# AGENDA

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| Meeting Type: | W |
| Date: | 11-02-1992 |
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City of Charlotte, City Clerk's Office

The City Council of the City of Charlotte, North Carolina convened for a Workshop on Monday, November 2, 1992, at 5 10 p m in Room 267 of the Charlotte-Mecklenburg Government Center, with Mayor Richard Vinroot presiding Councilmembers present were Stan Campbell, Dan Clodfelter Pat McCrory, Tom Mangum, Hoyle Martin, Cyndee Patterson Don Reid Ella Scarborough and Lynn Wheeler

**ABSENT** Councilmember Ann Hammond

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**OPENING REMARKS**

**Mayor Richard Vinroot** stated there were a couple of things to discuss before dinner You have a memo from Wendell concerning the Double Oaks Multi Family Housing Refinancing Opening He stated it was about 5 minutes, and Mr Parker is there and he plans to put him in the second position before they go to the MPO decision

**WSOC INVESTIGATION AT AIRPORT**

Mayor Vinroot stated he also has a memo from Don Steger about the WSOC investigation of one of the departments out at the Airport where they found some alcohol in the refrigerator and found a big board with regard to on going office pool over racing He's seen their video, and in his own judgement, he could tell them about it in two minutes He doesn't know if it is necessary to stop and see what was about 20 minutes of video tape If they choose to let someone show them the tape, that's fine but he thinks they should move that to a little later in the agenda In brief he wanted to say that one of the departments out there the maintenance division, who was found to have liquor and other things in the refrigerator, and a big board, about as big as the screen in the Chamber which looked like a year long office pool in which substantial amounts of money were being bet from whatthe man was saying in response to Jeff Sonier's questions He thinks it is something in the worst possible judgement, something that shouldn't go on, liquor in ice boxes in anybody's business, City or private, and an on going office pool in which looked like thousands of dollars were being bet The first he heard of it was this afternoon and he thinks the City Manager may add something to that because he reported it immediately as soon as he heard about it He thinks the City Manager has been in touch with Jerry Orr about it

**Wendell White, City Manager** stated it was very difficult to conceive that employees would use no better judgement than they did, and they are reviewing the situation through the Director's Office at the Airport He has every confidence in the director and the team that he has out there, they're doing a excellent job That is where he is on it right now today The director has been doing a very thorough review of the situation to see exactly what's going on and while they know the obvious, they don't know everything there is to know about it, so they are going to proceed in that manner

Mayor Vinroot stated he thinks that is all they need to do about it right now, except to say how outraged he was by what he saw and he's sure Council would feel the same way, but other than simply knowing that they know about it today and they are looking into it and they would do whatever is appropriate in terms of a remedying situation

**Councilmember Hoyle Martin** stated he would like to see the tape at the end of the meeting

**Councilmember Ella Scarborough** stated that was going to be her request to see the tape at the end of the meeting They need to know what they are responding to, people are going to ask them questions, of course they would refer to the City Manager, that is the appropriate thing but she certainly would like to see the tape if it's available

**Councilmember Pat McCrory** asked if they could just do that, like if they want to see the tape individually?

Mayor Vinroot stated he would see if Jeff Sonier or someone there could make that available so they could go out and see it or see it after the meeting He stated it is about like he described

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**PRESENTATION ON SERVICES ASSESSMENT PROCESS**

Mayor stated the first item on the agenda tonight is the Information Presentation on Services Assessment Process

Mr Martin stated they've already taken up 15 minutes, so they are still going to get 15 minutes, but they have there with them in the interest of time Mr Nimish Jhaveri and John Kelly, who are the consultants Council approved of them to employ and they are going to give them an over view in terms of the role that they perceive Council playing in this process With those few words, unless Pam had something to say, he was going to turn it over to Mr Jhaveri

Mr. Nimish Jhaveri, Consultant stated they were very happy to be there today and they thank Council for allowing them to work with Council on this very important project for the City He wanted to work Council through the various steps that they would like to take in the next couple of months and Council goes through and assesses each of the City Services There are seven steps to this process, starting with an introductory meeting with the Council, which is exactly what they are doing there today Simultaneously they started working with the 14 internal consulting groups consulting from the City, to actually classify these services in a meaningful manner, and catalog them and to write a profile with each service so that individuals who are assessing these services have some common information to go by Third they will actually conduct the services into evaluations, each of them would take part in this evaluation process Fourth, They plan to do a consensus building workshop, that would be a half day workshop they expect that workshop would allow them to take advantage of the evaluation service, evaluation they would receive from a panel of citizens and from members of the City staff He stated once Council receives that information they would then evaluate these services, make use of that information and they would use those final evaluations they make and that's in the final workshop in step six, the planning workshop where they would go through and actually develop the kinds of results they are looking for

Mr Martin asked if it was a one day workshop?

Mr Jhaveri stated that's a one day workshop The time frame for that whole plan, they anticipate, if everything works as schedule and they receive all the cooperation that they need from Council, the citizens and the City staff, they expect to finish that before January begins To give them a little bit more detail on each of those steps, he started with the second step, it is actually to classify the various services that the City provides in a meaningful manner They have already begun this process, and he has a copy of what they did in order to develop the profiles that Council will actually use to evaluate those services Essentially they took all the City services and separated out those services they considered direct citizens services, were listed on this first page on this handout With the help of the Internal Consulting Group, they took all the City services and broke them up into two distinct types, those that were self sustaining and those that use the General Fund and various other forms of funding They divided that into two different kinds of support services, in other words, services that actually assist other City services They pull out by continue evaluation, CIS, City Clerk and so on What they had left is what's returning to that provision services and these are the services they would like for Council to evaluate They include Animal Control, Customer Service Center, Community Development and so on He believes the list of services there is about 52 services He showed Council how the 52 services would look, he stated he was showing them that to prepare them of what is yet to come Some of the services they have isolated, Long-range community planning,land use public building art program, historic districts, Public Service & Information pick up recyclables, and various different pick ups street cleaning and so on Those listed in the package they have and the one sheet they have is an

example of some of the services they have isolated today Once they isolated those services they are developing a service profile for each of these He showed the profile for Fire Operations, it described the service to some level of detail, it described the needs of the service fulfilled and what specific services are included in this particular description, in other words there they have Fire suppression, First responder, EMS, hazardous materials, and aircraft fire/rescue, all of these services provided by the Fire Department are classified in a different group of services which goes with the evaluation

Mr. John Kelly, Consultant stated Mr Jhaveri might also point out that the level of staffing for that service is shown as well as its annual budgeting

Mr Jhaveri stated they have examples of other services there was one for Animal Control Again he just wanted to say this is really to help individuals have a common base of information as they evaluate services As they know, citizens will be evaluating services as well, and what they would like to do is provide them with the kind of information that they may not have on a normal regular basis, such as funding, staffing, specific services that each profile actually describe

Mr Kelly stated they tried to describe these services with a minimal amount of jargon, in a manner that the average person can really understand

Mr. Martin stated on that one you have City and County providing, but everything here reverts to the City? He asked if he was correct and if they had City and County, all the cost and staff, this is all City, but you have in there to meet the needs of City and County?

Mr Jhaveri stated that was correct, this is all the City

Mr Martin asked if the City services were all done by the City

Mr Jhaveri said the City's commitment is to this particular service Once they have developed these various profiles, as he mentioned earlier they would be conducting service evaluations In the first handout they received, it actually describes the various steps that are going to be required to actually evaluate these services They are going to be using a very specialized methodology to do this, it's simple straight cord methodology that's implemented on a PC, the PC would prompt each individual with evaluating the services along, and they would be there for one on one assistance, should they be required They expect the evaluation process would take about two hours out of Council's time and perhaps an hour for City employees, because they would be making fewer evaluations than Council would

Mr Jhaveri stated he brought along a copy of what they might see when they are evaluating the services They would see a screen perhaps, a PC screen that essentially asks a question, in this case it says which of these two services do you feel most important to the community? What they asked them to do is to use the arrow key on the PC and position the circle on one of these two services, by pressing the arrow key you would be able to move from new services to Animal Control and back and forth The numbers associated with each of those services will corresponded to a profile in a pack they would have before they come to evaluate the services They could actually look up Animal Control, and find out exactly what Animal Control does, how much they fund Animal Control activities, what specific achievements that group has had and so on Once they make their decision on which of these two most appropriately response to that question you would press a button on the computer and that information would be then stored for them to analyze it later

Mr. Jhaveri stated the evaluation they receive would be essentially along two Axis, they would be looking at the, the relative importance of each service with each other In the examples just used youth services and Animal Control will both fall somewhere along the bottom Axis Similarly they would also be looking at the effectiveness of each service and that fall across vertical Axis If you look at each together, you might see something like this, and he showed what it would look like That is what

they would be working from in their first flow chart There are six services there and each of them have a different level of importance and different effectiveness, and they would be judged by Council, again by the citizens, and the City Manager

