resources.

Commissioner James asked could funds from the sale of the Trolley Barn property be placed in the Historic Landmarks Revolving Fund?

Finance Director Harry Weatherly said the funds must go back into land bonds and explained why.

General Manager Bobbie Shields informed the Board that the Historic Landmarks Commission plans to come to the Board in December to ask if funds from the sale of the Trolley Barn property could be split between the Historic Landmarks Commission and Charlotte Trolley.

Chairman Helms asked staff to research whether the funds could be split, in anticipation of the Historic Landmarks' request.

Commissioner James asked about the status of the \$1 million that was left for the Town of Matthews.

Attorney Bethune addressed this inquiry and explained that this amount in actuality may not be left.

County Manager Jones noted that the defeat of the school bond and land bond in the last election has thus, limited the County's availability of resources for the purchase of land.

County Manager Jones noted also that there were several items already being proposed for the use of a significant amount of the balance of land bonds, such as the Town of Matthews project, which the Board has made a firm commitment to and the Westmoreland Athletic Complex, which a commitment had not yet been made but was scheduled for Board consideration.

County Manager Jones suggested two options for Board consideration: 1) move forward with those requests being proposed, which would further reduce existing resources for land acquisition or 2) that the Board direct the County Manager to review what the County's needs were and prioritize those needs and present to the Board a plan for expending funds based on the Board's prioritization of those needs, which could be in concert with the County Manager's recommendation or different.

County Manager Jones said he was not expressing opposition to any of the requests being presented to the Board, but was merely reminding the Board of existing circumstances, in light of the failed school and land bond referendums.

Commissioner Puckett asked whether the Town of Cornelius *Multiple park/open space tracts* shown in the report at \$2 million, was tied to Robbins Park or over and above that? Nancy Brunnemer with Real Estate Services said that it was over and above that and that it was a list of properties recently submitted by the Town for acquisition.

Commissioner Puckett asked for clarification with respect to the Town of Pineville, since the Town has not submitted any requests to the County. County Attorney Bethune explained the process for unspent funds.

County Attorney Bethune also noted that the items on the report shown in red were those that the County Manager was speaking of when he talked about prioritization of needs, except for the one for Matthews, which has been committed.

County Attorney Bethune explained that the County Manager would take the items noted in red in the report and prioritize them along with all of the County's other needs and as result some may get funded and some may not.

This concluded the discussion of the 1999 Land Bonds.

Note: The land bond update was presented for information purposes only. No action was taken or required.

(2A) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Woodard and carried 8-0 with Commissioners Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to go into Closed Session to discuss Land Acquisition.

The Board went into Closed Session at 5:45 p.m. and came back into Open Session at 5:48 p.m.

Commissioner Bishop was present when the Board came back into Open Session. He entered the meeting during Closed Session.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent and voted upon separately. The items identified were Items 9, 10, 15, and 18.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Invocation was given by Commissioner Bishop, which was followed by the Pledge of Allegiance to the Flag.

CITIZEN PARTICIPATION

Prior to the start of the meeting, several Commissioners and staff were given a flu shot at their request. After the shots had been administered, Dr. Wynn Mabry, director of the Health Department, addressed the availability of flu shots in the community.

PROCLAMATIONS AND AWARDS

(1A) NATIONAL ADOPTION AWARENESS MONTH 2005

Motion was made by Commissioner Rembert, seconded by Commissioner Woodard and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to adopt a proclamation recognizing November 2005 as “National Adoption Awareness Month” in Mecklenburg County.

The Board also recognized adoptive families in Mecklenburg County for their efforts to provide permanent homes for children.

The proclamation was read by Commissioner Rembert, received and addressed by Richard Jacobsen, Director of Social Services and by Becky Eissert and Judge Rickye McKoy-Mitchell who are both adoptive parents.

A copy of the Proclamation is on file with the Clerk to the Board.

(1B) AMERICAN INDIAN HERITAGE MONTH

Motion was made by Commissioner Roberts, seconded by Commissioner Rembert and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to adopt a proclamation designating November 2005 as American Indian Heritage Month.

The proclamation was read by Commissioner Roberts and received by Letha Strickland.

A copy of the Proclamation is on file with the Clerk to the Board.

(1C) PARTNERS FOR PARKS, INC. SCHOLARSHIP CHECK PRESENTATION

The Board received a check presentation from Partners for Parks, Inc. in the amount of \$29,480 for Mecklenburg County Park and Recreation, Therapeutic Recreation Summer Day Camp Scholarships 2005.

The check was presented by Partners for Parks board members, Joe Cogdell and Doug Youngblood, who were joined at the podium by Lola Masaad of Park and Recreation.

(2) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

(3) APPOINTMENTS - NONE

(4) PUBLIC HEARINGS - CERTIFICATES OF PARTICIPATION (COPS)

Motion was made by Commissioner Rembert, seconded by Commissioner James and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to open a public hearing regarding financing Court, School and County Building facilities through Certificates of Participation.

Project	Authorized	Project Authorization	Proposed Sale Amount	Balance
Court	2002	\$53,000,000	\$22,000,000	\$ -
Schools	2003	98,500,000	40,000,000	13,000,000
Schools	2004	73,900,000	45,000,000	14,900,000
County Facilities	2004	2,200,000	700,000	-

Note: The amounts recommended for sale at this time have been refined from the preliminary amounts estimated earlier this year. These amounts will allow the previously approved projects to continue and the sale proceeds are sufficient for construction needs to the next scheduled financing in January 2007.

No one appeared to speak.

The Board then considered Item 33 Bond and Certificates of Participation Sale Resolutions as noted.

(33) BOND AND CERTIFICATES OF PARTICIPATION SALE RESOLUTIONS

PUBLIC HEARING

The Chairman announced that this was the hour, day and place fixed for a public hearing held pursuant to Sections 160A-20(g) and 153A-158-1 of the North Carolina General Statutes, as amended, for the purpose of considering (1) whether the Board of Commissioners for the County (the "Board") should approve an installment financing contract under which the County would obtain financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, in an amount not to exceed \$110,000,000, for the purpose of accomplishing all or a portion of the Projects described in the Notice of Public Hearing and under which the County would secure the repayment by it of moneys advanced pursuant to such documents by granting a lien on a portion of the property subject to the Projects and (2) determining whether the County may acquire any interest in school property that is subject to the Projects from the Charlotte-Mecklenburg Board of Education. Any property acquired by the County would be subjected to the lien described above and leased back to the grantor.

The Chairman announced that the notice of the public hearing was published in The Charlotte Observer on November 3, 2005.

It was requested that the Clerk to the Board inquire to determine whether there were any persons who wished to speak at the public hearing. The names, addresses and testimony of the persons who were present and who offered comments on the proposed installment financing contract and the County's acquisition of school property, pursuant to or who responded in writing to the notice of public hearing, are as follows:

After the Board had heard all persons who had requested to be heard, **Commissioner James** moved that the public hearing be closed. The motion was seconded by **Commissioner Roberts** and was unanimously adopted.

* * *

Commissioner James introduced the following Resolution which was read by title, and moved it be adopted:

RESOLUTION AUTHORIZING AND APPROVING AN INSTALLMENT FINANCING.

WHEREAS, financing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing today regarding an installment financing agreement to finance the Project;

WHEREAS, there have been available at this meeting drafts of the forms of the following:

- (1) An Installment Financing Agreement to be dated as of February 1, 2006 (the "Contract") between the County and Mecklenburg County Public Facilities Corporation (the "Corporation");
- (2) A Deed of Trust to be dated as of February 1, 2006 (the "Deed of Trust"), from the County to a trustee for the benefit of the Corporation;
- (3) A Trust Agreement to be dated as of February 1, 2006 (the "Trust Agreement") between the Corporation and a trustee (the "Trustee");
- (4) An Official Statement (the "Official Statement") relating to Variable Rate Certificates of Participation evidencing proportionate undivided interests in revenues to be received by the Corporation under the Contract (the "Certificates");
- (5) A Certificate Purchase Agreement (the "Purchase Contract") among Wachovia Bank, National Association (the "Underwriter"), the County and the Corporation;
- (6) A Standby Certificate Purchase Agreement to be dated as of February 1, 2006 (the "Liquidity Facility") between the County and a provider (the "Bank"); and
- (7) A Remarketing Agreement dated as of February 1, 2006 (the "Remarketing Agreement") among the County, the Corporation and Wachovia Bank, National Association (the "Remarketing Agent").

WHEREAS, the Board of Commissioners of the County desires to approve the Contract and the sale of the Certificates and to authorize other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County as follows:

1. The Board hereby finds and determines in connection with the proposed installment financing agreement that (a) such proposed installment financing agreement is necessary or expedient to the County, (b) such proposed installment financing agreement, under current circumstances, is preferable to a bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing agreement are adequate and not excessive for its proposed purpose, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing agreement will not be excessive and (f) the County is not in default regarding any of its debt service obligations.
2. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina.

3. The County Manager and Director of Finance are hereby designated as representatives of the County to file an application for approval of such proposed installment financing agreement with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation of such proposed installment financing agreement and the development of the related financing; and all actions heretofore taken by the County Manager and Director of Finance relating to such matters are hereby approved, ratified and confirmed.
4. Each of the Contract, the Deed of Trust, the Purchase Contract, the Remarketing Agreement and the Liquidity Facility, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
5. The Trust Agreement, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.
6. The Official Statement, in the form submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Certificates is hereby authorized. The Chairman of the Board, the County Manager and the Director of Finance are each hereby authorized and directed to execute and deliver on behalf of the County, the Official Statement in substantially such form, with such changes, insertions and omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
7. The Chairman of the Board, the County Manager, the Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution and to effect the installment financing pursuant to the Contract. Without limiting the generality of the foregoing, the Director of Finance is authorized to approve all details of the financing, including without limitation, the amount advanced under the Contract (which shall not exceed \$110,000,000), the annual principal payments under the Contract, the term of the Contract, and the discount below the principal amount of the Certificates at which the Certificates are sold to the Underwriter, if any. Execution of the Contract by the Chairman of the Board, the County Manager or the Director of Finance shall conclusively evidence approval of all such details of the financing.
8. All actions of the County effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the documents referred to above.
9. This Resolution shall become effective immediately upon its adoption.

Commissioner Puckett seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dan Bishop, Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Wilhelmenia I. Rembert, Jennifer Roberts, and Valerie C. Woodard

NAYS: None

Resolution and Extracts recorded in full in Minute Book 42-A, Document # _____.

* * *

Commissioner James introduced the following resolution, a copy of which had been provided to each Commissioner, and the title of which appeared in the agenda for the meeting:

RESOLUTION PROVIDING FOR THE ISSUANCE OF
\$89,000,000 VARIABLE RATE GENERAL
OBLIGATION BONDS, SERIES 2006A

Upon motion of **Commissioner James**, seconded by **Commissioner Clarke**, the following resolution was passed by the following vote:

AYES: Commissioners Dan Bishop, Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Wilhelmenia I. Rembert, Jennifer Roberts, and Valerie C. Woodard

Noes: None.

* * * * *

BE IT RESOLVED by the Board of Commissioners (the “Board”) of the County of Mecklenburg, North Carolina (the “Issuer”):

WHEREAS, the Issuer has considered and evaluated both fixed and variable rate debt alternatives;

WHEREAS, the Issuer has considered and recognized that the current interest rates on fixed rate debt instruments are low and has determined that the estimated interest rate at which fixed rate could be issued is 4.35%;

WHEREAS, the Issuer has considered and recognized that variable interest rate debt instruments subject the Issuer to the risk of higher interest rates in the future, that the rate may be higher than the fixed rates that are currently available to the Issuer, and that in addition to the variable interest cost, the Issuer must pay the fees of the Liquidity Provider and the Remarketing Agent, which fees will increase the cost of the variable rate debt; and

WHEREAS, the Issuer believes that for this issue variable rate debt financing is preferable because (a) the initial interest rate is substantially below the fixed rate indicated above, (b) a variable rate provides the possibility of substantial cost savings over the life of the issue, and (c) the interest rate can be fixed at any time.

1. Pursuant to and in accordance with the following bond orders adopted by the Board, the Issuer shall issue its bonds in the principal amount of \$89,000,000:

\$2,000,000 from law enforcement facilities bond order approved at referendum November 8,

2005;

\$7,000,000 from community college facilities bond order approved at referendum November 8, 2005;

\$1,000,000 from park and recreation facilities bond order approved at referendum November 2, 2004;

\$39,000,000 from school facilities bond order approved at referendum November 5, 2002;

\$15,000,000 from school facilities bond order approved at referendum November 7, 2000;

\$25,000,000 from land bond order approved at referendum November 2, 1999.

The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from the date of the bonds.

2. The bonds to be issued pursuant to the preceding paragraph shall be designated “County of Mecklenburg, North Carolina Variable Rate General Obligation Bonds, Series 2006A” (hereinafter referred to as the “Bonds”). The Bonds shall be issued pursuant to the terms of G.S. 159-79. The North Carolina Local Government Commission will specifically determine pursuant to G.S. 159-79(a)(1) that a Credit Facility in addition to the Standby Bond Purchase Agreement referred to below is not required.

3. The Bonds shall be issued substantially in the form and in accordance with the terms set forth in **Exhibit 1** attached hereto and incorporated herein by reference, together with such changes not inconsistent with the general tenor hereof and thereof as the County Manager and the County Director of Finance, with the advice of counsel, may deem appropriate, their execution of closing certificates in connection with the issuance of the Bonds to evidence conclusively the authorization and approval thereof by the Board.

4. The Board hereby requests the North Carolina Local Government Commission to sell the Bonds with variable interest rate at private sale and without advertisement and designates the County Manager and the County Director of Finance as the persons who must approve the price or prices at which the Bonds are sold by the North Carolina Local Government Commission. The purchase price of the Bonds shall be 100% of the par amount of the Bonds, and the maximum initial interest rate shall be 12% per annum.

5. The forms, terms, provisions and distribution and use by Wachovia Bank, National Association (the “Underwriter”) of the Tender Agent Agreement among the Issuer, the Tender

Agent/Paying Agent and Wachovia Bank, National Association, the Bond Purchase Agreement among the Issuer, the Local Government Commission and the Underwriter, the Standby Bond Purchase Agreement between the Issuer and DEPFA Bank, PLC, New York Branch, the Remarketing Agreement between the Issuer and Wachovia Bank, National Association, and the Official Statement with respect to the Bonds are hereby approved in all respects, and each of the officers of the Board, the County Manager and the County Director of Finance are hereby authorized and directed to execute and deliver those documents in substantially the forms presented to this meeting, together with such changes not inconsistent with the general tenor hereof and thereof as they, with the advice of counsel, may deem necessary and appropriate, such execution and delivery to evidence conclusively the authorization and approval thereof by the Board. Each of those officers and employees are also authorized and directed to execute and deliver any certificates or other documents they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this resolution and the other documents described above, such execution and delivery to be conclusive evidence of the approval and authorization thereof by the Board.

6. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended, to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

7. This resolution shall take effect upon its passage.

EXHIBIT 1

Available for review in the Finance Department.

Resolution and Extracts recorded in full in Minute Book 42-A, Document # _____.

(2A) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Rembert and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to approve the purchase of +/- 43.31 acres (all of Tax Parcels 019-191-02 and 019-191-21) off Holbrooks Road from Catawba Lands Conservancy for \$8,195 per acre.

(5) ADVISORY COMMITTEE REPORTS - NONE

(6) MANAGER'S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner Rembert, seconded by Commissioner Roberts and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to approve the following items with the exception of Items 9,10, 15, and 18 to be vote upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held November 1, 2005 and Closed Session minutes of November 1, 2005.

Approve amending minutes of October 18, 2005 to make a correction in the motion to go into Closed Session that should have indicated the name of the case that was discussed in Closed Session under Consult with Attorney, which was Paul Midgett V. James Pendergraph, Rodney Collins, Paul Gee, Doltheia Thigpen, Aerris Smith, And Gabriel Hill.

(8) IV-E MAXIMIZATION FUNDING – DSS

Recognize, receive, and appropriate federal IV-E Maximization funds in the amount of \$73,717.