Mr Kelly stated the City employees would be judging only the relative effectiveness of the services, not their relative departments

Councilmember Pat McCrory asked if the City Managers would be putting their suggestions regarding importance

Mr Kelly stated not regarding importance

Mr McCrory stated he finds what the consultants are doing very interesting but he was just curious from a management standpoint Although there is a fine line between what's policy and what's the best management thing, he thinks it would be interesting for at least for the management side of City staff, to also get their feedback if possible on the importance It would be interesting to see the correlation between the policy makers with management, to throw that out as a suggestion

Mr Jhaveri stated it is possible, one of the reasons they didn't concluded it was because of time constrains and the other is what Mr McCrory pointed out, for policy reasons It is possible, should Council want to do that they can incorporate that

Mr McCrory stated that there is a gray area there, some things could be in management, from a management standpoint these might not be, or should not be as important, and he thinks it would be curious to get that from a management perspective and compare that with the policy makers He would be curious to hear the City Manager's input, or anyone else's on that

Mr White stated he would say two things First of all, he is not saying this in a light way at all, they are influence as they should be by Council's policies If they were to do this without regard to knowing what their policies were, Council would get an objective straight forward statement, so that they are colored a little bit of what they are trying to do He stated that is the only reservation he has

Mr Martin asked wasn't that really the objective there, Council need to know how staff feels on this thing, regardless of the policy He asked if he was right?, and asked Mr McCrory if that was what he was getting at?

Mr McCrory stated that some of these are fine line between what's policy and what's management perspective on what direction they are going so, yes

Mr. Martin stated his point is, if the City Manager feels sensitive or his staff feels sensitive about policies, and they don't want to offend anyone on Council or the Mayor about this thing so they are not really going to tell the full truth, he thinks they would be missing a point, he thinks it is important that staff evaluate this thing just as Council do as objectively as he could, setting the policy issue aside for the moment forgetting that Council is the policy makers

Mr White stated he was quite willing to do that

Mr Martin stated he thinks Council needs to do the same thing when Council responds to this, if they say they don't want to go against the very policy that they set up, he thinks they would be misleading themselves, and therefore they won t get a true meaning for what those gentlemen are going to give back

Mr White asked if he could use one illustration to see how quickly Mr Martin would get offended He stated if he was to prioritize, which is part of it right, providing housing does not come up nearly as high to him as the safety issues facing the community

Mr Martin stated that is fine, he wants to know that

Councilmember Don Reid asked in terms of what you gentlemen was just said, they are trying to keep this simply separate is that correct? He stated there are a lot of things they could do that would be real interesting to them, he's sure, and they could run this thing into about a 8 month deal He stated his question is, yes it would interesting to know but how would they use it He stated if they found out that the City Manager thinks that Police are number 20, and Animal Control is number one why would that be of any importance in accessing the service level or the importance in how they are going to determine which is more important He asked how would that influence your decision on which services they will increase, decrease, or be important or not important

Councilmember Stan Campbell said probably about as much as it always has

Mayor Vinroot stated they have heard from Council and maybe there is a way for them to do an evaluations that would include their reactions He stated he would not want to super impose theirs on Council's, but he might separately consider how they do, see how close in line they are with their views, reports, and effects

Mr Kelly stated personally they would not have problem providing that data, it takes a little longer for City employees to fill that out, but it is not a great deal of work on their behalf He stated if at a later point choose to discount that data that's their call

Mayor Vinroot stated he thinks it would take a lot longer to have City employees to do all of that, because he thinks the City employees, would grade their department to be the most important of all no matter what it is He stated he thinks what he is really asking for is whether the management staff itself might have a separate chart

Mr Jhaveri stated he hoped that once they see the results from citizens and the City Managers, they would be able to get together and revaluate those services, the revaluation process would be identical to the previous one, but eventually they would end up with a matrix that looks somewhat like this Every service is going to fall, given the priorities that they place on it, into one of those categories If a service is extremely important to the community and is being delivered in an effective manner, you might say let's increase these sources for this particular service However, if you feel this particular service is very important, yet not very effectively delivered from the point of view of citizens you will look at ways such as restructurim it, or any redefinition of that particular service That is what they would spend their one day workshop on sometime before the beginning of next year

Mayor Vinroot stated it looks like it is not only going to be of interest but of real use to them and he thinks this is a good start

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**DOUBLE OAKS REFINANCING**

Mayor Vinroot stated he mentioned earlier tonight that John Proctor Jr wanted to talk to Council about the Double Oaks Multifamily Housing refinancing and maybe some of the staff wants to introduce the subject The reason they are doing it tonight is that it makes a substantial difference if they do it promptly as opposed to delaying it and therefore miss the opportunity that this refinancing provides of saving money for them and folks that are benefiting from this services

Mr. John Proctor, Jr stated Council has a copy of the letter and that is the request for a positive vote from the City Council for refunding of the bond It's a money saving situation which started out a month ago with a total savings over the life of the loan of $2 million, now because of the increase, interest rates are dropping The increase and interest rates the savings now has evaporated to 1 6 million, it's like they have been carrying a bucket and they had dropped $400 thousand dollars already so this is a situation that if you do knock the bucket aside and table this issue and do not vote on it, it's a good possibility that all savings they could effect by refinancing these bonds will evaporate within a six month

*mandatory waiting period that's required if Council does not vote on this* This is a money saving situation, the funds will be utilized as he has shown to handle deferred maintenance, which is taking place on the property This deferred maintenance such that on the tubs that are now some 45 years old, which were not replaced during the rehabilitation of water lines, parking lots, which need grading and resurfacing, plumbing sewage handling, the lines on it are all ancient They have some roofs that were not recovered when the property was rehabilitated substantially They absolutely believe they are providing an excellent service in the City for the working poor, people who do not want to live in public housing people who through their print payments, also contribute to City/County property tax base where other forms of housing on a public basis do not do that It's his firm hope that Council will vote positively for this when it comes up and it will help them all It will help the property, it will help the City to maintain an inventory of housing, over 570 units out there of housing, that are housing almost 2000 people right now

Mayor Vinroot stated as he understands it they are really a conduit for the original loan, the refinancing, they are not pledging any faith of credit to the City of Charlotte He asked Mr Proctor what he was going to be able to reduce his interest rate from 9 1/2 to what?

Mr Proctor stated the other day it was 7 66%, but has changed somewhat since then, so it is probably going to be a little bit over 8%, but it will still be a savings

Mr Reid stated it was certainly his lack of understanding that they are a public session, since they have no return on capital and no interest, why did 51 people put up 4 2 million dollars to begin with what was their objective

Mr Proctor stated there were some tax advantages at the time which were eradicated by the change of tax law in 1986, so that people who invested in this type of situation Certainly the money was at risk but they did get a tax benefit from it When they went into it, they were thinking in terms of the 7 1/2% mortgage, which ended up being a 9 1/2% mortgage they did not get what was projected to be an ordinary return on their capital investment, he was looking at 52 people who were sold on it and brought half interest in it They were talking about very prominent people in town who are looking for the public good, and he thinks this is most important to start giving them some return, they expect it

Mr Reid stated he do not disagree with that He asked if there were any down side to the City at all, and does it cost the City to approve this?

Mr White stated from his perspective it is all positive because of the investment that will happen back in property

Mr Reid stated it was simple, they have to approve it in order for them to do it

Mr White stated that was right, they're a pass through agent

[ Motion was made by Councilmember Wheeler, seconded by ]
[ Councilmember Scarborough, and carried unanimously to approve ]
[ Double Oaks Refinancing ]

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**MPO DECISIONS**

Mr Campbell stated the last MPO meeting they asked if Council had sent the instructions to accept 9 to 2, with 10 to 2 votes They asked if Council would consider a 9-3-1, Mr Pressley was there

Ms Scarborough asked if the 9-3 stands for 9 for the City and 3 for the County?

Mr Clodfelter stated yes, that gives the City and County together a majority

kjw

Councilmember Tom Mangum stated he could not support that unless the County agrees to direct their MPO representative on how to vote with those three votes In the past the County has had some individuals he didn't particularly agree with on some of their ways of doing it, and if they're not directed then he wants 10-2 and 1, or he's not supporting Mr Mangum stated Council could request that saying they didn't like it, and go back with 10-2, and if they don't want that, let the government decide

Mr McCrory asked Mr Mangum if he was asking that Council amend a motion to ask another body to direct them on how they vote on the MPO in other words you re going to request the County to instead of asking the individual representative, to do it regardless, the same way the City does it?

Mr Mangum stated if they don't want to do that then the recommendation that he would stand for would be 10-2 and 1, he could live with County having 2 votes undirected, but not 3 or 4

[ Motion was made by Councilmember Clodfelter, seconded by Councilmember ]
[ Wheeler for the 9-3 voting structure ]

The vote was recorded as follows

YEAS Councilmembers Campbell, Clodfelter, Hammond, McCrory, Martin Patterson, Reid, Scarborough and Wheeler
NAYS Councilmember Mangum

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**The meeting was recessed at 5 45 p m for dinner and reconvened at 6.25 p m**

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**LEGISLATIVE PACKAGE**

**POLICE DEPARTMENT-WARRANTLESS ARRESTS**

Boyd Cauble stated about four weeks ago they sent out mail to Council and department heads, asking them to submit any request for legislative items to them so they could assemble and present it to them tonight The City Attorney Mr Underhill and himself have met with several department heads they weeded through the multitude of request and this is basically what they have come up with for their review tonight, some of these items are rather routine, some are more complicated and a couple are on here for discussion per Council request Last year their number one priority in the legislative agenda was the return of local revenues to local government and they were partially successful, with their counterparts from all over the State, they got their reimbursements replaced statutorily, they're taking out of the normal budget process now That is about $9 million a year that they receive that they will not worry about being in the State's budget They still have the State collected local revenues, which are basically the beer and wine, utility franchise and some intangibles taxes This is about $21 and a half million a year that they receive from the State, what they call pass throughs, that is still subject to budgetary restraints a State withholding by the Governor and for the legislature, and the big thrust this year for the League is to try once again to get this additional source of revenue removed from the State budget process They will possibly be requesting, or the League will be requesting, that Legislature substitute another revenue source in lieu of these specific designated sources of revenue They are aware the legislative State of Commission report for the League adopts their final position on this He mention this to them because he thinks this is once again probably be one of their top priorities as far as State wide legislation It is critical that they get that money removed from the State budget, here's one good example why From the State collected local revenues the Legislature last year designated that about $600 thousand of their 21 5 million, be deducted and put up as a match with federal waste water grants for smaller communities and the City of Charlotte is not eligible to receive these grants and that

just gives them an example of how vulnerable they are to having these funds in the State budget
The first issue is from the police department, it's a warrant less arrest on school grounds, this is a carry over of the same bill that they submitted last year, but because of the nature at short session, they were unable to get it approved and basically what it does is allow officers to go on school grounds and make arrests at the scene, without having to go back to the magistrate and obtaining an arrest warrant for a violator of either drugs or guns on campus where the administrator has caught them and they are unable to remove the individual without first getting a warrant, so that is what this is about They had a request from the Police Department once again to consider this

Mr McCrory stated they have already voted on that

**POLICE DEPARTMENT-EXEMPTION FROM PUBLIC INFORMATION ACT**

Mr Cauble stated the second one is the exemption of search warrant affidavit and application from the Public Information Act for a limited period and the Police Department is suggesting 60 days What happens is the police department gets a search warrant and once they obtain the warrant, it is immediately available for the media or anyone else to review and the police department has pointed out that on more than one occasion the media literally was at the scene of the proposed search before the police arrived and what they are asking for is a special legislation which would allow us to keep the application for search warrant basically withheld from the public for a 60 day period

[ Motion was made by Councilmember McCrory, seconded by Councilmember ]
[ Mangum and carried unanimously to approve I-B, to exempt search ]
[ affidavit and application from the Public Information Act for 60 days ]

Councilmember Majeed asked why 60 days as opposed to 30 days?, why

Mr. Cauble stated the 60 day period is primarily an arbitrated number which the Police Department feels under no circumstances would they post pone the search beyond 60 days for whatever reasons He stated probably 30 days would be sufficient, but they just put 60 days in there to make sure

**COMMUNITY DEVELOPMENT-INCEASE LICENSED CONTRACT OR REQUIREMENTS**

Mr Cauble stated under Community Development, in the past they had authority to award contracts to non-licensed contractors for CD work up to $45,000 The Legislature decreased this amount to $30,000 What has happened as a result of this is that CD has a problem by not being able to award rehabilitation work to small contractors, minority contractors whom they've done business with before, who are not licensed Approximately 50% of all CD's rehab work is in the $30,000 to $40,000 category, so what they're asking is they attempt to get this ceiling raised from $30 000 to the previous $45,000 one

[ Motion made by Councilmember Mangum seconded by Councilmember Wheeler ]
[ for licensed contractor increased from $30,000 to $45,000 for Community ]
[ Development projects, and carried unanimously ]

Mr Clodfelter stated he has some hesitation about this, he would like to see some sort of information from CD about meeting compliant experience where rehab contractors may submit complaints from owners, from both standards rehab and rental rehab owners about the quality of the work that's done He thinks the quality problems tend to come more with folks who don't have contractor's licenses There is a reason to have a license involved, to insure that you have a builder of rehab structure and the homeowner who gets stuck with a rehab loan that still has a leaking roof that is supposed to be fixed These are not uncommon

Mr Cauble stated he thinks they have a lot of back up information from past experience and they would be glad to send that

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Mr Clodfelter stated it's pretty tough to get recourse because sometimes the inspectors don't do their jobs, the checks are is cut, the contractor is paid and the work hasn't been done, but the CD inspector signs off

**COMMUNITY DEVELOPMENT-APPROVAL OF IN REM DEMOLITIONS AND REPAIRS**

Mr Cauble stated the next issue is a request from CD to authorize the Housing Appeals board to approve In Rem Demolitions and repairs instead of submitting each case to Council This has been brought up by a couple of Councilmembers and also City staff and it is Council's pleasure on this it is a policy decision

Mr Mangum stated he thinks it is a good idea, with the fact maybe an individual could appeal it to the Council They don't have that many of them to come before them anyway, usually those are the worse ones

[ Motion was made by Councilmember Mangum, seconded by Councilmember ]
[ Majeed to approve II-B, to authorize the Housing Appeals board to a ]
[ In Rem Demolitions and repairs, with an appeal to Council, and was ]
[ carried unanimously ]

Mr Majeed asked if it would be in addition to the appeal process?

Mr Mangum stated as long as he understood the guy could come and appeal to the City and City Council

Mr Majeed asked if that was implied?

Mr Cauble stated that is not implied, that is Council's decision If they decide to do that, then he would imagine they would have a lot of appeals Mr Mangum said it doesn't matter to him, he could go either way They do have a awful lot of them and he thinks if staff had the go ahead with it they probably get fixed a lot quicker than with them coming to Council and he just didn't want citizens to feel like they don't have the opportunity to get theirs

Mr Martin stated he agree with Mr Mangum If Council don't have the appeal he's not going to support

Mr Clodfelter stated he supports this in concept, but he is going to make some observations for Council, then to the Manager If they do this, if the legislature allows them to do this, they are going to have to have a housing appeal in order that functions, and that means having a quarter of its members attending the meetings so they can hear and decide appeals As you recall, we have had complaints brought to us at public hearings about that very problem for the last few months, in addition to that there is a company passport meeting on the housing code revisions and a number of the members of that task force say that it is not at all uncommon not for someone to be noticed for a hearing and the property owner or his or her representative show up for the hearing, and the staff member who is charging the violation does not show up for the hearing, because they are out in the working site issuing more citations His message is that this is going to require some commitment internally to make sure that the Housing Appeals board members show up for their meetings and to solve the issue, and number two that the staff members show up for the hearings

**COMMUNITY DEVELOPMENT-INCREASE MANAGER'S AUTHORITY**

Mr Cauble stated the next issue is to increase the City Manager's the authority to sell or acquire real estate from $10,000 to $50 000

Mr Martin asked why do they think this is necessary?

Mr Cauble stated he thinks that CD has pointed out several instances where it would have speeded up the process to have a $50 000 limit without having to come to Council again it's Council's call

[ Motion was made by Councilmember Clodfelter seconded by Councilmember ]
[ Martin to approve II-C, to increase the City Manager's authority to ]
[ sell or acquire real estate from $10,000 to $50,000 ]

kjw

The vote was recorded as follows

YEAS Councilmembers Campbell, Clodfelter, McCrory Mangum, Martin, Patterson, and Scarborough
NAYS Councilmembers Majeed, Reid, and Wheeler

**PURCHASING CHANGES**

Mr Cauble stated under purchasing, again they are getting into a lot of the increase authorities, A is increase the sealed bid limit from $30,000 to $50,000 He stated A is to bring the limit in line with Mecklenburg County, apparently they got increase of $50,000 exempt in the sealed bid limit and for some reason or another the City was not included, so not Purchasing which is the City/County department has a $50 000 limit from Mecklenburg and a $30,000 limit for Charlotte

[ Motion was made by Councilmember Martin, seconded by Councilmember ]
[ Mangum to approve III-A, to increase the sealed bid from $30,000 to ]
[ $50,000 and was carried unanimously ]

Mr Cauble stated B is to authorize the acquisition of materials equipment, and supplies through the Request for Proposals process (RFP) This is traditionally a process which they only used for acquiring professional services, engineering, architects and so forth Purchasing has pointed out that it is not as simple as it used to be to write specs for complicated equipment like the LAN computer system and the 800 Mega Hertz, complicated phone systems, they would rather put together a RFP process and negotiate with respondents The American Bar Association has a model Procurement code, which would allow us to use the RFP process for acquisition of materials, equipment and supplies Purchasing is proposing that they adopt such a manner, but it is Council's pleasure on this

Mr Martin asked if it was going to avoid some kind of a minimum dollar cost?