Note: Federal IV-E Maximization funding in the amount of \$73,717 was passed through via the State to Mecklenburg County. The funds are due and payable by the State of North Carolina to Lutheran Family Services, Inc., a contract service provider to the DSS Youth and Family Services Division that provides foster care and group home services to DSS children. Service providers receive these funds under the State IV-E Maximization program for the difference between their State- approved facility rate and the lesser reported amount paid by the County in the Child Welfare System for foster care services. Rather than send the funds directly to the service provider, the State sent the funds to Mecklenburg County with the request that DSS forward the funds to Lutheran Family Services, Inc.

(11) NORTH CAROLINA DEPARTMENT OF TRANSPORTATION COMMUNITY TRANSPORTATION GRANT APPLICATION – SET PUBLIC HEARING

Schedule a public hearing for December 6, 2005 at 6:30 p.m. to receive comments on the Mecklenburg County Department of Social Services’ application for the North Carolina Department of Transportation’s Community Transportation Grant for Fiscal Year 2006-2007; and authorize Clerk to the Board to publish notice of intent to hold a public hearing.

(12) VEHICLE PURCHASES – DSS

Approve the purchase of (4) 25 foot light transit vehicles with wheelchair lifts by the Department of Social Services.

(13) AREA MENTAL HEALTH AUTHORITY FIRST QUARTER FY 2006 REPORT

Recognize and receive the First Quarter 2006 Area Mental Health Authority Report.

Financial Management:

Revenues			
Revenue Source	Budgeted Revenues	Actual Revenues	% Received
Medicaid	\$21,789,704.00	\$635,396.92	2.92%
			10

Medicaid-CAP	2,507,160.00	207,597.09	8.28%
State and Federal	29,617,716.00	2,274,463.94	7.68%
State – CTSP	1,352,162.00	0.00	0.00%
State - MR/MI	2,254,590.00	0.00	0.00%
Third Party/Other	167,000.00	33,812.43	20.25%
Grants	648,069.00	56,042.62	8.65%
County	35,217,827.00	11,132,525.99	31.61%
Total Revenues	\$93,554,228.00	\$14,339,838.99	15.33%

Expenditures

	Budgeted Expenditures	Actual Expenditures	% Spent
Service Continuum			
Children's Developmental Services	\$5,488,094.00	\$1,222,664.55	22.28%
Child & Adolescent Services	19,300,279.00	2,562,178.46	13.28%
Adult Mental Health	6,723,504.00	1,092,212.04	16.24%
Adult Substance Abuse	11,668,077.00	1,907,260.40	16.35%
Local Management Entity	12,866,762.00	2,125,002.32	16.52%
BHC Randolph	15,263,242.00	3,261,632.76	21.37%
Developmental Disabilities	22,244,270.00	2,168,888.46	9.75%
Total Expenditures	\$93,554,228.00	\$14,339,838.99	15.33%

Note: Regulations require that the Financial Management section of the report be noted in the minutes.

A copy of the report is on file with the Clerk to the Board.

(14) DISPOSAL OF PUBLIC HEALTH PEST MANAGEMENT RECORDS

Approve the disposal of Public Health Pest Management Records, ie. complaints, applications, and service requests from 1983-2000.

(16) BINGHAM ROAD AGREEMENT AT MALLARD CREEK COMMUNITY PARK

Authorize the County Manager to enter into an agreement with the Charlotte-Mecklenburg Board of Education and the Oehler and Dixon Families to modify existing Bingham Road encumbrances to accommodate CMS' plans for access to the new high school facility and to improve the road's current functions serving the adjoining land owners.

Agreement recorded in full in Minute Book 42-A, Document # _____.

(17) LAND ACQUISITION FOR MALLARD CREEK HIGH SCHOOL

Approve \$250,000 purchase price for 3.14-acre Tax Parcel 029-331-14 off Johnston-Oehler Road by the Charlotte-Mecklenburg Board of Education for Mallard Creek High School.

(19) COMMUNITY HOUSE ROADWAY IMPROVEMENTS

Approve conveyance of .74-acre for permanent right of way, .45-acre for a temporary construction easement and .01-acre for a permanent drainage easement from Tax Parcels 229-041-11, 229-041-18 and 229-041-31 along Community House Road at the Ballantyne District Park site to the North Carolina Department of Transportation for \$108,500.

Note: Conveyance is in connection with Community House roadway improvements.

(20) CHARLOTTE UNITED FUTBOL CLUB, INC (CUFI) – CONTRACT

TERMINATION

Accept a notice by Charlotte United Futbol Club, Inc (CuFI) of an offer to terminate a 30-year lease agreement on Harrisburg Road Park property in exchange for a credit for planning and development improvements of up to \$53,517 plus the potential of an additional \$10,223 if existing permits and surveys are usable, toward field use after development; and authorize the County Manager to negotiate and execute a lease termination agreement.

Note: In 2001 Mecklenburg County entered into a 30- year lease agreement for CUFI to develop and maintain Harrisburg Road Park for the purpose of developing soccer fields. CUFI is not in a financial position to develop these fields yet, however they have completed plans for the fields as well as obtained some permits. Mecklenburg County Park and Recreation Department (MCPRD) is in a position to build much needed soccer fields in the eastern corridor. As a result of the planning and site work accomplished by CUFI, MCPRD can gain some beneficial use of the construction documents and expedite the construction process. The value of the plans and site work provided by CUFI has been valued at \$53,517 plus the potential of an additional \$10,223 if existing permits and surveys are usable.

(21) NATIONAL GARDENING ASSOCIATION YOUTH GARDEN GRANT

Approve submission of application for the National Gardening Association Youth Garden Grant for FY 2006; and recognize, receive and appropriate funds if grant is accepted by the National Gardening Association.

Note: The Therapeutic Recreation Division currently has a small gardening program for teens and young adults who have disabilities. This grant would be utilized to increase the reach of this program and strengthen the opportunities for participants within the existing program.

(22) COPS 2005 TECHNOLOGY GRANT (OMS) – SHERIFF’S OFFICE

Recognize, receive and appropriate funds from the COPS 2005 Technology Grant in the amount of \$70,000 and recognize, receive, and appropriate interest income earned on this grant during the term of this grant in accordance with grant requirements.

Note: The 2005 COPS Technology Grant will allow the Sheriff’s Office to purchase an Offender Management System (OMS) community software module / address enhancements needed to the Offender Management System, which interfaces with the new CJIS system. The enhancements are needed to address business process and security improvements centered on inmate movement, program participation and mugshot integration.

(23) CDBG OPTIONAL COVERAGE RELOCATION POLICY

Adopt an Optional Coverage Relocation Policy for the Community Development Block Grant Scattered Site Housing Program.

Policy recorded in full in Minute Book 42-A, Document # _____.

(24) WEB SECURITY - IST

Approve requirement contracts for procuring Blue Coat Technology Equipment based on available funding, to Forsythe Solutions Group in an estimated amount of \$129,802.

Note: Blue Coat is a web content filtering solution to block access to inappropriate web content. This solution replaces and enhances the existing web caching/site filtering solution.

(25) TAX REFUNDS

Approve refunds to be made by the Finance Department as requested by the Tax Assessor in the amount of \$11,634 resulting from clerical errors, audits and other amendments.

A list of the refund recipients is on file with the Clerk to the Board.

(26) KILBORNE PARK RENOVATIONS CONSTRUCTION CONTRACT

Award a construction contract to Eaglewood, Inc. in the amount of \$401,300 for Kilborne Park renovations.

(27) LAND EXCHANGE IN CAMP GREENE PARK AREA

Adopt a resolution entitled: Mecklenburg County Board of Commissioners Resolution Authorizing the Exchange of a Portion of Tax Parcel 067-113-44 at Camp Greene Park for Tax Parcels 067-084-08 and 067-084-18 on Royston Road and a Portion of Tax Parcel 067-084-32 on Weyland Avenue.

Resolution recorded in full in Minute Book 42-A, Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(9) CONTRACT FOR PURCHASE OF A HYBRID VEHICLE

Motion was made by Commissioner Roberts, seconded by Commissioner Bishop and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts, and Woodard voting yes, to defer consideration of a unit price contract for a hybrid vehicle sedan with Hendrick Honda at \$19,550, until the December 6, 2005 meeting.

Commissioner Roberts and Bishop removed this item from Consent because of questions regarding bidders.

Note: The appropriate staff was not present to address this issue, which is why it was deferred.

(10) REVISIONS TO THE MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE (MCAPCO)

Motion was made by Commissioner Roberts, seconded by Commissioner Rembert and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts, and Woodard voting yes, to adopt revisions to the Mecklenburg County Air Pollution Control Ordinance (MCAPCO) by reference.

Commissioner Roberts removed this item from Consent for more clarification regarding the revisions.

Randy Poole with Air Quality addressed the revisions.

A summary of the revisions is on file with the Clerk to the Board.

Ordinance recorded in full in Minute Book 42-A, Document # _____.

(15) NC CLEAN WATER MANAGEMENT TRUST FUND GRANTS

Motion was made by Commissioner Roberts, seconded by Commissioner Rembert and

unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts, and Woodard voting yes, to approve the submittal of McAlpine Creek - Sardis to Providence Road; Little Sugar Creek – 3rd to 7th Street; and McDowell Creek Watershed wetland construction/stream restoration grant applications to the North Carolina Clean Water Management Trust Fund; and upon award of grants, recognize, receive and appropriate the grant awards.

Commissioner Roberts removed this item from Consent for more public awareness.

(18) GREENWAY DONATIONS

Motion was made by Commissioner Roberts, seconded by Commissioner James and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts, and Woodard voting yes, to accept the donation of Tax Parcels #025-148-76 (8.73 acres) and a portion of 025-181-20 (9.2016 acres) on Long Creek from Centex Homes, LLC.

Note: These parcels will add to the greenway assemblage along Long Creek. They are located in the Northwest Park District.

Commissioner Roberts removed this item from Consent for more public awareness.

STAFF REPORTS AND REQUESTS

(28) PARK MASTER PLAN ADOPTION AND PARK NAMING FOR NEW WEST PARK IN THIRD WARD

This item was removed from the agenda.

(29) AMENDED TRANSIT GOVERNANCE INTERLOCAL AGREEMENT

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to approve amendments to the Transit Governance Interlocal Agreement.

Note: These amendments include issues related to the timing of adding a North Carolina Department of Transportation (NCDOT) representative as a voting member of the MTC; the timing and criteria for adding representatives of jurisdictions outside of Mecklenburg County as voting members of the MTC; the need for amendments to certain provisions of the Interlocal Agreement that may be potential impediments to continue implementation of the System Plan (Budget Approval, New Membership, Under Representation Issues); and the reconstitution and Agreement to the eight original signatories (Mecklenburg County, City of Charlotte, Towns of Huntersville, Davidson, Mint Hill, Pineville, Cornelius, and Matthews) for adoption.

Ron Tober, Charlotte Area Transit System CEO addressed this matter.

Summary of Governance Changes

NCDOT

- NCDOT to become voting member of MTC in recognition of their funding partnership
- Representative could be NCDOT Board of Transportation Member or person designated by Secretary
- Timing: as soon as possible

Adding additional voting members from surrounding counties

- Refer to as new "non-party" voting members to MTC
- To become a member:
 - Completion of FTA sanctioned studies
 - Demonstrated financial commitment

- Adoption of transit supportive land use and zoning policies

Under representation Issue

- No action recommended or approved
- Revisit issues when 11 voting members on MTC is imminent

Future role for CTAG

- CTAG to continue with present make up of 13 members
- Revised mission, with seven primary activities/responsibilities:
 - Transit program review, comment, recommendation
 - Transit Policy review, comment, recommendation
 - Review, comment, recommendation on Corridor rapid transit alignment and Preliminary Engineering and Environmental Study technology plans
 - Provide community insight and proactive efforts towards transit plans and system performance
 - Provide input and advice on community awareness efforts related to transit oriented land use planning
 - Provide proactive effort to increase community awareness on value of investing in transit
- CTAG meeting schedule to change
- Future MTC review of CTAG mission

Transit Program Review and Approval

- City Council review to continue
- Mecklenburg County Board of Commissioners review discontinued
- New dispute resolution procedure
 - Charlotte Mayor appoints 3 City Council members
 - BOCC Chair appoints 3 non-city MTC members
 - Resulting committee meets within 60 days to resolve differences and recommend to City Council and MTC an agreed upon transit program and budget

Timing of Annual Transit Program Submission

- Previous requirement of Staff submittal to MTC by December 15
- Approved change
 - Staff submittal to MTC by January 30
 - MTC review in January/February/March
 - MTC action by April 30
 - City Council review/approval in May

Future Amendments to Transit Governance Interlocal Agreement

- City Council and Mecklenburg County Board of Commissioners must approve any amendments
 - Recognizing City's fiduciary responsibility and County's role in enactment of sales tax
- At least 75% of towns must approve any amendments
 - Protects against a single town vetoing any amendment

Agreement recorded in full in Minute Book 42-A, Document # ____.

(30) MATTHEWS INTER-LOCAL AGREEMENT FOR LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to approve an inter-local agreement with the Town of Matthews to acquire +/- 94.5776 acres on Matthews-Mint Hill Road and to lease the property to the Town for 50 years.

Park and Recreation Director Wayne Weston and Nancy Brunnemer with Real Estate Services addressed this issue, prior to the vote.

Note: The subject agreement would allow the portion of the 1999 Land Bonds designated for Matthews' use to be utilized in a different way than the original inter-local agreement provided. In short, the Town's share of those bonds would be encumbered for a time period during which the Town would determine whether to use those funds to purchase a particular pair of parcels on Matthews-Mint Hill Road with no match to the County's funding. Under this scenario, the County would own the land and lease the property to the Town for 50 years to be used for park and open space purposes. The specific Tax Parcels are 215-163-01 (Purser Family) and 215-163-11 (Hulsey Family) totaling approximately 94.5776 acres. Under the new agreement, the Town would be able to utilize their 2004 bond (of \$5,000,000) to develop a park on the subject

property and also possibly acquire/develop other park and recreation facilities within their corporate limits. The Town may choose not to utilize the County's land bonds.

Agreement recorded in full in Minute Book 42-A, Document # ____.

(31) ROBBINS PARK LAND EXCHANGE & WESTMORELAND ATHLETIC COMPLEX

Motion was made by Commissioner Bishop, seconded by Commissioner James and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to direct County staff to work with Town of Cornelius staff and the developer to assemble necessary information to start the formal process for the Robbins Park land exchange with the developer and the revision to the Town of Cornelius park lease consistent with the Park and Recreation Commission and LUESA staff recommendations.

Note: The Park and Recreation Commission recommendation was to endorse the Robbins Park Land Swap subject to the Huntersville Low Impact Design Standard and compliance with the Mecklenburg County Park and Recreation Department letter dated August 25, 2005.

A copy of the letter is on file with the Clerk to the Board.

LUESA staff recommendations were:

- 1) All current forested areas remain forested and if there is any disturbance, the proposed mitigation has to be approved by County Water Quality prior to disturbance;*
- 2) The Westmoreland Athletic Complex, the Waters/Simonini development and Robbins park will comply with the Huntersville LID Ordinance; and*
- 3) An easement be granted to the County (approved by Storm Water) by Waters/Simonini development for potential greenway, stream restoration and stream buffer enhancements along McDowell Creek.*

Robert Patterson, Chairman of the Park and Recreation Commission and Lee Jones of Park and Recreation addressed this issue prior to the vote.

Westmoreland Athletic Complex

The Board then considered the Westmoreland Athletic Complex issue.

Robert Patterson, Chairman of the Park and Recreation Commission, Lee Jones of Park and Recreation, and Wayne Weston, Park and Recreation Director addressed this issue.

Motion was made by Commissioner Roberts, seconded by Commissioner Mitchell, to defer consideration of the Westmoreland Athletic Complex issue until a report is received from the County Manager with respect to a reprioritization of existing land bonds, unspent and currently allocated.

Commissioner Roberts said that the motion was being made in light of the recent failure of land bond.

Commissioner Bishop asked whether the Westmoreland proposal fit into the County's Park Master Plan? The response from Director Weston was that this was not a project that is identified in the County Park Master Plan, nor was it consistent with the County's Master Plan.