Mr Cauble stated no, they had not suggested a dollar amount here, obviously it will come back to Council for final approval, it is not like administrative purchases What they're suggesting that there is a better way than a sealed bid process for acquiring this

Mr Mangum stated he didn't know if Mr Cauble could answer this or not but he knows that in the steel industry, for instance Charleston ship building, they had limits sort of like what Mr Martin was talking about up to $2,500 the first agent could get one bid and purchase the item right then If it went to $10,000 or $15,000, some figure, they would end up with one supervisor having to and they had to get at least 3 bids If it was over a certain dollar figure, than the full RFP process went to everybody and you still had to have 3 people sign off on the project, the City Manager, Supervisor and the person that issued it He asked if we do that now?

Mr Cauble stated in some cases they are able to, he thinks the last one as a matter of fact raised the limit for disposal of property through private negotiations, in this case, they have a $5,000 limit where the first record keeping dispose the property through negotiations with an invincible He stated what Mr Mangum describe, he thinks is similar

Mr Mangum stated it sort of just put the guidelines on it once you reach a certain dollar figure you have to have x number of this, and once you reach this then you go to full RFP

Henry Underhill, City Attorney, stated the present law operates that way If you buy a certain items pending on the dollar amount through strict and informal bid process where you take bids on or by telephone or even from one individual, it is a situation where you can buy things on informal bids as opposed to having advertised the bid and that kind of thing What this really proposes is to do away with the bid process for materials, equipment and supplies and go to an RFP process The present State law

kjw

requires that they buy materials and supplies, and you go through a bid process and the bid is awarded to the lowest possible bidder If they look at the backup material regarding this item, what's being proposed would be significantly different

[ Motion was made by Councilmember Mangum, seconded by Councilmember ]
[ McCrory to approve III-B, to authorize the acquisition of materials, ]
[ equipment, and supplies through the RFP process, and was ]
[ carried unanimously ]

Mr Cauble stated C is a Bid Deposit waiver issue Currently State law requires 5% bid deposit on all bids in excess of $100 000 The Purchasing Director has said that this one requirement does increase the cost of bids and an certain circumstances Purchasing Director knows who the few people that do respond, who would not be able to deliver, and he would like to have the authority waived the bid deposit requirement This would allow MWBE's and small businesses to bid on work release when they are not currently able to bid something He thinks this gives a lot more authority to the Purchasing Director

Mr Reid asked what was the reason for the 5% to begin with?

Mr Cauble stated he didn't know and asked the City Attorney if he knew It's just a uniform State requirement

Mr Underhill stated it insures that you're getting a serious bid from a bidder, because if the bidder is the lowest bidder and you award the contract to them and they opt not to perform, you could take their 5%, you could take the bond basically He thinks it's going to encourage serious bidding efforts by bidders, to make sure that when they give you a bid, they will stick with it

Mr Mangum stated on a lot of their road projects, they end up holding 10% of the price out at the end anyway until everything is completed He asked if the same thing could be applied to this?

Mr Underhill stated that's a policy, that's not the State law We do operate on a retainer system

Mr Mangum stated that we sort of have a safety valve there anyway

Mr Underhill stated this is intended to operate during the bidding process as opposed to once the contract been awarded

[ Motion was made by Councilmember Scarborough, seconded by ]
[ Councilmember Clodfelter to approve III-C, on Bid Deposits ]

The vote recorded as follows

YEAS Councilmembers Campbell, Clodfelter, McCrory, Majeed, Mangum Patterson, Reid, Scarborough and Wheeler
NAYS Councilmember Martin

Mr Cauble stated D is seeking authorization to raise the limit for disposal of property through private negotiations from current $5,000 Max to a $20,000 Max This has been around awhile, to give an example, a used fire engine or a piece of equipment, Purchasing thinks they could get more for this through negotiated sales than they can through customary bid process, that's where they mark all their equipment together and have one auction

[ Motion was made by Councilmember Mangum, seconded by Councilmember ]
[ McCrory to approve III-D, to raise the limit for disposal of property ]
[ through private negotiations from $5,000 to $20 000 ]

The vote recorded as follows

YEAS Councilmembers Campbell Clodfelter McCrory Mangum Martin Patterson, Reid, Scarborough and Wheeler
NAYS Councilmember Majeed

kjw

Mr Cauble stated E simply raises the limit for advertising the private sales for $5,000 to $20,000 to correspond to D

[ Motion was made by Councilmember McCrory, seconded by Councilmember ]
[ Mangum to approve III-E, to correspond with D ]

The vote recorded as follows

YEAS Councilmembers Campbell, Clodfelter, McCrory, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler
NAYS Councilmember Majeed

**GEOGRAPHICAL INFORMATION SYSTEM**

Mr Cauble stated IV was sent to them by the engineering department and he feels like this will be in the County's legislative package also They have a Geographical Information System, Which is primarily putting all of their maps on computer disk, and in the past they are required to give this information to anyone that wants it and simply charge them the cost of reproducing prints They don t get the sepias which would allow them to reproduce maps themselves, but with the computer technology they can take the disk, once they have the mapping done through GIS and literally have value added to it They can take the data that cost them perhaps $50 000 to produce initially and then provide services to private sector with our disk What has happened in the past several Counties, primarily Catawba, Lincoln, Brunswick and Johnston had gotten the exemptions from the Public Records law to allow them to add a cost to these disks and sell them to the public It allows them to recoup part of the original cost that they incurred in preparing the disk This requires legislation, primarily they would be amending the existing law to add Charlotte Mecklenburg

Ms Scarborough asked if he had an idea of the estimated cost

Mr Cauble stated they currently have street center line maps on this, which cost them $40,000 They are entering into an agreement with County, and the County permanently has the tax maps done on disk which they anticipate to be from $85,000 to $100,000

Ms Scarborough asked if she was requesting service, she would be requesting a specific area?, and with what he was going to do as a citizen is charge her back for that particular area the she's getting the disk on saying that you had given the entire disk?

Mr Cauble stated no, in this case it depends on how the data is produced he stated he would be honest with them, but he didn't know He didn't know if the entire tax map system could be put on one disk or not

Ms Scarborough stated that is not her question her question is that if she were to request the tax maps for the west side, that would be the only thing that she would get? Then in turn the City or County would charge her the price for that particular area

Mr Cauble stated he would be honest with her, and that he didn't know the answer to that. Technically he is not sure whether it's broken out that way

Ms. Scarborough stated the only concern she has is that if they are going to do that, that the price isn't so astronomical that some folks who really need to have that information wouldn't receive it

Mr Cauble stated he thinks it's safe to assume that the cost would be reasonable, but it would be more than the cost for disk or the cost for reproducing

Mr Underhill stated the legislation that Mr Cauble is referring to that these other Counties have right now, makes this really a qualified exception for the public records law, it doesn't totally exclude the information from the public records law, in fact it requires a City or County to furnish copies of these materials anyone is requesting at a reasonable cost What you get in return is to furnish the materials and

the form like magnetic tape, magnetic disk, compact disk or other photo optical device that the person painting the copy has to agree in writing that the copy would not be resold otherwise used for trade or commercial purposes That s the book, that s what you're trying to get, even after marketing stuff It is not designed to drive up the cost, remember if the general public simply wanted this information, other than noncommercial purposes, it would be provided to them under the public records law at reasonable cost which is usually defined as the cost it takes to make the materials available

[ Motion was made by Councilmember McCrory, seconded by Councilmember ]
[ Mangum to approve IV, for Geographical Information System, ]
[ and carried unanimously ]

**DEFINITION/BUILDING PERMIT ACTIVITY**

Mr Cauble stated number V was put on there at the request of Council primarily it was when the City Attorney brought up the zoning meeting where the definition of the amount of activity is required to keep a building permit active and needed to be defined This is up to Council if they want us to proceed on this clarification or not He thinks they received a letter from the County building standards office giving their interpretation of this He doesn't know if it is currently a issue or not

Mayor Vinroot asked if there was any discussion or any motion to be made?

Mr Clodfelter asked the City Attorney how long is the permit valid?

Mr Underhill presently it is 6 months but it could be kept in effect continuation of working

Mr Clodfelter asked what has to be done in the 6 months, what causes it to expire?

Mr Underhill stated he didn't have independent knowledge on this, he's only looking at the memo that Gene Morgan gave the Council, that grew out of the Lombardy Circle downzoning He basically said they must commence work and they defined that basically as excavation of the performance of

Mr Clodfelter asked what has to happen in 6 months to keep it going, or does anything have to happen in 6 months?

Mr Underhill stated he has no idea This is activity recommended by the County and not by the City He said he did not give legal advise to Building and Standards and he doesn't know what their standards are

Mr Clodfelter stated if all you had to do is commence the construction and never had to do anything else, than the permit would expire There has to be something that is required to be done, or else it no sense for that permit They are talking about what causes it to expire not what constitutes the commencement

Mr Underhill stated what the building code says if after commencement the work it discontinued for a period of 12 months, permit shall expires

Mr Underhill stated Council needs to tell them pretty specifically what they want to do

Mr McCrory stated he would make a motion, to approve V but he thinks as far as communications, they ought to pass it by the County to get their input They were impacted by it, so he says go, but also get some County concurrence on it, or a least input on it just in case they have another opinion

Mr Underhill stated in regard to what?, there's no proposal on the table

Mr McCrory stated he thought they were talking about the 12 months

Mr Underhill stated that is the present

kjw

Mr Martin stated it sounds to him like the whole thing needs to be tighten up so that it has some parameters around it to say at the end of 6 months even the quotation, they're not specifying the amount of work which is required, only that the work must be commenced and asked Mr Underhill if he was saying something about 12 months

Mr Underhill stated he was looking at the Statutes, the Statutes says that they have to commence, if the work is discontinued for a period of 12 months the permit shall expire That's what the present law is in the memo Mr Morton seems to indicate that they deal with these things on a case by case basis, depending on the complexity of size of the project they have

Mr Martin stated it sounds like the law is pretty loose and flexible isn t it?, he asked Mr Clodfelter if that was what he was getting at?

Mr Clodfelter stated he just was trying to understand what constitutes the termination

Mr Mangum stated he would think that building standard would argue with them, that they have too much to do, than enforce a smaller or short period of time, but mainly the way to address some of this is that nothing has been done in the past six months, that building permit would be revoked He had a trailer in an area for three years and the guy just kept renewing his building permit and he never did anything, and as long as he had the building permit, our Community Improvement, which could have gotten him to move the trailer, couldn't do it because he had a legal building permit If they could get that reduced to six months instead of 12 and ask the County for their response on that to see how they felt about it

Mr Clodfelter asked what if in 6 months you haven't done anything you commenced and got the permit, but then you didn't do anything else and you are coming up on your other 6 months, can you get a renewal?

Mr Underhill stated he believed you can

Mr Clodfelter asked if you could go on without doing any work?

Mr Underhill stated you have to do some work

Mayor Vinroot stated he thinks they have had one instance that he could remember that this has come up in, maybe there have been others, he asked if they really want to, change it for that one instance He asked if someone had a specific idea in mind?

Mr. Clodfelter stated there has been more than one instance, there is only one that has come to a zoning hearing

Ms Scarborough stated that is what her original comment was going to be

Motion was made by Councilmember McCrory, seconded by Councilmember Wheeler to go Building Standards and get some input from them and come back for a recommendation

Mr Underhill made a suggest that perhaps they could pass this on to the County and they will consider it their Legislative program

Ms Scarborough asked whether or not they need the to have some conversation with the commissioners or the County on the permitting process They've had so many questions and so many concerns about the new process and how it's being done A lot of times, at least she has had one that she had to send through the City and the City took it over to the permitting area, they sent it back to give no answer and then she sent it to the County Commissioners and then get an answer It seems to her that in the permitting process they need to have a discussion with the County Commissioners on the process or how that office is run They have had too many of these, too many times, and she wonder if whether if anybody else around the table would like to have that conversation with the Commissioners, she thinks is needs to be done

kjw

Mr Majeed stated building standards give them a big recommendation or percentage of completion, in addition to the term it takes 6 months or 12 weeks, that will come, because people would say, okay I put the foundation down and do minimum and I just sit on it, I roll it over He stated everybody is not going to abuse the law, those people who do abuse the law that is the kind of situation you find

Mr Martin stated he thinks he heard the City Attorney trying to suggest he don't know if they over heard him or not, that they just pass this on to the County

Mr McCrory stated that is the his motion anyway, when they say building standards, he's also saying the County They all have explained what their problem is

Mr Martin stated he thinks that's the way to go with it

Ms Scarborough stated maybe at the next County joint meeting they could discuss this

Mr Mangum asked the City Attorney if they could find out if there is a way they must have a construction loan in place in order to start the construction on the job, because it seems like if you had a construction loan or something like that in place, you continue your work on instead of just killing it

Councilmember Cyndee Patterson stated the thing is you have to have a building permit to do a small addition to your house, and you are suddenly going to get every kind of repair guy in town, she thinks they should talk to the County about making recommendations They did ask the County once before at a joint workshop to talk to them about building standards and how they operate

[ Motion was made by Councilmember McCrory, seconded by Councilmember ]
[ Clodfelter to refer V, to the County, and was carried unanimously ]

**ELIMINATION OF MANDATORY REFERRAL LAW**

Mr Cauble stated the next item is the issue of the Mandatory Referral it has come up on numerous occasions and individuals have suggested that they ought to do away with it, and others suggested they ought to put some teeth in it

Mr Clodfelter stated he doesn't think the problem it the law he thinks the problem is that they just don't comply with the law If it hadn't been for the Mandatory Referral law, the School Board would have built a new high school, a new Jr high school, right in the 65 LDN, and that was only called to their attention on Mandatory Referral process It's not a bad law, it's just that they ignore it, and that's not a problem with the Statute, that's a problem with the staff's, County, City, Planning Commission and the School Board, just remembering the fact that this is the process

[ Motion made by Councilmember McCrory, seconded by Councilmember ]
[ Clodfelter to reject VI, the Mandatory Referral Law, and was ]
[ carried unanimously ]

Mr Cauble stated in the conclusion, now when they have the opportunity to present this to the delegation, they have two approaches and it's up to Council They have a joint City/County School Board Luncheon on December 16, they could invite the delegation to that meeting The topic of that meeting is Our Legislative Agenda, since Council has basically approved theirs, the City Attorney will try to have as many of these drafted as possible at that point or we can opt to have a special breakfast meeting with the City Council and Delegation alone, whatever is Council's desire on this He thinks that one thing they could certainly say with pride is they are getting it done early enough that they could discuss it when they go to Raleigh

kjw

Mayor Vinroot stated there are two things that are on the horizon, the arts commission group that's out getting ready to start meeting, and he guesses they may well in January have some discussion

Mr Martin stated they have to forgive him for not having sent that thing in, but he had raised the question a year or so ago, maybe longer, when the State puts those roads on the map it is unattentive running a road now wherever it is, through Matthews or wherever, that there be some time limit in which they be required to acquire these properties and the right-of-way, instead of having folks strung out there with houses for years and years is that something that has any earned sense to it Does anybody know?

Mr Underhill stated there is a law that requires that now

Mr Martin asked what is that law saying?

Mr Underhill stated he could not give the specifies, but one of the pieces of legislature came along about 2 legislative sections ago, it required the State to acquire the property that lies in the path of some designated road that is going to be part of a State system He stated he didn't want to give him the wrong answer, but there is a law that attempts to get to the problem to identify

Ms Patterson stated she thinks it's either 3 or 5, because the reason they went back and revoted on the connector down through Matthews, was that it didn't make the State's TIP, which made them know that they weren't going to They then felt like they should pull it off

Mr Underhill stated they have to put it on their approved road system planning document Once it makes that document then that triggers the plot in terms of when they got

Mr Martin asked if that was 3 to 5 years?

Mr Underhill stated something that

Mr Martin stated let's assume that's right, isn't that rather long?