Commissioner Puckett expressed concern for the availability of the fields to all citizens, since it appeared that the developer would control the property on the weekends during baseball/softball season. Commissioner Puckett said that the best that the citizens get out of this proposal was some additional practice fields during the week.

Commissioner Puckett said he would support the deferral, which would give County staff time to address his concern with respect to availability, along with addressing the status of fields in the area, and what could be done with these funds otherwise.

Anthony Roberts, Town Manager for Cornelius, Town Attorney Bill Brown, and Town Park and Recreation Director Paul Herbert addressed this issue

Town Manager Roberts informed the Board that the \$1.5 million for the Westmoreland Athletic Complex was a priority for the Town. Town Manager Roberts said the Town would not have a problem with the County taking another look at the other \$2 million and how it should be prioritized.

Town Manager Roberts said the Town of Cornelius went through the Park and Recreation Commission process as requested by the Board and that they have been working with County staff to develop the terms sheet. He noted that they have been using the Queens College agreement as a model for developing their agreement. He asked that the Board move forward with approving the project because it was a high priority for the Town of Cornelius.

Town Manager Roberts noted also that the facility was for public use 100% and that minority contracting was being addressed.

Commissioner Clarke asked Director Weston whether the agreement between the Town of Cornelius and the private business that's going to operate the facility be subject to the County's approval?

Director Weston said he did not believe the agreement would be subject to the Board's approval.

Commissioner Clarke suggested the Board not approve the proposal unless it has the right to approve the agreement between the Town of Cornelius the private business that's going to operate the facility.

Town Manager Roberts said he would want the County's approval.

County Manager Jones noted that there appeared to be some inconsistencies in the information that was being received from Cornelius.

County Manager Jones said there was confusion about what the real outcome will be for this project.

County Manager Jones asked for clarification with respect to the deferral and the reprioritization of land bonds. He asked was it correct to move forward with the reprioritization, which would include the Westmoreland Athletic Complex, but with the understanding that the Westmoreland Athletic Complex was still subject to the Board's review and action on the County Manager's recommended reprioritization.

It was the consensus of the Board that the County Manager's interpretation was correct.

Commissioner Puckett said he felt the Westmoreland Athletic Complex would be an asset to Cornelius, however, he has to look beyond the economic impact of this for the Town.

Commissioner Puckett said he also has to look at how the County uses its limited resources and what the deliverable is.

Commissioner Puckett said he was not convinced, at this time, with respect to the deliverable of this project.

Cornelius Park and Recreation Director Herbert said the agreement the Town of Cornelius would enter into with the private entity for the Westmoreland Athletic Complex would be the same type of First Right of Reservation agreement the County has at other park facilities, such as at the Renaissance park and what occurs already in Huntersville.

Commissioner Puckett asked would the facility be ran by a for-profit organization or non-profit?

Cornelius Town Attorney Brown said it would be ran by the Town, a non-profit government, with the private entity being under a contractual agreement with the Town, using essentially the identical documents that the County has used for its Queens athletic facilities at Marion Diehl Park.

Commissioner Woodard expressed concern regarding the availability of the facility to the public, since it would be used by the private entity 32 weekends out of the year.

Cornelius Town Attorney Brown asked the Board to consider keeping the Westmoreland Athletic Complex issue separate from the land bonds issue.

Chairman Helms noted that there was still confusion with respect to the project and conflicting information regarding the availability of the facility to the public. He said these types of conflicting statements and documents need to be cleared up.

Chairman Helms asked that the agreement concerning the Westmoreland Athletic Complex be provided to the Board.

Chairman Helms concurred also that the Board should deal with the reprioritization of land bonds as a separate issue.

Following further discussion of this matter, **Commissioner Roberts amended her motion, which was seconded by Commissioner Woodard, to defer consideration of the Westmoreland Athletic Complex issue, pending the receipt of a draft of the agreement concerning the Westmoreland Athletic Complex and the Board's questions being answered.**

The vote was then taken on the motion as amended and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes.

Commissioner Mitchell left the dais and was absent until noted in the minutes.

(32) ANNEXATION OF COUNTY PROPERTY BY TOWN OF CORNELIUS

Motion was made by Commissioner Puckett, seconded by Commissioner Woodard and carried 8-0 with Commissioners Bishop, Clarke, Helms, James, Puckett, Rembert, Roberts and Woodard voting yes, to authorize the County Manager to execute a petition for the voluntary annexation of the County's 101-acre Robbins Tract into the Town of Cornelius.

Commissioner Mitchell returned to the dais.

Chairman Helms, and Commissioners Bishop and Puckett left the dais and were absent until noted in the minutes.

Vice-Chairman Rembert chaired the meeting until noted in the minutes.

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(34) NACO CONFERENCE 2011 OR 2012

Motion was made by Commissioner Mitchell, seconded by Commissioner Roberts and carried 6-0 with Commissioners Clarke, James, Mitchell, Rembert, Roberts and Woodard voting yes, to authorize the Chairman to submit a letter of interest to the National Association of Counties (NACo) to host the 2011 or 2012 NACo Annual Conference here in Mecklenburg County.

Commissioners Puckett, Bishop and Chairman Helms returned to the dais.

(35) HIV/AIDS DISEASE COUNCIL

Motion was made by Commissioner Woodard, seconded by Commissioner Clarke and

unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts and Woodard voting yes, to approve the creation of an HIV/AIDS Disease Council but with an amendment to the composition, which is the deletion of the two advocate positions.

HIV/AIDS Disease Council Charge and Composition

Charge of the HIV/AIDS Disease Council

In January 2004, the HIV/AIDS Task Force presented its findings and recommendations to the Mecklenburg County Board of County Commissioners. Included in the recommendations was the formation of an HIV/AIDS Disease Council. The charge of the Council, as presented in the HIV/AIDS Task Force report, would be to act as a broad-based coordinating body that would focus on a communitywide, coordinated system of service delivery for prevention and care. This would be accomplished in the following ways:

- **The Council would address the continuum of prevention and care services required by HIV disease, bring community assets such as support and collaboration to bear, convene shared planning processes, research and make recommendations on best practices and systems gaps, and provide a collaborative base for seeking additional funding.**
- **The Council would develop an action plan beyond the proposed First Steps Plan and monitor its progress.**
- **The Council would be inform he Commissioners in their roles as the Board of Health, on current trends and needs related to HIV disease in the community twice a year, or more frequently if needed.**
- **Three positions on the proposed Council should be permanent. They are:**
 - Mecklenburg County Health Director
 - Chair of the HSC Health Committee
 - Member of the Board of County Commissioners Community Health and Safety Committee (as appointed by the Board).
- **The remaining positions should be filled using CDC guidelines. A template is below (as outlined at the 6/21 Community Health and Safety meeting):**
 - Three persons who reflect the characteristics of the epidemic in the County
 - Three local Health Department staff members
 - An expert in Epidemiology, an expert in behavioral science, an expert in the social sciences, an expert in program evaluation and an expert in health planning.
 - Three representatives of key non-governmental organizations relevant to, but who may not necessarily provide, HIV prevention services (ex. Faith and business community)
- The proposed Council would meet quarterly with the Community Health and Safety FALT
- The proposed Council would meet semi-annually with the Community Health and Safety Committee of the Board of County Commissioners
- Members of the proposed Council would serve staggered three year terms

Note: The following occurred prior the above vote:

Commissioner Puckett questioned the need for the two advocate positions, in light of the fact that County staff appointed to the council would be advocates.

Commissioner Woodard, who proposed and addressed the creation of the council agreed to delete the two advocate positions, as suggested by Commissioner Puckett.

Commissioner Woodard said that what she was asking for at this point was the establishment of the council and that the charge and composition could be adjusted at a later date, if necessary.

General Manager Janice Jackson presented the initial proposal.

Chairman Helms resumed chairing the meeting.

(36) COPS ISSUANCE FOR COMMONSENSE SCHOOL CONSTRUCTION

Motion was made by Commissioner Bishop, seconded by Commissioner James and failed 6-3 with Commissioners Clarke, Helms, Mitchell, Rembert, Roberts, and Woodard voting no and Commissioners Bishop, James, and Puckett voting yes, to build new schools and new seat additions targeted to relieve severe overcrowding by the issuance of Certificates of Participation (COPs) in a cumulative amount not to exceed \$254 million for the following project list:

Southeast High School
Belmeade Road Middle School
Ridge Road Middle School
Belmeade Road Elementary School
Bradley Elementary School
Dixie River Road Elementary School
Elon Park Elementary School
Hucks Road Elementary School
Idlewild Road Elementary School
Providence Road Elementary School
North Mecklenburg High School Addition (16 classrooms)
South Mecklenburg High School Addition (9 classrooms)
Alexander Middle School Addition (6 classrooms)
Alexander Graham Middle School Addition (17 classrooms)
Cochrane Middle School Addition (10 classrooms)
McClintock Middle School Addition (9 classrooms)
Idlewild Elementary School Addition (2 classrooms)
Long Creek Elementary School Addition (9 classrooms)

To facilitate and carry out this action, the Board directs the County Manager:

1. To develop in consultation with Charlotte-Mecklenburg Schools staff a debt-issuance schedule and such technical ordinances or resolutions as may be required to effectuate this COPs-funded construction package, with initial debt issuance by April 2006;
2. To tailor the debt-issuance schedule and technical ordinances or resolutions to a construction scheduler for the listed projects that prioritizes them according to severity of overcrowding conditions they are expected to relieve and to accomplishing completion of each project at the earliest practicable time;
3. To develop proposed action(s) as needed for the county-owned site on Highway 51 to be made available for the construction of the Southeast High School listed above;
4. To evaluate and make recommendations to the Board, in cooperation with CMS staff, as to the possibility of management of these projects through Mecklenburg County Real Estate Services;
5. To evaluate in light of existing and projected overcrowding at North Mecklenburg High School, the alternative of a new high school at the existing CMS Bailey Road site in lieu of the 16-classroom addition project in the above list, for a net increase in the maximum funding amount commensurate with such revision; and
6. To bring action items to the Board within 60 days for the consummation of the COPs financing authorization.

Prior to the above vote, the following persons spoke in support of Commissioner Bishop's proposal:

Kaye McGarry, a member of the Board of Education

The following persons spoke in opposition:

Dwayne Collins
Richard McElrath
Queen Thompson

The following person was neither in favor or opposition but expressed support for the building of new schools and seats as soon as possible, Samuel R. Spencer, IV.

The proposal was also addressed by several of the Commissioners.

(37) BUILDING CONSENSUS ON A CMS CAPITAL PACKAGE

Motion was made by Commissioner Rembert, seconded by Commissioner Roberts and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts, and Woodard voting yes, to Direct the County Manager to develop and recommend a consensus-building process that asks stakeholders to help build a school capital package that will be supported by the community.

Note: This was proposed by Chairman Helms in light of the fact that On November, 8, 2005, the voters of Mecklenburg County said, “No” to a \$427 million bond referendum for schools and a \$66 million bond referendum for land.

Commissioner Roberts asked that staff also keep in mind the land bonds issue, as well.

COMMISSION COMMENTS – General comments were made at this time by various Commissioners regarding upcoming events and/or events they attended, as well as, other matters which they deemed note worthy.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Mitchell, and unanimously carried with Commissioners Bishop, Clarke, Helms, James, Mitchell, Puckett, Rembert, Roberts, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:18 p.m.

Janice S. Paige, Clerk

H. Parks Helms, Chairman

METROPOLITAN TRANSIT COMMISSION
MEETING SUMMARY
October 25, 2023

Presiding: Mayor Vi Lyles, City of Charlotte

Present:

Commissioner Leigh Altman (MCBOCC)
County Manager Dena Diorio (Mecklenburg)
City Manager Marcus Jones (Charlotte)
Andrew Grant (Town Manager, Cornelius)
Mayor Rusty Knox (Town of Davidson)
Mayor Melinda Bales (Town of Huntersville)
Anthony Roberts (Town Manager, Huntersville)
Mayor John Higdon (Town of Matthews)
Mayor Brad Simmons (Town of Mint Hill)
Brian Welch (Town Manager, Mint Hill)

Mayor Jack Edwards (Town of Pineville)
Ryan Spitzer (Town Manager, Pineville)
Tony Lathrop, Esq. (NCDOT)
City Councilman Edmund Driggs (Charlotte)
City Councilman Braxton Winston (Charlotte)
Patrick Baker, Esq. (City of Charlotte)
Mayor Walker Reid III (City of Gastonia)
L. J. Weslowski (Transit Director, City of Concord)
Mayor Pro Tem David Scholl (Town of Stallings)

Interim CATS Chief Executive Officer: Brent Cagle

I. Call to Order

The hybrid regular meeting of Metropolitan Transit Commission was called to order at 5:30pm by MTC Chairwoman Mayor Vi Lyles, City of Charlotte.

II. Review of Meeting Summary

The meeting summary of September 27, 2023 was approved.

III. Public Comments - None

IV. Transit Work Group Update – No Meeting

V. Interim Chief Executive Officer’s Report – Based on pages 15-32 in the MTC Agenda Packet for October 25th, 2023

Discussion:

INTERIM CATS CEO CAGLE: Starting on page 15 and running through page 32, of your packets, are the updates on the safety reports, the ridership reports, and the sales tax report. I would take any questions if there are any. These are the same reports that we provide monthly on safety ridership and sales tax.

Ridership

I will note on ridership, we continue to see increases in ridership steadily. Year-over-year we are still below where we were pre-COVID. We are seeing some positive trends really across all of our modes of transportation post-COVID.

Also, on ridership, a big part of ridership is missed trips and frequency, we talked about that at length throughout the sessions today. Our missed trips, a little bit up from last month,

but still, below the 5% threshold that we have established. They were around 4% in September, about 3% the prior month.

Sales Tax

Sales tax reporting, you will note that I asked staff to go back to the standard reporting that we have always been doing or the standard formatting for the sales tax reporting that CATS had always been doing for probably as long as there has been an MTC and this report out there.

We were looking at the state statute and while it seems a bit counter intuitive, it is in the state statute this way to count total population in effect doubling the total population by County of Mecklenburg County total population once, and then counting all of the towns, including Charlotte as additional population above and beyond the Mecklenburg County population. That results in a total population for this calculation of 2,175,457; using those population numbers, and then converting a percent of total. The rest of the revenues on a monthly and then annual basis are allocated accordingly.

I apologize, it was my mistake last month for alternating from that and I apologize for that.

COUNTY MANAGER DIORIO (Mecklenburg): Just looking at the DSS trips and looks like there's some pretty significant swings from year to date for fiscal year 23-24. 420 last year to 5,316 this year. If you look at the monthly numbers, 329 vs 112, can you talk to me a little bit about the wild swings in the DSS transportation.

INTERIM CATS CEO CAGLE: This has been something that we've been looking into because we've seen the wings. Commission Altman had asked about it last month as well. It is not that the ridership is swinging. As we understand it, we're still trying to get to the bottom of it with the county but as we understand it, it's not that the ridership is swinging. The county only reports to us the riders that are associated with dollars spent on the sales tax revenue. Because they have been using, I believe COVID money or had been in the past, there had been no reporting of the passengers. It's a reporting issue that we are working on with county, it is not reflective of swings in ridership, it's reflective of the funding that has been utilized over the last few years.

MAYOR LYLES (City of Charlotte): I want to say that before this meeting, we had an all-day long session, regarding budget, and operations. I want to say thank you to the team for the work that they did. I believe it was a very valuable discussion and time well spent. Really appreciate all of you that participated, particularly those of you who worked to make all of those presentations possible.

VI. Informational Item

Transit Governance Interlocal Agreement Discussion based on pages 34-36 in the MTC Agenda Packet for October 25th, 2023 meeting.

Discussion:

MAYOR LYLES (City of Charlotte): When we had our last meeting, we had an idea that we would have lawyers represented from both the City and the County that we would have a beginning of a discussion on governance in the interlocal agreement. Last week, I found that we did not have a meeting with the lawyers. We have put together, I think, some idea that's going to be open for discussion here. I sent out a memo saying that we as the city, while we may

remain committed to addressing the concerns of our partners as we work towards this common good of a good transit system, economic opportunity, that we gave an example of the agreement that was done for the amendments in 2005 and we talked about the idea or at least I spoke in the memo to say to you that I thought that that was a good process.

I think that we all know that we have differences, sometimes, and I wanted to make sure that if we were going to proceed in this direction or another direction. I'm going to open the floor for comments or a process idea.

MAYOR BALES (Town of Huntersville): In regards to a process, I think it would be beneficial not only to have all of the town managers participate, but also, have the attorneys participate in that same meeting. I think that that seems like a compromise to me between what everyone was considering.

MAYOR KNOX (Town of Davidson): I had trouble figuring out what was amended in 2005? I had trouble trying to disseminate in the information that we had on the interlocal agreement what was actually amended? How sensitive that was, and if it were a select group of managers? I'm like Melinda, if we're going to do this, I would prefer to have all managers involved and legal representation as well.

MAYOR LYLES (City of Charlotte): Mr. Baker or Mr. Thomas; would you explain what the topic was in 2005, please?

PATRICK BAKER (Legal Representative-City of Charlotte): What I know, by reading the minutes. Again, I'm Patrick Baker, Attorney for the City of Charlotte; at least there was the budget process where both the budget, where the budget was presented to both the City and the County. The County wanted to be out of that process. It just went to the City. I don't know, Brad, if there are other more things that were involved in that as well.

BRADLEY THOMAS (City of Charlotte Attorney's Office): Yeah. When the interlocal was formed in 1999, after that we had a study done, after a few years to kind of understand how the process worked and see if there were ways to improve it.

They had that study, I believe it was done by UNC-Charlotte and that study was completed in 2003-2004 and they took some of the recommendations of that study, and then they used that to make changes to the interlocal agreement.

Specifically, in terms of those provisions. I don't recall.

MAYOR LYLES (City of Charlotte): History wasn't defined as well as we would like it to be.

MAYOR KNOX (Town of Davidson): Is there any possibility of getting a copy of that study?

BRADLEY THOMAS (City of Charlotte Attorney's Office): Yes.

MAYOR LYLES (City of Charlotte): We'll send that out to the voting members as well.

MAYOR BALES (Town of Huntersville): Is it possible, also the minutes, as well.

MAYOR LYLES (City of Charlotte): The minutes as well as a copy of the report. Mayor Bales, would you propose that as a motion?

MAYOR BALES (Town of Huntersville): Absolutely. I would propose that we would approve the coming together a meeting of not only the town managers but also attorneys and the County Manager and discussing the interlocal agreement for the MTC.

MAYOR KNOX (Town of Davidson): Second.

MAYOR LYLES (City of Charlotte): We have a motion and a second, is there any discussion?

JARRETT HURMS (TSAC Co-Chairman): As the town managers and attorneys get together, I do advise to be sure, whenever you think about how the interlocal agreement is presently and how you would like to have it improve or have it adjusted, just make sure to think about these citizen groups. Making sure that whatever kind of comes out of it, make sure that we are thought about in the process. Thank you.

Resolution: A motion to approve the meeting of not only the town managers but Legal Representatives and the Mecklenburg County Manager to discuss the interlocal agreement for the MTC was made by **Mayor Melinda Bales (Town of Huntersville)**; seconded by **Mayor Rusty Knox (Town of Davidson)**. Motion carried unanimously.

VII. Action Item

November & December 2023 Meeting Schedule

Brent Cagle

Brent Cagle – CATS Interim Chief Executive Officer – presented for action the November and December 2023 Meeting Schedule; based on page 38 in the MTC Agenda Packet for October 25th, 2023 meeting.

Resolution: A motion to move the November 22nd meeting to November 15th to begin at 2:30pm and end at 5:30pm. Also, to cancel the December 27th meeting was made by **Mayor John Higdon (Town of Matthews)**; seconded by **Mayor Brad Simmons (Town of Mint Hill)**. Motion carried unanimously.

VIII. Transit Services Advisory Committee (TSAC)'s Comments

Jarrett Hurms (Co-Chairman) reported the following: We had our meeting a couple of weeks ago and we had a few presentations. Jessica Lanier from CATS Customer Service. She overviewed the process within their office. How they kind of work with the metrics when it comes to customer service. How they escalate certain customer service issues and how they kind of work with social media complaints. During the presentation, she went over some of their data and stats about some of the overview -- year to date kind of customer service issues, some of which being things -- a late bus, which meets this kind of when you're thinking about staffing levels, making sure that those are getting pumped up to be able to make sure that level decreases. Next were the STS operator related things or a passenger was passed by a bus, those are things to be kind of wary of. Because from a stats-wise, those are larger issues from a data perspective.

We went through the service change proposition. Looking at the 57 and the 235. That's South Park and Goodwill. Looking at alternate ways to provide the appropriate head ways for them, but also being able to serve the communities in West Charlotte effectively.

Pamela White talked about her newly formed role within customer experience and how that differs from customer service and how it's a new approach and kind of thinking about from a more proactive stance, from a customer standpoint. Thinking about the more holistic through and through the customer experience from start to finish, not just one issue within a particular bus ride. An overview from those and talking about as she grows within her role. That's very exciting to be hearing in future meetings.

We welcome a new member from the Town of Matthews by the name of Betryn Byrd. An excellent new addition. She brings in a lot of perspectives; including talking about issues within network communication, from a customer standpoint, how that might need to be improved, the 64X. She definitely brings in a great perspective. I do thank the Town of Matthews for bringing her on as a new member on TSAC.

Discussion:

MAYOR LYLES (City of Charlotte): Thank you very much. I definitely on the blockages, that's the entire effort around this. While it wasn't explicit, we will make sure that it is communicated, and it will become explicit over as we talk about how we're doing this and a lot of this has to do. I know many of our towns have these truck issues and we were not increasing the penalties to make it actually the penalties were actually less costly than the consequences of making a real decision to park somewhere. We are going to be very active in that. It may take a little bit of time, because we want to make sure that the people are prepared for it. I think it's something that's really due. We'll do that for bus stations along the way as well with our signage as well.

EDWARD TILLMAN (CTAG Co-Chairman-City of Charlotte): I am in agreement with Krissy regarding the abilities to have a combined citizen's transit group that we're not splitting the conversations, splitting the efforts, and support for the community from that perspective.

How that's accomplished, certainly there's work to be done with that. I'm sure that there are reasons why they were split from the beginning. I think it is something that does deserve some consideration.

MAYOR LYLES (City of Charlotte): I would agree. I thank you for bringing that up. I think it's time for us to look at all of those and things and we certainly support the idea of working better and making it a better work environment for what we're trying to accomplish. Thank you for that.

IX. Citizens Transit Advisory Group (CTAG) Chairman's Comments

Jeffery Parker (Co Chairman- Mecklenburg County): I'm going to be doing this month's report since this is Mr. Tillman's last meeting.

First off, I would like to thank him for his dedicated service, and his hard work, especially through the COVID times. He's going to be a tough act for me and whoever else will be a co-chair. He'll be a tough act to follow for us.

We had a discussion during our meeting of a restatement of what our responsibilities were as CTAG and also along the lines of that discussion, had a discussion of how TSAC and CTAG could begin to work more efficiently and coordinate our work a little bit more.

We also had discussion of the FY25 budget, that just kind of getting some background information on that and what's to come.

Finally, we had a little bit of a discussion around bus service, some issues that are continuing to be addressed. Mr. Cagle addressed those and told us, just essentially stand by, they're working on it. Bottom line is, we are continuing to notice issues with bus service, especially on the express routes.

Discussion:

MAYOR LYLES (City of Charlotte): Thank you. I want to add the appreciation from the MTC members to you, Mr. Tillman. I think that you have served with such dignity and patience, perhaps, for all of us, and we really appreciate that. I would like to ask if you have any comments that you would like to make for the group, we're glad to listen to you as this is your last meeting.

EDWARD TILLMAN (Co Chairman-City of Charlotte): Certainly. Thank you, Mayor Lyles and all of the members of MTC. Seems like I've been here for probably a decade. It's been close, but I have absolutely enjoyed getting a significant education on the transportation situations, positive, negative and otherwise, that have occurred in our city from prior to my arrival in 1998 and through this time and although nothing is ever perfect as we seek it to be, certainly, we have made significant improvements. There's never a good deal for everybody. If everybody is upset, that means that the deal is probably right for everybody.

Certainly, I look forward to seeing what happens and I really have enjoyed my time serving the City and look forward to doing it in other measures as well.

MAYOR LYLES (City of Charlotte): Again, our appreciation and gratefulness.

X. Other Business

Discussion:

MAYOR KNOX (Town of Davidson): I would like to acknowledge the presence of former Charlotte Mayor Richard Vinroot in the room.

MAYOR LYLES (City of Charlotte): Mayor Vinroot is part of our legacy, and our ability. I have to say, the last time that I saw Mayor Vinroot, he was celebrating a very controversial issue, much like the ones that we have on our table tonight.

When he actually had the vision to say the consolidation of CMPD and the County Police Department, was going to make a difference. Thirty years later, here we are. It was your vision and your action that made it possible. He had a lot of support as well from the number of staff people that were working in this area.

I just want to say that without vision, we don't do so well. You gave us that vision and we really appreciate that, Mayor. Thank You Very Much.

FORMER MAYOR VINROOT: Wonderful community and a wonderful local government. I've been proud to have my association with it. I hope I didn't mess it up too much.

MAYOR LYLES (City of Charlotte): I doubt seriously if you could do that.

XI. Adjourn

The meeting was adjourned at 5:59 p.m. by Mayor Vi Lyles, City of Charlotte – MTC Chairwoman.

NEXT MTC MEETING: WEDNESDAY, NOVEMBER 15TH, 2023; STARTS AT 2:30 P.M.

From: [Hunter, Brandon](#)
To: [Cagle, Brent](#)
Subject: CATS Bus Incidents
Date: Wednesday, November 1, 2023 6:51:00 PM

Dear MTC Mayor and Managers,

I hope this message finds you well. I am writing to provide detailed information concerning two separate incidents that have recently occurred within our CATS bus services. Both incidents are unrelated and are currently being investigated by the Charlotte-Mecklenburg Police Department (CMPD). Please find below comprehensive details of each incident as compiled by our CATS staff:

Incident on Oct. 31, 2023 - Route 19

- At approximately 8:45 p.m., Bus 2140 was traveling on Park Road.
- A passenger onboard, upset, approached the bus operator, accusing the operator of almost leaving the stop before they could board.
- The passenger began raising their voice, verbally threatening the bus operator, and a heated exchange ensued.
- The bus operator pulled over, to contact the Bus Operations Command Center (BOCC).
- The conflict escalated to a physical altercation between the passenger and the bus operator.
- A supervisor arrived, the physical altercation had stopped at this time, and spoke with the bus operator and passenger.
- The disruptive passenger eventually left the scene before CMPD arrived.
- CMPD is actively investigating this incident.

Incident on Nov. 1, 2023 - Route 211

- At approximately 2:26 p.m., Bus 2675 was traveling on Sugar Creek Road.
- An altercation took place between two passengers and was stabbed by the other.
- The bus operator contacted the BOCC, requesting immediate assistance from the Medic and CMPD for the injured passenger.
- The alleged assailant left the scene before the police arrived.
- Fortunately, no other passengers or the bus operator were injured in this tragic incident.
- CMPD is actively investigating this incident.

We deeply regret these unfortunate occurrences and are committed to full cooperation with the CMPD to facilitate and expedite the investigative processes.

We wanted to update you all about these incidents, as more information comes available, we will send it to you all.

Thank you,
Brandon

Brandon T. Hunter (he/him/his)

Director, Communications

Charlotte Area Transit System

Mobile (704) 621-8343 | brandon.hunter@charlottenc.gov

CATS Media Line **(980) 722-0311**
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Bus Operations Division Safety Performance Measures

Fatality Incidents

Goal: 0 per 100k mi

CY 2023	Incidents	Bus Revenue Miles	Rate
January	0	923,601	0.00
February	0	837,470	0.00
March	0	945,219	0.00
April	0	878,901	0.00
May	0	917,647	0.00
June	0	889,593	0.00
July	0	889,099	0.00
August	0	939,346	0.00
September	1	867,111	0.12
October	0	939,973	0.00
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Preventable Collisions w/ Damage ≥ \$500

Goal: 0.5 per 100k mi

CY 2023	Incidents	Bus Revenue Miles	Rate
January	4	923,601	0.43
February	9	837,470	1.07
March	2	945,219	0.21
April	1	878,901	0.11
May	2	917,647	0.22
June	3	889,593	0.34
July	4	889,099	0.45
August	1	939,346	0.11
September	4	867,111	0.46
October	4	939,973	0.43
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Total NTD Major Reportable Injuries (Employee & Customer)

Goal: < 1 per 100k mi

CY 2023	Employee Injuries	Customer Injuries	Bus Revenue Miles	Rate
January	1	0	923,601	0.11
February	0	1	837,470	0.12
March	2	4	945,219	0.63
April	1	18	878,901	2.16
May	0	1	917,647	0.11
June	0	4	889,593	0.45
July	2	13	889,099	1.69
August	0	0	939,346	0.00
September	1	0	867,111	0.12
October	1	11	939,973	1.28
November				
December				

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

System Reliability

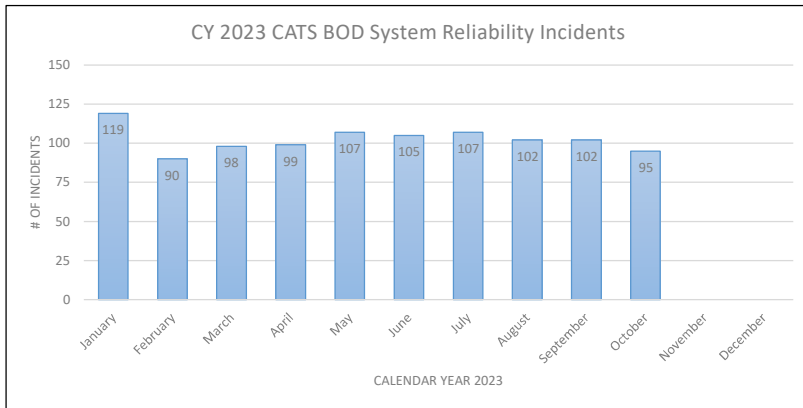
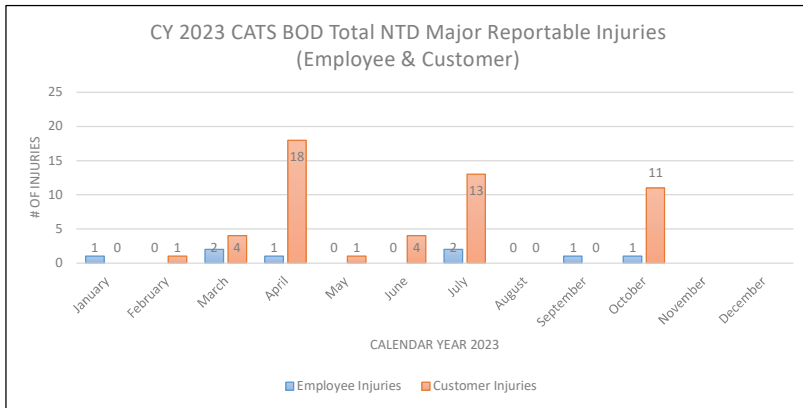
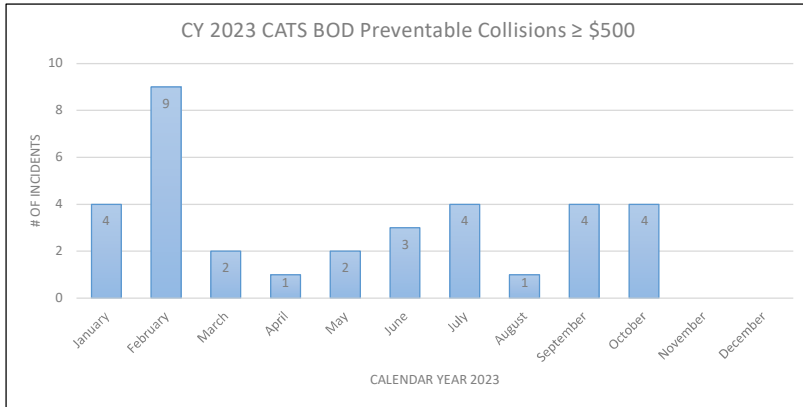
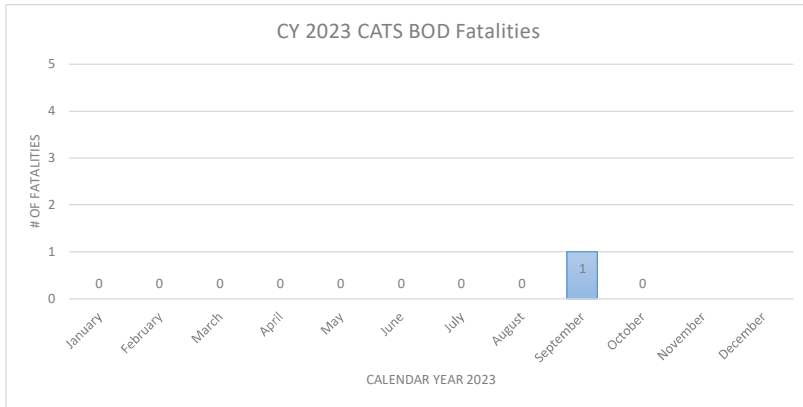
Goal: < 10 per 100k mi