Ms Patterson stated it maybe shorter, but there is a trigger on it and it worked really well this last time as a class A example of it

Mr McCrory stated he wanted to make Council aware, and Ms Scarborough helped to remind him, and he appreciates that, the Uptown Crime Prevention Council is working on the area of Alcohol sales especially fortified wine which is directed to primarily the urban poor They are working on that now and are trying to get some lawyers to help draw up some possibilities that limits it State wide in thoughts of County ABC He just wanted to make the Council aware that maybe they are going to try and come up with something to try to deal with this issue, especially the marketing that hurt the sale of these curb markets for $1 a bottle, and that's a lot of the problems they are having, not only in Uptown Charlotte, but throughout the City In riding with the police last month, you could just see it all over the City were people had emptied their containers

Ms. Scarborough stated she hopes that he could bring that back fairly quickly, because in neighborhoods where you have the small stores that sell wine and beer, loitering, trash, and everybody else who hangs around and put the trash in the neighborhood who complain about it, basically come from those who are in the neighborhoods selling wine and alcohol, if they were not selling that, the folks would probably not be standing around She discussed this with some of the neighborhood folks and also discussed it with couple of folks last week, there's a lot of people who are interested in that particular thing, getting alcohol, beer and wine out of our neighborhood stores She hopes that Mr McCrory's committee would accelerate that one because she thinks they need to get that to the legislature

Mr McCrory stated he want to see what options they have because it's an State wide option, he's not sure if they could segregate certain areas in

the State to exempt from alcohol sales, but they definitely want to do that, especially with the fortified wine exemption

Mr Cauble asked the Mayor if they wanted to invite the delegation to the joint meeting on the December 16

Mayor Vinroot stated yes

Ms Patterson asked if there was anything in their packet that is going to Drive the County over the edge, if she remembers last year they got into a City/County fight, this is not a good time to have a delegation there

Mr Cauble stated he didn't think so

Pam Syfert, Assistant City Manager stated what they tried to do last year was to get everybody's package out ahead of time, but that's hard to do, but they could try again to have the agenda go out with everybody's package Last year they also had the schools and the County They will try to get those packages out ahead of time, but that's hard to do

Wendell White stated what Ms Patterson just said is worth considering he doesn't think that they can anticipate whether or not they are going to have a show like that, it just happens

Ms Patterson stated she rather meet with the County and Schools first just because they go away with the lasting impression that we don't have our act together

**RETREAT AGENDA**

Mayor Vinroot stated they would do that, and now go to the last item on their agenda which is the retreat

Mr White stated he was going to let Ms Syfert go over the details, however his recommendation is based on all the other policy issues that Council is dealing with, like the first presentation this evening His suggestion is that they give serious consideration to the half day activity

Ms Patterson stated she was going to respectfully disagree, she thinks it's really important this year, given what they're doing with the OCI, that they do a day and a half They do a day for the OCI, and if they did that, it's going to set up so many of their priorities during the budget session, and if they haven't spent talking time doing that than she predicts the budget would be a bigger nightmare than they normally are The second half of day they would do the role of Council/Manager Form of Government, and the Focus 92 update and some priorities such as 1994/1995 She thinks all those things are important, the only thing obvious there is the action plans for the citizens committee, it's too important not to do this thoughtfully, and that would say to her that they go to a Friday Saturday combination

Mr Campbell stated the Transportation Committee is struggling pretty hard on the Transit System Busing, and they desperately need some Council input attention to this, so that they can go further The retreat would be the opportune time to discuss that issue in some depth, so he would like to take out the computer stuff and put the Transit System in

Ms Scarborough stated she would agree on the day and a half also She referred to the talk John Knight made in reference to what neighborhoods should do and as the Council continues to talk around this table about City within a City, it seems to her that John had an excellent perspective on how the role of the Council should fit in with that She would like to reserve Saturday morning to talk just with the Council about how from his perspective, what the Council could do to make it work She hopes the Council will consider that

Mr Mangum stated he wanted to direct something back about what Stan was talking about transportation, just to let them have a chance to think about it a little bit He and Terry Lathrop went up to Raleigh for the Transportation Communication Public Safety Committee discussing funds for

the mass transit and there is no money The thing that was really kind of disturbing to him was there was one individual there who had been with the State Transportation for 15 years, and his comment to him was, he couldn't take the front lead in this for trying to get anything done for the City, because the highway lobbyists and all were so powerful that it would cost him his job It is a pretty sad State of affairs that someone of that degree is concern about it, but they're going to have to pretty much face that issue on their own They need to be thinking about what they are going to be able to do and handle it, because there are going to be some tough decisions on made on this transit system here

Ms Patterson stated that she will add that to her motion

Mayor Vinroot stated before they vote on it, may he suggest that he asks two of them, Patterson & Campbell, to be the committee of two to plan taking into account the things they have heard, that would be acceptable?

Mr Martin asked Ms. Patterson in her motion if she was including the full day for the Service Assessment and a half day workshop and a full day work shop? Is that all in your motion?

Ms Syfert stated the first option is, what they are looking at is a full day on the Services Assessment, that was assuming that they use the retreat in part to do that full day that the consultants were talking about earlier If they don't do it that way, they could have a day and half retreat to work on other issues, they would still then would have to have their full day for Services Assessments

Ms Patterson stated what she is saying is have a day for Services Assessment and then have half a day for a role in Council formal government priority setting, picket, transit, and Focus 91

Mayor Vinroot stated instead of them debating, those two will get with Ms Syfert and she can tell them what they have to do They both can kind of keep up with and will check with everybody

Ms Syfert stated Royal Insurance has offered us their meeting place, she thinks they'll need Saturday, but they will work with them to get some dates They want to bring some dates with them next Monday so they can get these dates locked down, and she will meet with Stan and Cyndee

Mr Reid asked Ms Syfert, what she was talking about raised a good point, he didn't know that the retreat had anything to do with the Services Assessment, he thought they had that thing lined up for them and they fitted into that schedule instead of making it fit into ours He asked if that was what they were about to do there? It doesn't sound right to him, but maybe that's okay, because they have two brilliant people working on this

Ms Syfert stated what they were trying to identify in this handout is that over the next few months, Council had a fairly heavy work load and part of that work load is the Services Assessment, in addition they have issues that they always have at the retreat, which are the budget financial forecast, the update on the focus 92 What they are suggesting is that one option, which is the one that they have been talking about is to have the Services Assessment be their full day work that they would be doing they incorporate that into their retreat and the next half day would be more actually of the traditional retreat It's mainly an issue of time for the Councilmembers and how much you're going to be able to do over the next few months

Mr Martin asked Ms Syfert wasn't she leaving out the affidavit for the consensus building?

Ms Syfert stated there still has to be another half day, that still has to be scheduled

Mayor Vinroot stated Patterson and Campbell will get with Ms Syfert and take all of that into account, they may have two separate events, they may have one long event, but they'll take all of that in consideration

kjw

Ms Wheeler asked how can she speak back when you ask about Royal Insurance, when they can only have it for Saturday? How does that effect the two of them

Ms Syfert stated they will have to see

Mayor asked if there was any further discussion on the motion?

[ Motion was made by Councilmember Patterson, seconded by Councilmember ]
[ Clodfelter, for a day and a half of retreat time, and was ]
[ carried unanimously ]

* * * * * * *

**ADJOURNMENT**

The meeting adjourned at 7 00 p m

Brenda R Freeze, City Clerk

Length of Meeting 2 Hours, 45 Minutes
Minutes Completed December 16, 1992

kjw

MAYOR AND CITY COUNCIL
WORKSHOP AGENDA
November 2, 1992

| | |
|---|---|
| 5:00 pm | Information Presentation on Services Assessment Process |
| 5:15 pm | MPO Decision |
| 5:30 pm | Dinner |
| 5:45 pm | Legislative Package |
| 6:15 pm | Council Retreat Planning |

Note: The Council Planning Committee will meet immediately following the Workshop

# *COUNCIL WORKSHOP*
# *AGENDA ITEM SUMMARY*

**TOPIC:** Services Assessment Process

**KEY POINTS (Issues, Cost, Change in Policy):**

-City Council hired Organization Consultants Incorporated to assist Council in the services assessment process for rightsizing.
-This is an information presentation on the process for City Council

**OPTIONS:** N/A

**COUNCIL DECISION OR DIRECTION REQUESTED:**

-None. For information only

**ATTACHMENTS:**

-Presentation to be made by Mr Nimish Jhaveri, Principal, Organizations Consultants Incorporated

# *COUNCIL WORKSHOP*
# *AGENDA ITEM SUMMARY*

**TOPIC:** Voting Structure and Policy for the Metropolitan Planning Organization (MPO)

**KEY POINTS (Issues, Cost, Change in Policy):**

-On October 12, the MPO Chairman requested that City Council consider a modified version of the voting structure approved by City Council on October 12.

-The MPO meets again on November 18. If City Council approves this modified voting structure, the other members of the MPO would consider this voting structure prior to the November 18 meeting

**OPTIONS:**

1. A voting structure which provides Charlotte with 9 votes, Mecklenburg County with 3 votes, and the remaining 11 members with 1 vote apiece for a total of 23 votes.
2. A voting structure that provides Charlotte with 10 votes, Mecklenburg with 2 votes, and the remaining 11 members with 1 vote apiece for a total of 23 votes (Previously approved by Council on October 12.)

**COUNCIL DECISION OR DIRECTION REQUESTED:**

1. Consider a suggested voting structure and policy for the MPO
2. Direct the Council's MPO representative to support the proposed voting structure and policy, or present other alternatives, at the November 18 MPO meeting

**ATTACHMENTS:**

-Request for Council Action

OPTION ONE
APPROVED BY CITY COUNCIL
NOV 2 - 1992
Nancy S Gilbert
Deputy City Clerk

CHARLOTTE

# Request for Council Action

*To the City Council from the City Manager*

*Action Requested* **Consider a suggested voting structure and policy for the proposed Mecklenburg/Union Metropolitan Planning Organization (MPO) and direct the City's representative to the MPO on this issue.**

*Responsible Department*

**Department of Transportation**

*This request should be organized according to the following categories*
*Background Explanation of Request Source of Funding Clearances Bibliography*

**Explanation of Request:**
**City Council is asked to:**

**(1) Consider a suggested voting structure and policy for the proposed Mecklenburg/Union Metropolitan Planning Organization (MPO).**

**(2) Direct your MPO representative to support the proposed voting structure and policy, or present other alternatives, when this issue is discussed at a November 18 MPO meeting.**

**Purpose:**
To determine Council's preference for the voting structure and policy provisions to be incorporated in the new Memorandum of Understanding for the Mecklenburg/Union MPO.

Options
(1) A voting structure which provides Charlotte with 9 votes, Mecklenburg County with 3 votes, and the remaining 11 members with 1 vote apiece for a total of 23 votes. This structure continues the situation with the present MPO in which Charlotte and Mecklenburg County have a majority of votes under the weighted vote system.

(2) A voting structure which provides Charlotte with 10 votes, Mecklenburg County with 2 votes, and the remaining 11 members with 1 vote each for a total of 23 votes. This voting structure was approved by Council on October 12.

In conjunction with either voting structure, the following voting policy was supported by representatives of the jurisdictions attending the October 21 MPO meeting:

(a) A simple majority (weighted) vote shall determine all issues except as provided in (b) and (c) below.

(b) When any project is on a road that does not carry an I., U.S. or N.C. route designation, and is totally contained within a single municipality's corporate limits or sphere of influence, its location shall be determined only with the consent of that municipality.

(c) The MUMPO cannot override the decision of any individual, local municipality on a project for a road that does not carry an I., U.S. or N.C. route designation when any portion of the project is within that municipality's corporate limits or sphere of influence except by 3/4 majority vote of all votes eligible to be cast.

NOTE: Other members of the proposed MPO approved the replacement of extra-territorial zoning jurisdiction with sphere of influence. Union County municipalities have not been granted either power.

Cost:
Not Applicable

Citizen Input:
Not Applicable

Background:

(1) At the March 18 MPO meeting, North Carolina Department of Transportation (NCDOT) staff presents a new Charlotte urbanized area boundary based on 1990 Census data which includes the towns of Indian Trail and Stallings. The expansion of the urbanized area into Union County means that the two must be asked to join the Charlotte-Mecklenburg MPO.

(2) On May 20, the MPO unanimously approves a new urbanized area boundary which includes Indian Trail and Stallings. NCDOT staff presents a draft Memorandum of Understanding for a metropolitan area which includes not only Indian Trail and Stallings but also Weddington and western Union County. The latter two areas are included in the proposed MPO because it is expected that they will become urbanized during the 20-year planning period.

(3) On August 24, Council approves a weighted voting structure recommended by Mayor Vinroot which maintains the current situation where Charlotte and Mecklenburg County together have a majority of MPO votes. Councilmember Clodfelter offers a 3/4 override provision for inclusion in the new Memorandum of Understanding.

(4) On August 26, the MPO learns that Harrisburg and Cabarrus County are not interested in joining the proposed Mecklenburg/Union MPO.

(5) On September 16, the Charlotte-Mecklenburg MPO approves metropolitan boundaries which include Indian Trail, Stallings, Weddington, and western Union County. Ernest Barry, Jr., NCBOT representative to Charlotte-Mecklenburg MPO, comments that the present Memorandum of Understanding will remain effective until the new agreement is adopted by the expanded number of jurisdictions. If representatives of local jurisdictions which will compose the Mecklenburg/Union MPO cannot agree on a voting structure/policy, the issue will be referred to the Governor for a decision. If a jurisdiction refuses to approve the new Memorandum of Understanding, it relinquishes its opportunity to have input into the transportation planning process by not being a member of the MPO.

(6) On October 12, Council approved a voting structure providing Charlotte with 10 votes, Mecklenburg County with 2 votes, and the remaining 11 members with 1 vote each (total of 23 votes).

(7) On October 21, the MPO Chairman requested Charlotte consideration of a modified version of the voting structure approved by the City on October 12. Charlotte and Mecklenburg County together would continue to control a majority of the MPO total of 23 votes, but Charlotte would have 9 votes and Mecklenburg County would have 3 votes. If Council approves this structure, the other members of the proposed Mecklenburg/Union MPO would consider the voting option prior to November 18.

(8) If all jurisdictions agree on a voting structure and policy at the November 18 MPO meeting, the new Memorandum of Understanding will be distributed to all members of the Mecklenburg/Union MPO for adoption. Council would likely be asked to authorize the Mayor's execution of the new agreement on December 14.

Clearances:
Not Applicable

Bibliography:
Information is available from the Charlotte Department of Transportation.

CHARLOTTE

# Request for Council Action

To the City Council from the City Manager

Action Requested

**Consider a suggested voting structure and policy for the proposed Mecklenburg/Union Metropolitan Planning Organization (MPO) and direct the City's representative to the MPO on this issue.**

Responsible Department

**Department of Transportation**

This request should be organized according to the following categories
Background Explanation of Request Source of Funding Clearances Bibliography

**Explanation of Request:**
**City Council is asked to:**

**(1) Consider a suggested voting structure and policy for the proposed Mecklenburg/Union Metropolitan Planning Organization (MPO).**

**(2) Direct your MPO representative to support the proposed voting structure and policy, or present other alternatives, when this issue is discussed at a November 18 MPO meeting.**

**Purpose:**
**To determine Council's preference for the voting structure and policy provisions to be incorporated in the new Memorandum of Understanding for the Mecklenburg/Union MPO.**

Options
(1) A voting structure which provides Charlotte with 9 votes, Mecklenburg County with 3 votes, and the remaining 11 members with 1 vote apiece for a total of 23 votes. This structure continues the situation with the present MPO in which Charlotte and Mecklenburg County have a majority of votes under the weighted vote system.

(2) A voting structure which provides Charlotte with 10 votes, Mecklenburg County with 2 votes, and the remaining 11 members with 1 vote each for a total of 23 votes. This voting structure was approved by Council on October 12.

For Office Use Only

Date Submitted 10/23/92

Council Date Requested 11/2/92

Consequence if Council Date is Delayed or Item is Deferred

MPO representative will not have Council direction when issue is discussed at November 18 MPO meeting.

Contact Person for Questions from the City Manager's Office

Authorized by R M Hinsley Jr
Department Head

Approved by
Assistant City Manager

List Attachments

In conjunction with either voting structure, the following voting policy was supported by representatives of the jurisdictions attending the October 21 MPO meeting:

(a) A simple majority (weighted) vote shall determine all issues except as provided in (b) and (c) below.

(b) When any project is on a road that does not carry an I., U.S. or N.C. route designation, and is totally contained within a single municipality's corporate limits or sphere of influence, its location shall be determined only with the consent of that municipality.

(c) The MUMPO cannot override the decision of any individual, local municipality on a project for a road that does not carry an I., U.S. or N.C. route designation when any portion of the project is within that municipality's corporate limits or sphere of influence except by 3/4 majority vote of all votes eligible to be cast.

NOTE: Other members of the proposed MPO approved the replacement of extra-territorial zoning jurisdiction with sphere of influence. Union County municipalities have not been granted either power.

Cost:
Not Applicable

Citizen Input:
Not Applicable

Background:

(1) At the March 18 MPO meeting, North Carolina Department of Transportation (NCDOT) staff presents a new Charlotte urbanized area boundary based on 1990 Census data which includes the towns of Indian Trail and Stallings. The expansion of the urbanized area into Union County means that the two must be asked to join the Charlotte-Mecklenburg MPO.

(2) On May 20, the MPO unanimously approves a new urbanized area boundary which includes Indian Trail and Stallings. NCDOT staff presents a draft Memorandum of Understanding for a metropolitan area which includes not only Indian Trail and Stallings but also Weddington and western Union County. The latter two areas are included in the proposed MPO because it is expected that they will become urbanized during the 20-year planning period.