CY 2023	Incidents	Bus Revenue Miles	Rate
January	119	923,601	12.88
February	90	837,470	10.75
March	98	945,219	10.37
April	99	878,901	11.26
May	107	917,647	11.66
June	105	889,593	11.80
July	107	889,099	12.03
August	102	939,346	10.86
September	102	867,111	11.76
October	95	939,973	10.11
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Bus Operations Division Safety Performance Measures



Special Transportation Service Safety Performance Measures

Fatality Incidents

Goal: 0 per 100k mi

CY 2023	Incidents	STS Revenue Miles	Rate
January	0	171,142	0.00
February	0	164,394	0.00
March	0	184,635	0.00
April	0	160,338	0.00
May	0	169,378	0.00
June	0	165,612	0.00
July	0	165,903	0.00
August	0	178,541	0.00
September	0	167,222	0.00
October	0	180,560	0.00
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per 100,000 miles
# of revenue miles						

Preventable Collisions w/ Damage ≥ \$500

Goal: 0.3 per 100k mi

CY 2023	Incidents	STS Revenue Miles	Rate
January	0	171,142	0.00
February	0	164,394	0.00
March	1	184,635	0.54
April	0	160,338	0.00
May	0	169,378	0.00
June	0	165,612	0.00
July	0	165,903	0.00
August	1	178,541	0.56
September	1	167,222	0.60
October	0	180,560	0.00
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per 100,000 miles
# of revenue miles						

Total NTD Major Reportable Injuries (Employee & Customer)

Goal: < 1 per 100k mi

CY 2023	Employee Injuries	Customer Injuries	STS Revenue Miles	Rate
January	0	0	171,142	0.00
February	0	0	164,394	0.00
March	0	0	184,635	0.00
April	0	0	160,338	0.00
May	0	0	169,378	0.00
June	0	0	165,612	0.00
July	0	0	165,903	0.00
August	0	0	178,541	0.00
September	0	0	167,222	0.00
October	0	0	180,560	0.00
November				
December				

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per 100,000 miles
# of revenue miles						

System Reliability

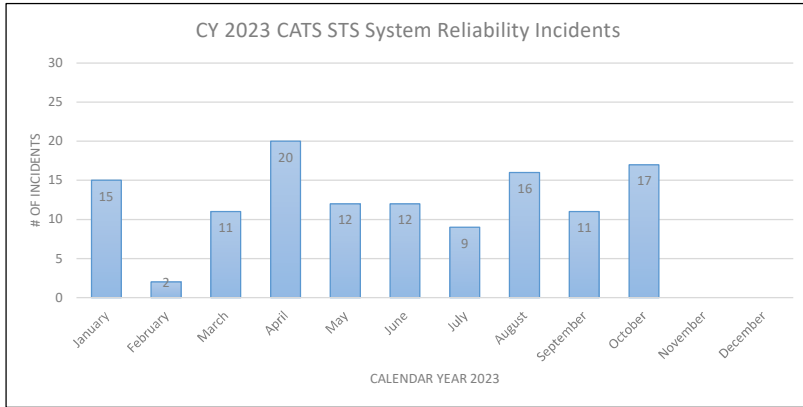
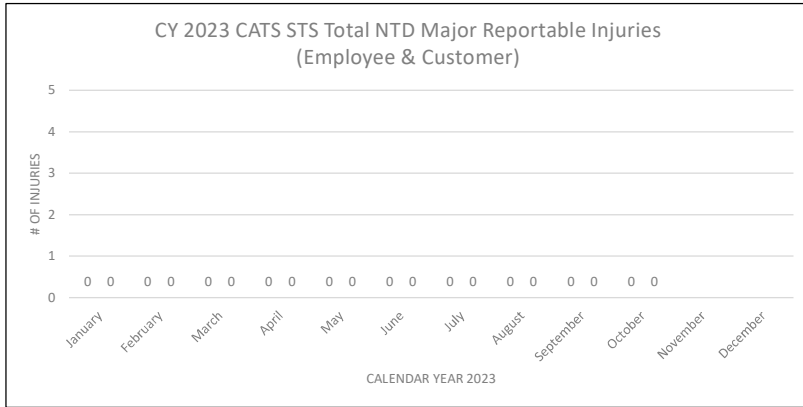
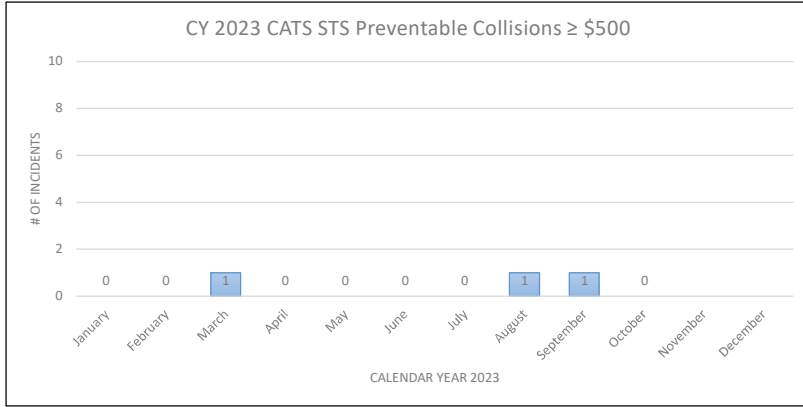
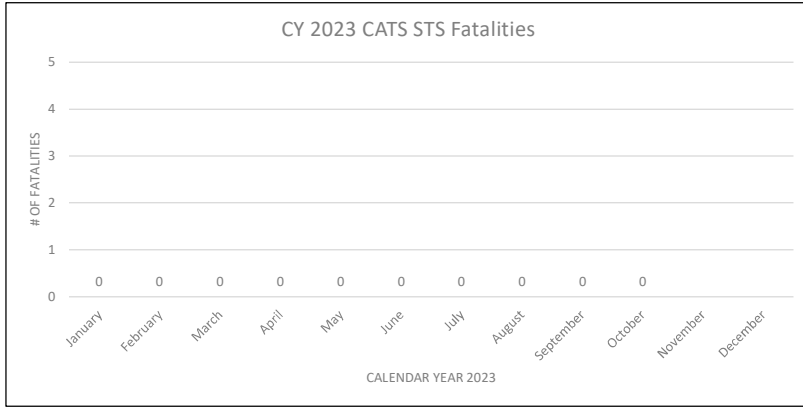
Goal: < 3 per 100k mi

CY 2023	Incidents	STS Revenue Miles	Rate
January	15	171,142	8.76
February	2	164,394	1.22
March	11	184,635	5.96
April	20	160,338	12.47
May	12	169,378	7.08
June	12	165,612	7.25
July	9	165,903	5.42
August	16	178,541	8.96
September	11	167,222	6.58
October	17	180,560	9.42
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per 100,000 miles
# of revenue miles						

Special Transportation Service Safety Performance Measures



Rail Operations Blue Line Safety Performance Measures

Fatality Incidents

Goal: 0 per 100k Revenue Car mi

CY 2023	Incidents	Total Car Revenue Miles	Rate
January	0	130,949	0.00
February	0	123,072	0.00
March	0	138,277	0.00
April	0	132,083	0.00
May	0	137,129	0.00
June	0	132,069	0.00
July	0	126,973	0.00
August	0	139,812	0.00
September	0	132,711	0.00
October	0		
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Preventable Safety Events (FTA Reportable)

Goal: 0.1 per Revenue Car 100k mi

CY 2023	Incidents	Total Car Revenue Miles	Rate
January	0	130,949	0.00
February	0	123,072	0.00
March	0	138,277	0.00
April	0	132,083	0.00
May	0	137,129	0.00
June	0	132,069	0.00
July	1	126,973	0.79
August	1	139,812	0.72
September	0	132,711	0.00
October	0		
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Total NTD Major Reportable Injuries (Employee & Customer)

Goal: < 1 per 100k Revenue Car mi

CY 2023	Employee Injuries	Customer Injuries	Total Car Revenue Miles	Rate
January	0	0	130,949	0.00
February	0	0	123,072	0.00
March	0	0	138,277	0.00
April	0	0	132,083	0.00
May	0	0	137,129	0.00
June	0	0	132,069	0.00
July	0	0	126,973	0.00
August	0	0	139,812	0.00
September	0	0	132,711	0.00
October	0	0		
November				
December				

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

System Reliability (Major Mechanical Failures)

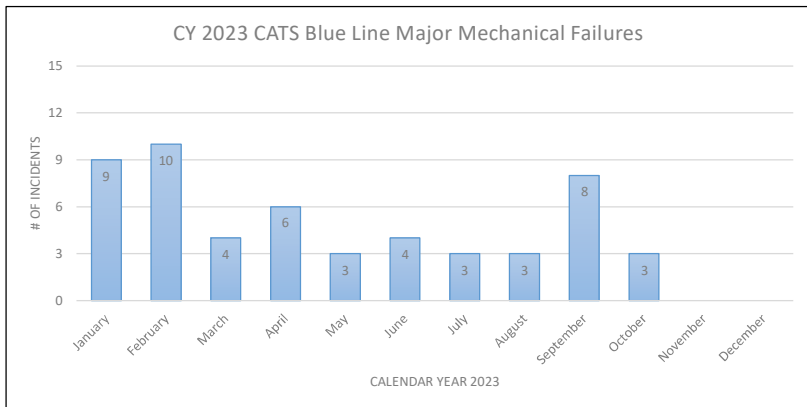
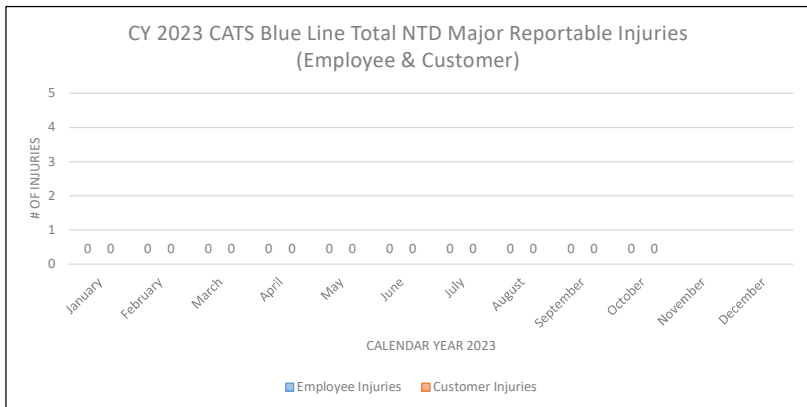
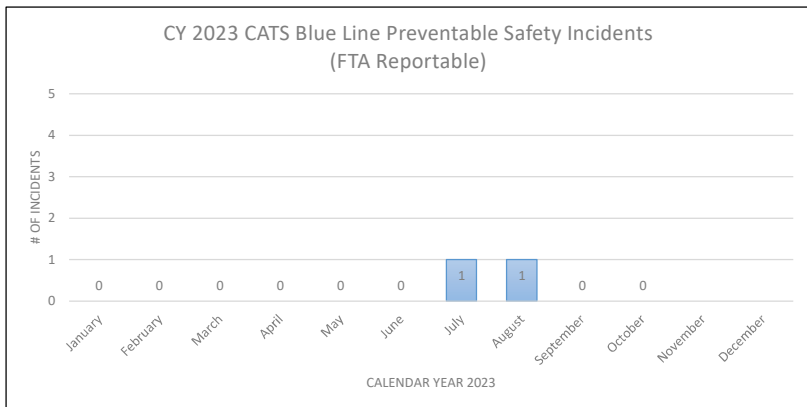
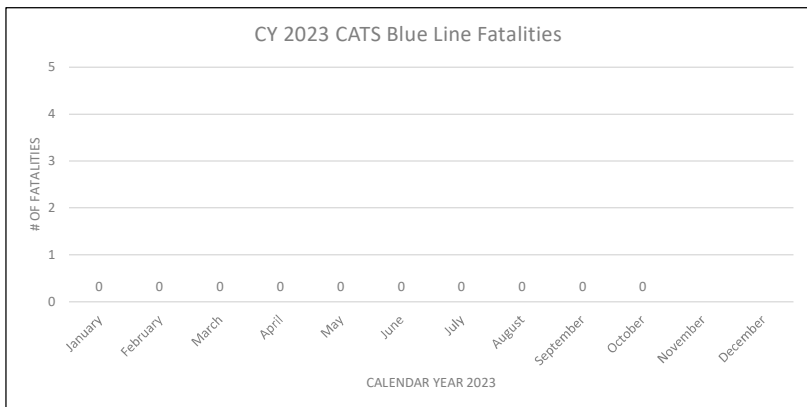
Goal: < 3 per 100k Revenue Car mi

CY 2023	Incidents	Total Car Revenue Miles	Rate
January	9	130,949	6.87
February	10	123,072	8.13
March	4	138,277	2.89
April	6	132,083	4.54
May	3	137,129	2.19
June	4	132,069	3.03
July	3	126,973	2.36
August	3	139,812	2.15
September	8	132,711	6.03
October	3		
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Rail Operations Blue Line Safety Performance Measures



Rail Operations Gold Line Safety Performance Measures

Fatality Incidents

Goal: 0 per 100k Revenue Car mi

CY 2023	Incidents	Total Car Revenue Miles	Rate
January	0	11,696	0.00
February	0	10,695	0.00
March	0	11,793	0.00
April	0	10,574	0.00
May	0	11,766	0.00
June	0	10,506	0.00
July	0	8,950	0.00
August	0	9,781	0.00
September	0	7,369	0.00
October	0		
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Preventable Safety Events (FTA Reportable)

Goal: 0.1 per Revenue Car 100k mi

CY 2023	Incidents	Total Car Revenue Miles	Rate
January	0	11,696	0.00
February	1	10,695	9.35
March	0	11,793	0.00
April	0	10,574	0.00
May	0	11,766	0.00
June	0	10,506	0.00
July	0	8,950	0.00
August	0	9,781	0.00
September	0	7,369	0.00
October	0		
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Total NTD Major Reportable Injuries (Employee & Customer)

Goal: < 1 per 100k Revenue Car mi

CY 2023	Employee Injuries	Customer Injuries	Total Car Revenue Miles	Rate
January	0	0	11,696	0.00
February	0	0	10,695	0.00
March	0	0	11,793	0.00
April	0	0	10,574	0.00
May	0	0	11,766	0.00
June	0	0	10,506	0.00
July	0	0	8,950	0.00
August	0	0	9,781	0.00
September	0	0	7,369	0.00
October	0	0		
November				
December				

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

System Reliability (Major Mechanical Failures)

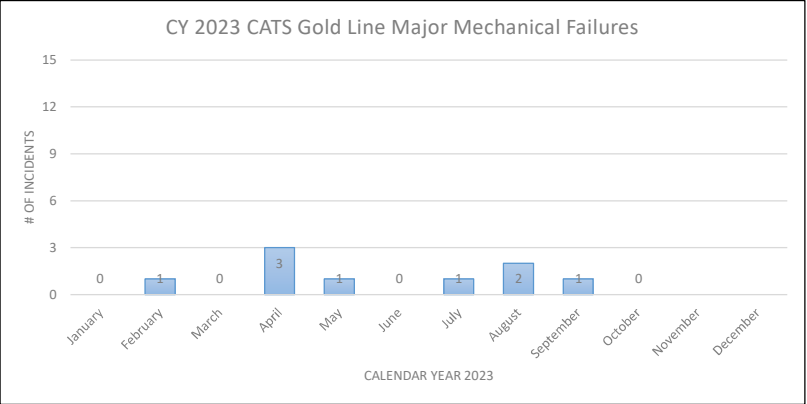
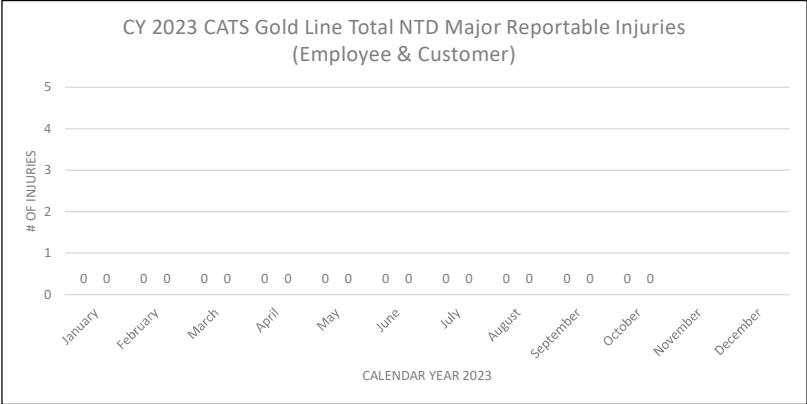
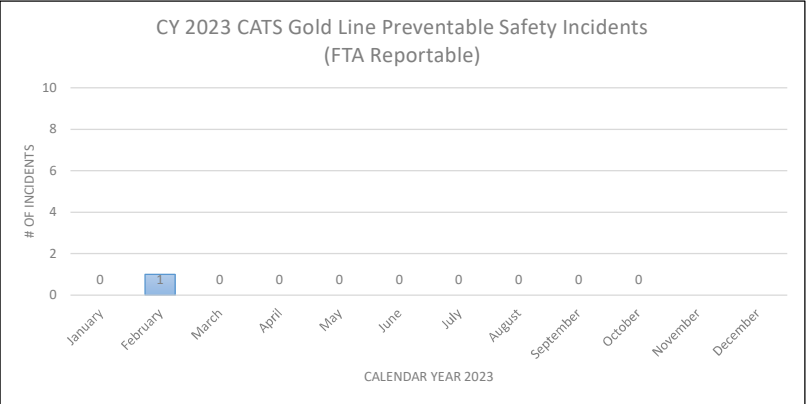
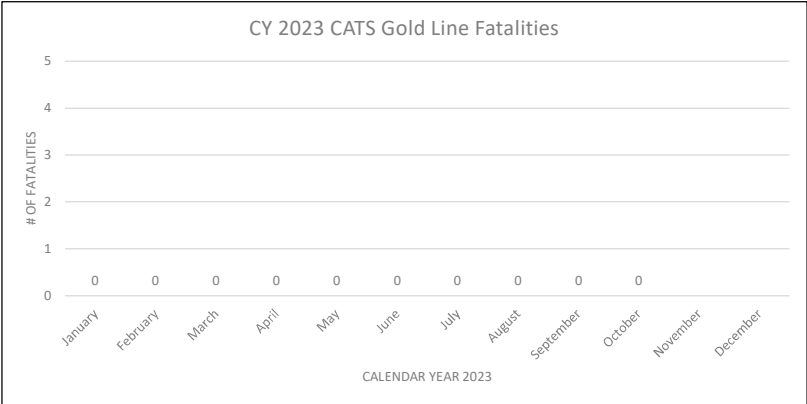
Goal: < 3 per 100k Revenue Car mi

CY 2023	Incidents	Total Car Revenue Miles	Rate
January	0	11,696	0.00
February	1	10,695	0.28
March	0	11,793	0.00
April	3	10,574	0.85
May	1	11,766	0.25
June	0	10,506	0.00
July	1	8,950	0.34
August	2	9,781	0.61
September	1	7,369	0.41
October	0		
November			
December			

Rate Formula

# of incidents	=	x.xx	*	100,000	=	Rate per
# of revenue miles						100,000 miles

Rail Operations Gold Line Safety Performance Measures



Metropolitan Transit Commission
Charlotte Area Transit System Ridership Report
Oct-23

Mode / Service	Percent		YTD	YTD	Percent	Avg Daily Ridership per Month			
	Oct-23	Oct-22				Increase/Decrease	FY 2024	FY 2023	Increase/Decrease
Local									
BOD Local	625,774	501,431	24.8%	2,350,957	1,769,154	32.89%	22,637	16,691	12,202
Subtotal	625,774	501,431	24.8%	2,350,957	1,769,154	32.89%	22,637	16,691	12,202
Local Express									
Arboretum Express	1,100	-	n/a	4,399	-	n/a	50	-	-
Harrisburg Road Express	1,253	983	27.47%	4,678	3,694	26.64%	57	-	-
Northcross Express	2,841	2,385	19.12%	10,820	9,185	17.8%	129	-	-
Idlewild Road Express	931	755	23.31%	3,335	2,774	20.22%	42	-	-
Independence Blvd Express	2,388	1,728	38.19%	7,786	6,184	25.91%	109	-	-
Lawyers Road Express	1,266	920	37.61%	5,128	3,327	54.13%	58	-	-
Mountain Island Express	245	-	n/a	904	-	n/a	11	-	-
Northlake Express	2,031	1,529	32.83%	8,393	5,914	41.92%	92	-	-
North Mecklenburg Express	4,370	3,334	31.07%	14,942	12,887	15.95%	199	-	-
Huntersville Express	3,144	2,504	25.56%	12,971	9,652	34.39%	143	-	-
Rea Road Express	1,191	963	23.68%	5,257	4,714	11.52%	54	-	-
Steele Creek Express	451	-	n/a	1,498	-	n/a	21	-	-
Huntersville Greenhouse Express	378	153	147.06%	812	535	51.78%	17	-	-
Subtotal	21,589	15,265	41.43%	80,923	58,877	37.44%	982	-	-
Regional Express									
Gastonia Express	870	608	43.09%	3,741	2,744	36.33%	40	-	-
Rock Hill Express	1,180	685	72.26%	3,721	2,650	40.42%	54	-	-
Union County Express	763	639	19.41%	3,081	2,644	16.53%	35	-	-
Subtotal	2,813	1,932	45.6%	10,543	8,038	31.16%	129	-	-
Community Circulator									
Neighborhood Shuttles	18,677	14,072	32.72%	70,650	52,088	35.64%	707	443	272
Eastland Neighborhood Shuttle	10,869	9,517	14.21%	39,966	33,008	21.08%	376	357	232

Metropolitan Transit Commission
Charlotte Area Transit System Ridership Report

Oct-23

Pineville-Matthews Road	4,744	1,660	185.78%	9,932	6,062	63.84%	205	60	-
Village Rider	5,967	4,517	32.1%	20,018	15,604	28.29%	233	123	71
Subtotal	40,257	29,766	35.24%	140,566	106,762	31.66%	1,521	983	575
Human Services Transportation									
Special Transportation Services	16,058	15,543	3.31%	62,528	60,668	3.07%	630	301	203
DSS*	TBD	1,072	-	5,316	1,492	256.3%	-	-	-
Subtotal	n/a	16,615	n/a	67,844	62,160	9.14%	630	301	203
Rideshare Services									
Vanpool*	TBD	3,798	-	10,996	15,062	-27.0%	-	-	-
Subtotal	n/a	3,798	n/a	10,996	15,062	-27.0%	-	-	-
Rail									
LYNX Blue Line	481,397	420,933	14.36%	2,038,609	1,775,550	14.82%	17,817	11,467	8,713
CityLynx Gold Line	47,310	52,446	-9.79%	193,961	199,639	-2.84%	1,761	1,037	882
Subtotal	528,707	473,379	11.69%	2,232,570	1,975,189	13.03%	19,578	12,504	9,595
Total	1,235,198	1,042,186	18.52%	4,894,399	3,995,242	22.51%	45,477	30,479	22,575

Data unavailable at time of reporting

Metropolitan Transit Commission
Charlotte Area Transit System Ridership Report
Oct-23

Source:

Fixed Route Bus - Automatic Passenger Counts

Rail - Automatic Passenger Counts

Mode / Service	Average Daily Ridership			Weekday	Saturday	Sunday
	Oct-23	Oct-22	Percent Increase / Decrease			
Local						
BOD Local	745,969	681,095	9.5%	26,273	19,178	17,100
Subtotal	745,969	681,095	9.5%	26,273	19,178	17,100
Local Express						
Arboretum Express	1,148	-	-	50	-	-
Harrisburg Road Express	1,476	1,367	8.0%	64	-	-
Northcross Express	3,912	3,554	10.1%	170	-	-
Idlewild Express	1,007	960	5.0%	44	-	-
Independence Blvd Express	3,096	2,511	23.3%	135	-	-
Lawyers Road Express	1,516	1,252	21.1%	66	-	-
Steele Creek Express	710	-	-	31	-	-
Northlake Express	2,955	2,754	7.3%	128	-	-
North Mecklenburg Express	5,827	5,334	9.2%	253	-	-
Huntersville Express	4,168	3,980	4.7%	181	-	-
Rea Road Express	1,356	1,667	-18.6%	59	-	-
Mountain Island Express	363	-	-	16	-	-
Huntersville Greenhouse	139	182	-23.3%	6	-	-
Subtotal	27,673	23,561	17.5%	1,203	-	-
Regional Express						
Gastonia Express	1,333	961	38.8%	58	-	-
Rock Hill Express	1,328	1,290	3.0%	58	-	-
Union County Express	1,059	1,004	5.5%	46	-	-

Subtotal	3,721	3,254	14.3%	162	-	-
Community Circulator						
Neighborhood Shuttles	22,964	19,752	16.3%	850	530	340
Eastland Neighborhood Shuttle	12,815	11,360	12.8%	432	362	360
Pineville-Matthews Road	2,783	2,700	3.1%	103	106	-
Village Rider	7,165	7,108	0.8%	238	222	206
Subtotal	45,727	40,920	11.7%	1,623	912	906
Human Services Transportation						
Special Transportation Services	16,058	15,543	3.3%	609	266	198
DSS*	-	1,072	-	6	0	0
Subtotal	16,058	16,615	-	615	266	198
Rideshare Services						
Vanpool*	-	3,798	-	151	40	51
Subtotal	-	3,798	-	151	40	51
Rail						
LYNX Blue Line	481,397	420,933	14.4%	17,817	11,467	8,713
CityLynx Gold Line	47,310	52,446	-9.8%	1,761	1,037	882
Subtotal	528,707	473,379	11.7%	19,578	12,504	9,595
Total	1,367,854	1,242,621	10.1%	49,605	32,901	27,850