(3) On August 24, Council approves a weighted voting structure recommended by Mayor Vinroot which maintains the current situation where Charlotte and Mecklenburg County together have a majority of MPO votes. Councilmember Clodfelter offers a 3/4 override provision for inclusion in the new Memorandum of Understanding.

(4) On August 26, the MPO learns that Harrisburg and Cabarrus County are not interested in joining the proposed Mecklenburg/Union MPO.

(5) On September 16, the Charlotte-Mecklenburg MPO approves metropolitan boundaries which include Indian Trail, Stallings, Weddington, and western Union County. Ernest Barry, Jr., NCDOT representative to Charlotte-Mecklenburg MPO, comments that the present Memorandum of Understanding will remain effective until the new agreement is adopted by the expanded number of jurisdictions. If representatives of local jurisdictions which will compose the Mecklenburg/Union MPO cannot agree on a voting structure/policy, the issue will be referred to the Governor for a decision. If a jurisdiction refuses to approve the new Memorandum of Understanding, it relinquishes its opportunity to have input into the transportation planning process by not being a member of the MPO.

(6) On October 12, Council approved a voting structure providing Charlotte with 10 votes, Mecklenburg County with 2 votes, and the remaining 11 members with 1 vote each (total of 23 votes).

(7) On October 21, the MPO Chairman requested Charlotte consideration of a modified version of the voting structure approved by the City on October 12. Charlotte and Mecklenburg County together would continue to control a majority of the MPO total of 23 votes, but Charlotte would have 9 votes and Mecklenburg County would have 3 votes. If Council approves this structure, the other members of the proposed Mecklenburg/Union MPO would consider the voting option prior to November 18.

(8) If all jurisdictions agree on a voting structure and policy at the November 18 MPO meeting, the new Memorandum of Understanding will be distributed to all members of the Mecklenburg/Union MPO for adoption. Council would likely be asked to authorize the Mayor's execution of the new agreement on December 14.

Clearances:
Not Applicable

Bibliography:
Information is available from the Charlotte Department of Transportation.

# *COUNCIL WORKSHOP*
# *AGENDA ITEM SUMMARY*

**TOPIC:** 1993 Legislative Package

**KEY POINTS (Issues, Cost, Change in Policy):**
Major items to be considered for State enabling Legislation:

- **-Police:** Warrantless arrest; Sealed search warrant affidavit, public's right to know about employee discipline disposition
- **-Purchasing:** Increased limits on purchases and revisions to disposition requirements
- **-Community Development:** Changes in property transfer laws; mandatory referrals, and increases in Manager's authority
- **-Building permit standards**

**OPTIONS:**
Add and/or delete items from this list

**COUNCIL DECISION OR DIRECTION REQUESTED:**
Direction to the City Attorney on which items to draft into bills for Council to approve in December

**ATTACHMENTS:**
-Memos from departments explaining their requests

Communication from departments on their legislative requests will be sent to Council on Friday, October 30.

# *COUNCIL WORKSHOP*
# *AGENDA ITEM SUMMARY*

**TOPIC:** City Council Retreat

**KEY POINTS (Issues, Cost, Change in Policy):**
The following issues are before Council and may lend themselves to discussion at Council's Retreat:

-**Financial Planning for the FY94 budget** (ex:transit deficit, capital planning)
-**Rightsizing:** Conclude services assessment process; action planning on recommendations from Council's advisory committees
-**Council/Manager Partnership:** Briefing and conversation about roles in the Council/Manager form of government
-**Future Planning:** Goal setting for 1993 and beyond

**OPTIONS:**

1 Adopt an option from the proposed Retreat Agendas
2. Modify an option from the proposed Retreat Agendas
3. Appoint a Council Retreat Committee and give them general direction on a Retreat Agenda

**COUNCIL DECISION OR DIRECTION REQUESTED:**

-Decision on a Council Retreat Agenda and issues associated with the retreat

**ATTACHMENTS:**

-Retreat Agenda Options
-Retreat questionnaire to help Council decision making on the Retreat Agenda
-Transmittal Letter from the FY93 CIP (Attached at the request of the Finance Committee)
-Information on the transit system (Attached at the request of the Transportation Committee)

For your discussion of the Retreat, attached are the following:

1) A Calendar of Council Activities

2) Retreat Agenda Options

3) A Questionnaire to help in your Workshop Discussion

# COUNCIL ACTIVITIES

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NOVEMBER: Pay and Compensation Committee Report

NLC Conference (Nov. 28-30)

DECEMBER: Service Assessment Process
(A 1/2 Day and 1 Day Commitment)

FY94-95 Budget and Finance
Briefing

JANUARY: Organization-Task Force Report and
Privatization Committee Report

FY94-95 Budget and Financial Discussion:
- Transit Funding
- Capital Budget

FEBRUARY: Manager's Report on Rightsizing

FY94-95 Budget and Financial Discussions

# RETREAT AGENDA OPTIONS

## CITY COUNCIL RETREAT AGENDA OPTION #1:

This agenda assumes that the Council will use the Retreat as the full day session of the Service Inventory Assessment Process. The Service Inventory Assessment Schedule is as follows:

| | |
|---|---|
| Oct. 12 - 30 | OCI prepares profiles of City Services with Council, citizens and staff |
| Early Dec. | 1/2 Day Council session, OCI presents results of assessments |
| Late Dec. - Early Jan. | Full day Council Retreat to list services to enhance, reduce, maintain, fund differently, etc. |

**AGENDA**
(Late December/Early January)

| | | |
|---|---|---|
| 8:00 a.m. | - | Coffee |
| 8:15 a.m. - 9:45 a m. | - | FY94-95 Budget and Financial Forecast |
| 9:45 a.m. - 10.00 a.m | - | Break |
| 10:00 a.m. - 12:00 noon | - | Services Assessment, OCI Would Conduct |
| 12:00 noon | - | Lunch |
| 1:00 p.m. - 2·00 p.m. | - | Continue Services Assessment |
| 2:00 p.m. - 2:15 p.m. | - | Break |
| 2:15 p.m. - 4.30 p m | - | Continue Services Assessment |
| 4:30 p.m - 5 00 p m | - | Focus '92 Update |
| 5.00 p.m. - 5.30 p m | - | Dinner |

## CITY COUNCIL RETREAT AGENDA OPTION #2:

This agenda assumes that the full day services assessment has already occurred and the retreat day will focus on the following agenda:

**AGENDA**
(December - January)

| | | |
|---|---|---|
| 8:00 a.m. | - | Coffee |
| 8:15 a.m. - 9:15 a.m. | - | Role of Council-Manager Form of Government as required and practiced in N.C.; conducted by Institute of Government |
| 9:15 a.m. - 10:00 a.m. | - | Focus '92 Update |
| 10:00 a.m. - 10.15 a.m. | - | Break |
| 10:15 a.m. - 12:00 noon | - | FY94-95 Budget and Financial Forecast |
| 12:00 Noon | - | Lunch |
| 1:00 p.m. - 2:30 p.m. | - | Revisit the Services Assessment |
| 2:30 p.m. - 2:45 p.m. | - | Break |
| 2:45 p.m. - 4:00 p.m. | - | Action Plans for the Following Citizen Committees: Compensation, Privatization and Organization |
| 4:00 p.m. - 4:30 p.m. | - | Wrap-Up |
| 4:30 p.m. | - | Dinner |

## CITY COUNCIL RETREAT AGENDA OPTION #3:

This agenda assumes that staff does a briefing before the full day services assessment session This would require 1/2 day, and could be scheduled morning or afternoon.

**AGENDA**
(November - Early December)
(shown as afternoon schedule)

| | | |
|---|---|---|
| 1:00 p.m. - 2:45 p.m. | - | Role of Council-Manager Form of Government |
| 2:45 p.m. - 3:00 p.m | - | Break |
| 3:00 p.m. - 5:00 p.m. | - | Budget and Financial Forecast |
| 5:00 p.m. - 5:30 p.m. | - | Focus '92 Update |
| 5:30 p.m. | - | Dinner |

# 1) RETREAT QUESTIONNAIRE

# COUNCIL RETREAT QUESTIONNAIRE

The purpose of this questionnaire is to assist you in your discussion of the Council Retreat. The questionnaire is divided into four sections.

## *RETREAT VALUE*

Do you want to have a Retreat?

1. Yes _____
2. No _____

What would be your top 3 expectations for a Retreat?

1. _____
2. _____
3. _____

## *RETREAT CONTENT*

Attached are retreat agenda options.

Check the agenda option you prefer:

Option 1: Services Assessment at Retreat _____

Option 2: Retreat with