Data unavailable at time of reporting

October 2023 Missed Trips & Ridership Reports

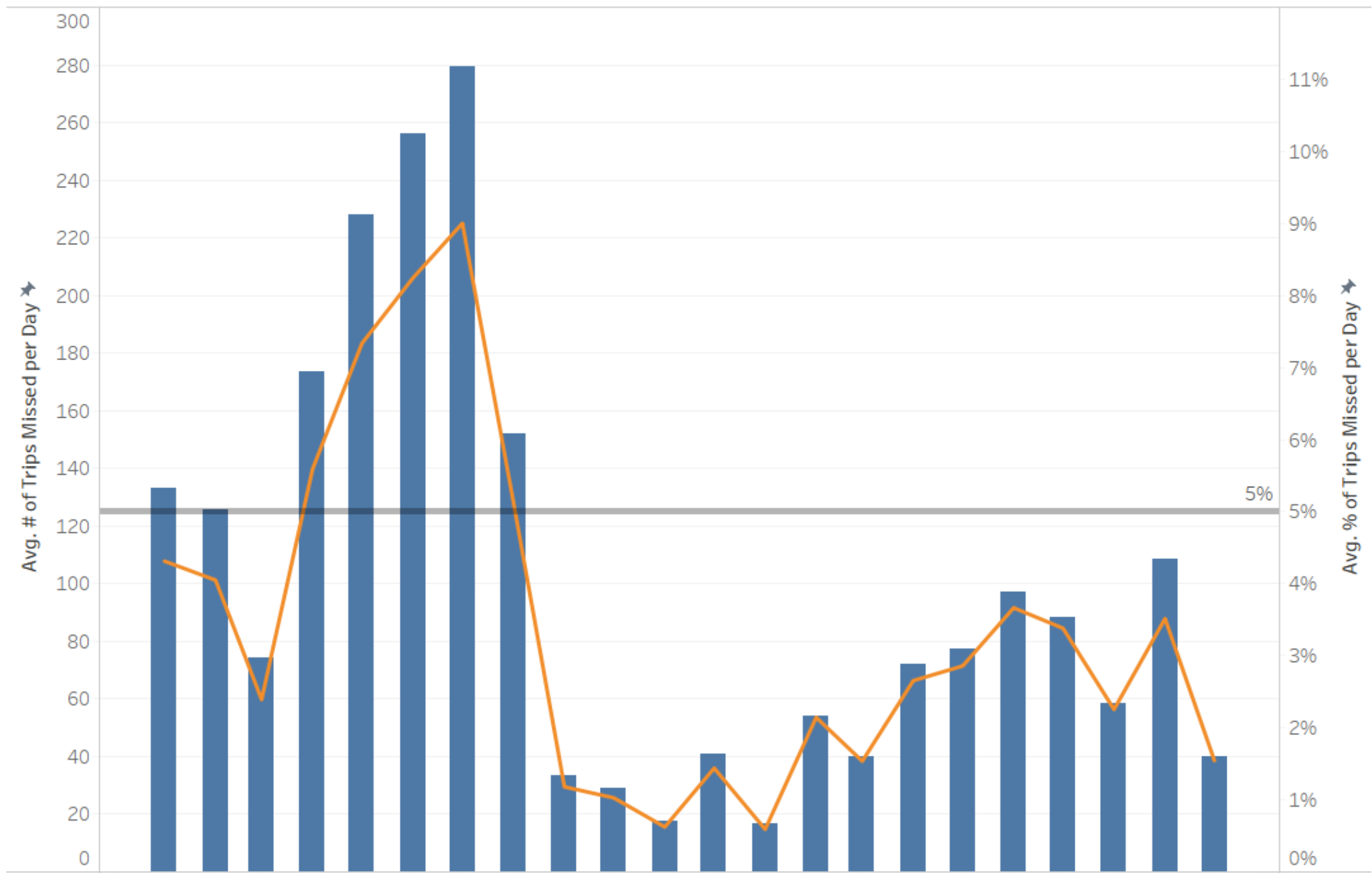
Bus Service Missed Trips Highlights

- Missed trips declined in October to the lowest levels since March 2023

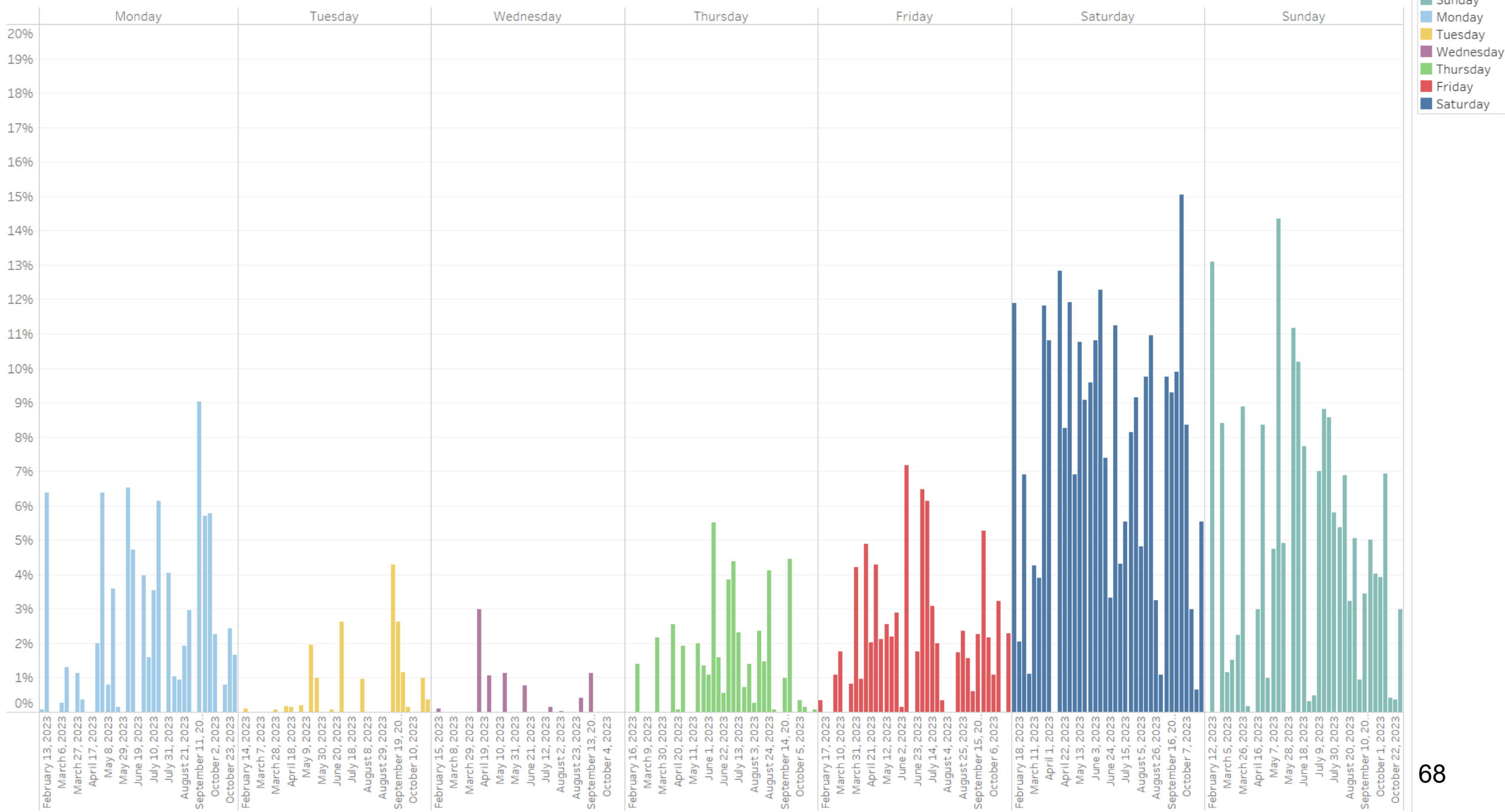
Ridership Highlights

- October 2023 Systemwide Automatic Passenger Counter ridership is up 7.5% compared to October 2022
 - Local Routes were up 9.5%
 - Express routes were up 17%
 - Overall Rail ridership increased 11.7%
 - Blue Line ridership increased 14.4%
 - Gold Line ridership decreased 9.8 %

Avg Missed Trips per Day



Missed Trips by Day of Week



NOVEMBER CATS Sales Tax Report FY2024

August Receipts

Sales Tax Collections and Distribution – August 2023

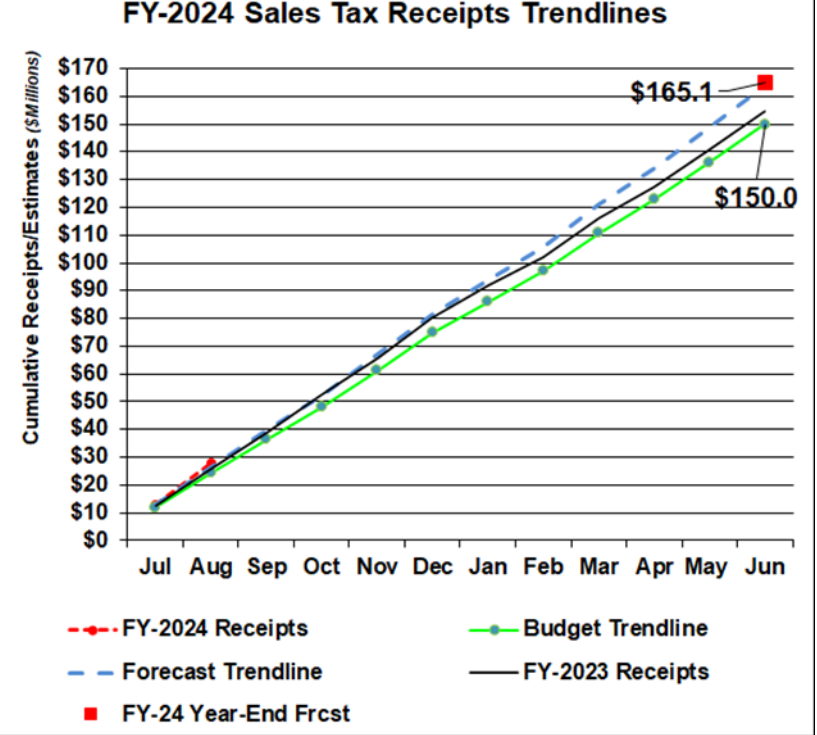
- The August 2023 receipts of \$14,784,351 were \$2,424,351 (19.6%) above budget target for the month
- The August 2023 receipts were \$1,291,351 (9.6%) above forecast for the month
- The August 2023 receipts were \$1,901,738 (14.8%) above August of 2022

Sales Tax Budget Data

- FY2024 sales tax budget is \$150,000,000
- The FY24 model forecasts year-end receipts of \$165,052,266 is \$15,052,266 (10.03%) above the FY-2024 budget target of \$150,000,000
- FY2023 actual sales tax was \$154,638,512

Local Government Sales and Use Tax Distribution

- Source: North Carolina Department of Revenue Sales & Use Distribution Report for the month September 30, 2023
- Published by NC Secretary of Revenue on November 9, 2023 with actual receipts through September 30, 2023
- CATS sales tax report only includes Mecklenburg County Article 43 sales tax



FY2023 Budget Sales Tax Receipts (Actuals and Forecasts)

Jurisdiction	Population	% of Total	Jul 23 Actuals	Aug 23 Actuals	Sep 23 Forecasts	Oct 23 Forecasts	Nov 23 Forecasts	Dec 23 Forecasts	Jan 24 Forecasts	Feb 24 Forecasts	Mar 24 Forecasts	April 24 Forecasts	May 24 Forecasts	Jun 24 Forecasts	Total	
Charlotte	894,866	40.4%	\$ 5,265,636	\$ 5,967,538	\$ 5,353,764	\$ 5,095,990	\$ 5,789,997	\$ 6,021,332	\$ 4,884,484	\$ 4,897,703	\$ 6,008,113	\$ 5,433,079	\$ 5,836,264	\$ 6,067,599	\$ 66,621,498	
Cornelius	31,872	1.4%	\$ 187,544	212,543	190,682	181,501	206,219	214,459	174,439	173,968	213,988	193,507	207,867	216,107	2,372,825	
Davidson	15,066	0.7%	\$ 88,652	100,470	90,136	85,796	97,481	101,375	82,235	82,458	101,153	91,472	98,260	102,154	1,121,642	
Huntersville	63,355	2.9%	\$ 372,798	422,492	379,037	360,787	409,922	426,300	345,813	346,749	425,364	384,653	413,198	429,576	4,716,689	
Matthews	30,156	1.4%	\$ 177,446	201,099	180,416	171,729	195,117	202,912	164,602	165,047	202,467	183,089	196,676	204,471	2,245,071	
Mint Hill	26,971	1.2%	\$ 158,705	179,860	161,361	153,592	174,509	181,481	147,217	147,615	181,083	163,751	175,903	182,876	2,007,952	
Pineville	10,931	0.5%	\$ 64,321	72,895	65,397	62,249	70,726	73,552	59,665	59,827	73,391	66,366	71,291	74,117	813,797	
Stallings	385	0.0%	\$ 2,265	2,567	2,303	2,192	2,491	2,591	2,101	2,107	2,585	2,337	2,511	2,610	28,663	
Weddington	5	0.0%	\$ 29	33	30	28	32	34	27	27	34	30	33	34	372	
Meck. County	1,143,390	51.6%	\$ 6,728,019	7,624,854	6,840,622	6,511,259	7,398,006	7,693,589	6,241,012	6,257,903	7,676,698	6,941,965	7,457,123	7,752,705	85,123,755	
Total	2,216,997	100.0%	\$13,045,415	\$14,784,351	\$13,263,750	\$12,625,125	\$14,344,500	\$14,917,625	\$12,101,125	\$12,133,875	\$14,884,875	\$13,460,250	\$14,459,123	\$15,032,250	\$165,052,266	
															YTD Budget \$ 150,000,000	
																Variance (YTD) \$ 15,052,266

*Table is consistent with North Carolina General Statute § 105-507.3. Distribution and Use of Taxes

FY-2023 Budget Sales Taxes Receipts Year-over-Year Comparison

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	YTD Total
Year-over-Year Comparison (FY2024 over FY2023)	2.8%	14.8%	19.8%	11.3%	18.4%	10.5%	18.4%	45.9%	11.5%	18.4%	11.8%	15.2%	18.6%
FY2024 Budget Target	\$11,940,067	\$12,364,727	\$12,147,601	\$11,553,920	\$13,138,368	\$13,665,113	\$11,084,991	\$11,117,138	\$13,635,340	\$12,329,125	\$13,247,740	\$13,775,870	\$150,000,000
% of FY2024 Budget Achieved	8.7%	18.6%	27.4%	35.8%	45.4%	55.3%	63.4%	71.5%	81.4%	90.4%	100.0%	110.0%	110.0%

FY2019 - FY2023 Sales Tax Receipts

Fiscal Year	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Total
FY2023	\$12,687,115	\$12,882,613	\$13,528,146	\$13,283,060	\$13,151,617	\$14,644,501	\$11,902,754	\$9,995,757	\$14,159,184	\$11,180,564	\$13,440,164	\$13,783,037	\$154,638,512
FY2022	\$11,298,388	\$10,659,682	\$11,073,183	\$11,342,634	\$12,115,265	\$13,501,568	\$10,221,788	\$8,315,108	\$13,351,825	\$11,369,039	\$12,932,254	\$13,044,834	\$139,225,568
FY2021	\$8,921,474	\$9,466,946	\$9,245,058	\$9,317,741	\$9,964,913	\$11,402,907	\$9,134,772	\$6,785,996	\$11,253,531	\$10,287,447	\$8,942,957	\$11,945,450	\$116,669,192
FY2020	\$9,683,570	\$9,787,973	\$8,671,558	\$9,890,136	\$9,858,570	\$9,800,116	\$8,278,036	\$8,276,547	\$8,735,473	\$7,635,380	\$6,997,727	\$9,833,896	\$107,778,982
FY2019	\$7,708,503	\$9,621,386	\$9,103,726	\$8,067,019	\$9,425,129	\$8,906,774	\$8,195,787	\$7,918,012	\$10,155,891	\$9,880,419	\$9,435,500	\$9,117,052	\$107,535,197

**METROPOLITAN TRANSIT COMMISSION
ACTION ITEM
STAFF SUMMARY**

SUBJECT: Independence Busway Restoration - Update

DATE: November 15, 2023

1.0 PURPOSE/SCOPE: The purpose of this item is to provide an update on the estimated cost for the restoration of the Independence Boulevard busway.

2.0 BACKGROUND/JUSTIFICATION: The Independence Boulevard busway was closed in 2017 during construction of the Hawthorne Lane bridge for the CityLYNX Gold Line Phase 2 streetcar project. It was anticipated to remain closed while NCDOT converted the busway to express lanes as part of the Independence Blvd widening. NCDOT funding shortfalls delayed the NCDOT project and conversion of the busway to the toll facility.

In 2022, CATS recommended restoration of busway operation in the interim period. Five CATS express routes would operate in the busway: 40X, 46X, 51X, 64X, and 74X. The project requires the modification of the entrance and exit of the busway near the Hawthorne Lane bridge. A Municipal Agreement was signed with NCDOT for NCDOT to manage and execute the work. The original estimated cost for the project was \$750,000.

In June 2023, NCDOT completed final design for the project in and provided a revised cost estimate of \$1.3 million. On July 26, 2023, the MTC approved an amendment to add \$550,000 to the Independence Busway Restoration project budget.

NCDOT advertised the project for bid on July 19, 2023. No bids were received, so the project was readvertised on October 3, 2023. Two bids were received. Based on the actual low bid amount, the total cost estimate for project, including design, construction, inspection and contingency is now \$1.7 million.

3.0 PROCUREMENT BACKGROUND: Municipal Agreement with NCDOT was executed November 2022.

4.0 POLICY IMPACT: N/A

4.0 ECONOMIC IMPACT: The Busway restoration project is estimated to provide significant travel time savings for current riders, as well as reduce bus operating costs by approximately \$106,000 per year. To support this project, an amendment to the FY2024 Capital Investment Plan (CIP) is needed to increase the project budget by \$950,000, to a total of \$1.7 million.

5.0 ALTERNATIVES: N/A

6.0 RECOMMENDATION: Approval to amend the FY2024 Capital Investment Plan (CIP) to add \$950,000 to the Independence Blvd Busway Restoration Project, based on actual bids.

7.0 ATTACHMENT(S): N/A

SUBMITTED AND RECOMMENDED BY:

A handwritten signature in cursive script that reads "Brent Cagle".

Brent Cagle
Interim Chief Executive Officer, Charlotte Area Transit System
Assistant City Manager, City of Charlotte

**METROPOLITAN TRANSIT COMMISSION
ACTION ITEM
INFORMATION SUMMARY**

SUBJECT: CATS February 2024 Service Change Proposals DATE: November 15, 2023

1.0 PURPOSE/SCOPE: CATS is seeking approval on two routing proposals for Routes 57 and 235. Proposed changes are summarized below:

- **Route 57 – Archdale**
 - Extended service on weeknights after 9pm
 - New service on Sundays
 - Proposed elimination of service to Forest Park Business Park
- **Route 235 – Goodwill**
 - Extended service on weeknights after 9:30pm
 - Extended service on Saturdays after 4:30pm
 - New service on Sundays
 - Proposed elimination of service to Goodwill Campus, Seymour Dr, Scott Futrell Dr, and West Blvd between Old Steele Creek Rd and Clanton Rd. Portions of eliminated service will be maintained through other bus routes that operate in close proximity

BACKGROUND/JUSTIFICATION: CATS received requests to expand service hours along Routes 57 and 235 to improve access for riders to key destinations including the McCloed Center, Valerie Woodard Center, Wilkinson Wal Mart, Phillip O. Berry High School and the Central Piedmont Community College Harris Campus. Additionally, CATS is seeking to improve overall reliability along both routes which currently experience challenges in meeting on time performance targets. With the proposed changes, CATS will be able to use existing resources to expand service hours along each route which includes adding new service on Sundays.

2.0 PROCUREMENT BACKGROUND: N/A

3.0 POLICY IMPACT: N/A

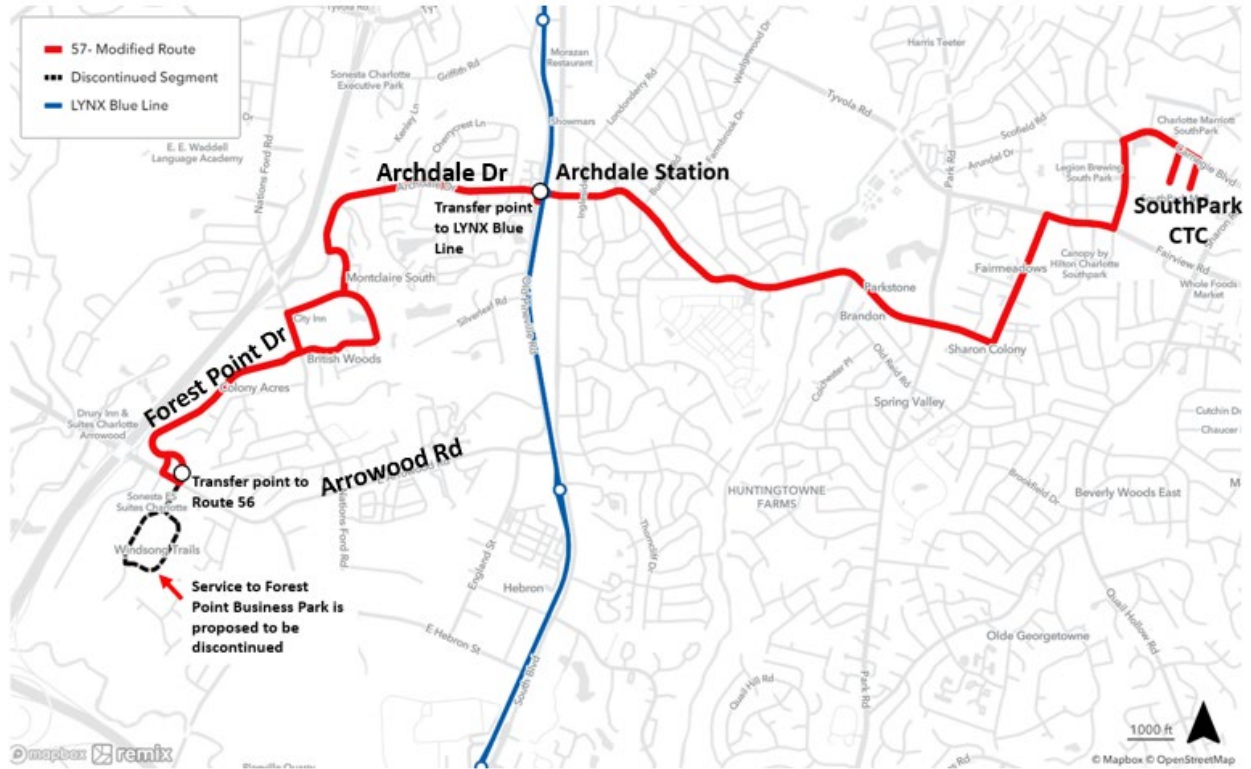
4.0 ECONOMIC IMPACT: N/A

5.0 ALTERNATIVES: N/A

6.0 RECOMMENDATION: CATS conducted engagement in October 2023 and based on feedback received from the public meetings and survey, the recommendation is to move forward with the changes to Routes 57 and 235 in February 2024.

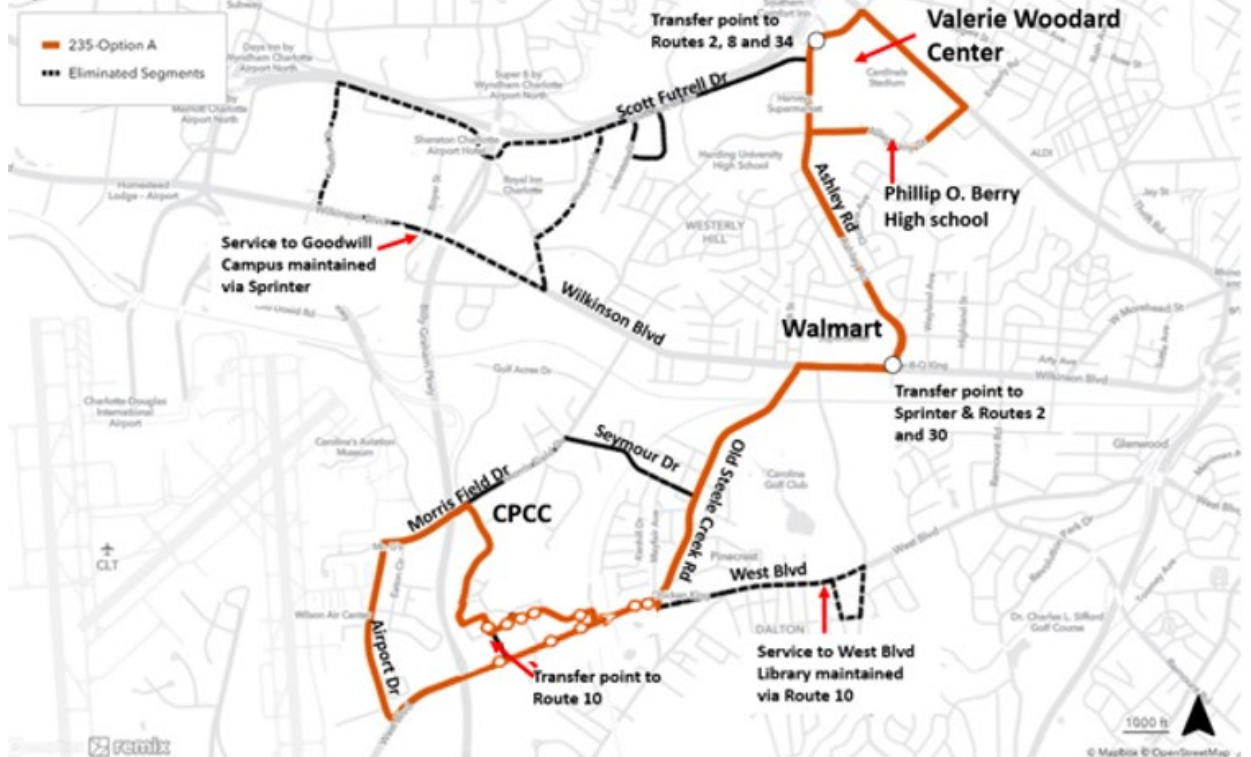
7.0 ATTACHMENT(S): Proposed Route Changes

Route 57 Proposed Changes



Route 235 Proposed Changes

Option A



SUBMITTED AND RECOMMENDED BY:

A handwritten signature in black ink that reads "Brent Cagle". The signature is written in a cursive, flowing style.

Brent Cagle
Interim Chief Executive Officer, Charlotte Area Transit System
Assistant City Manager, City of Charlotte

February 2024 Service Change Proposals

MTC Action Item
November 2023



SERVICE REQUESTS

•Route 57

- Later weeknight and Sunday service to support counseling and treatment services provided by the McCleod Center

•Route 235

- A direct connection between Phillip O. Berry High School and the Central Piedmont (CPCC) Harris Campus
- Later service to connect to the Wilkinson Wal-Mart
- Direct connection to Valerie Woodard Center



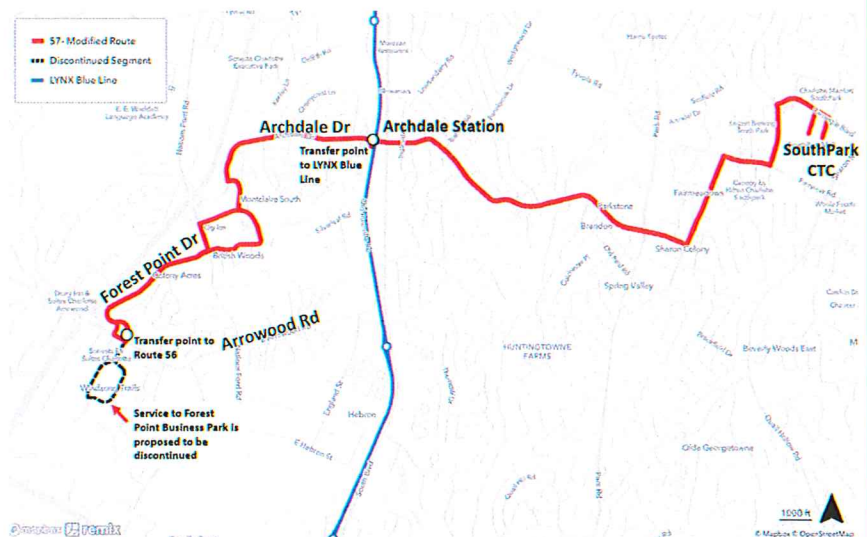
RELIABILITY CHALLENGES

- **On Time Performance**
 - **Route 57:** On time performance rate of 55%
 - **Route 235:** On time performance rate of 75%
 - **Systemwide CATS target:** 85%
- **Operating Challenges**
 - **Route 57:** Challenges with signal timing near Archdale Station
 - **Route 235:** Challenges with at grade train crossing along Seymour Dr
 - Stalled trains often block the path of buses



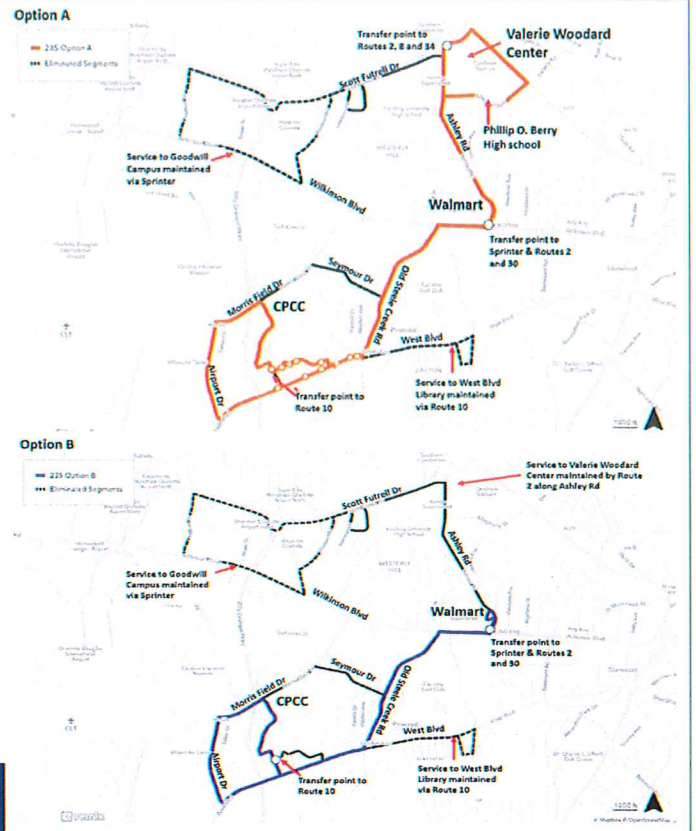
PROPOSED SCHEDULE/ROUTING: ROUTE 57

- **Increased Service**
 - Later service on weeknights after 9pm
 - New service on Sunday
- **Proposed Routing Change**
 - Shortened routing with service ending at Forest Point Dr & Arrowwood Rd
 - Service to the Forest Point Business Park proposed to be eliminated due to lower ridership
 - Accounts for 5% of routes overall ridership
 - Would assist in improving on time performance and reliability



PROPOSED SCHEDULE/ROUTING: ROUTE 235

- **Increased Service**
 - Later service on weeknights after 9pm
 - Added service on Saturdays after 4pm
 - New service on Sunday
- **CATS presented two routing proposals for public input to help improve on time performance and reliability:**
 - **Option A:** 50-minute service that connects riders to the Valerie Woodard Center, Phillip O. Berry, Ashley Road, Wilkinson Wal-Mart, Renaissance West community and the CPCC Harris campus
 - **Option B:** 45-minute service that connects riders to the Wilkinson Wal-Mart, Renaissance West community and the CPCC Harris campus



TITLE VI

Major Service Change: Any change that affects more than 25% of revenue miles or hours

- **Route 57:** Preliminary numbers show that changes do not affect 25% of revenue miles or hours
- **Route 235:** Changes would impact greater than 25% of revenue miles and hours

CATS followed the Title VI process for both routing proposals

- An assessment of the effects of the proposed service change on minority and low-income populations using available rider data
- An analysis of information gathered from **rider surveys or public input**
- Demographically mapping the service area or planning area and identifying the census tracts with a percentage of minority or low-income populations at or higher than the demographic thresholds
- Assessment of the available service alternatives
- Determination of disparate and disproportionate impacts that would preclude the organization from implementing the service change
- Description of measures, if necessary, taken to avoid, minimize or mitigate the negative impacts of the proposed service change

PUBLIC OUTREACH

Public Meetings

- **In-Person Meetings:**
 - Oct. 10th at the West Boulevard Library
 - Oct. 17th at the Archdale Station
- **Virtual Meeting via [CATS YouTube](#):**
 - Wednesday, Oct. 11th
- **TSAC Presentation**
 - Thursday, Oct. 12th

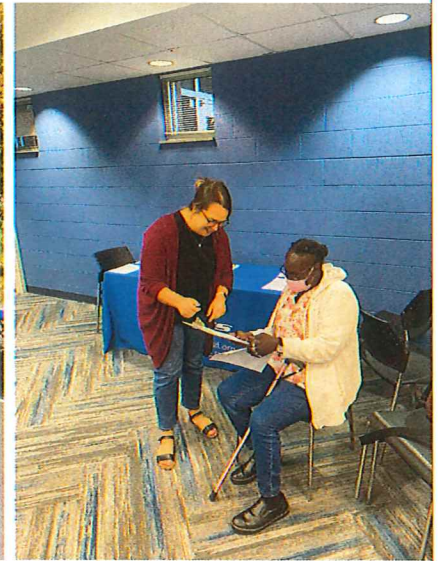
Partner Events

Corridors Connect

- Sunday, Oct. 22nd - West Boulevard area
- Sunday, Oct. 22nd - Freedom Drive area

Electronic Communications to Community Partners

- West Blvd Neighborhood Coalition
- McCleod Center
- CPCC
- CMS
- Valerie Woodard Center



Engaged over 100 community members



ONLINE SURVEY

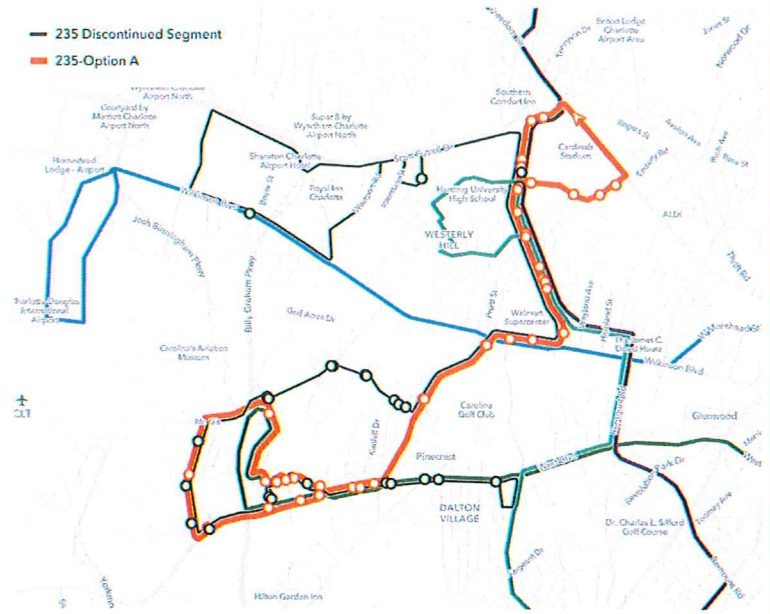
- ▶ CATS tagged over 115 bus stops along Routes 57 and 235 to encourage riders to take the online survey
- ▶ Survey active between 10/6/2023-10/31/2023
- ▶ 49 responses received
- ▶ Results
 - 76% agreed that increased service on both routes would improve their commute
 - 28% of those surveyed frequently travel to the Forest Park business park along Route 57
 - 74% of respondents were in favor of **Option A** for Route 235



TITLE VI FINDINGS

► Disparate and Disproportionate Impacts

- CATS determined there was no disparate or disproportionate impact with the changes due to the close proximity of alternative bus routes along the impacted corridors/routes.



MTC ACTION

► CATS recommends MTC approval of the following changes for February 2024:

- **Route 57 – Archdale**
 - Extended service on weeknights after 9pm
 - New service on Sundays
 - Proposed elimination of service to Forest Park Business Park
- **Route 235 – Goodwill**
 - Extended service on weeknights after 9:30pm
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Thank You!



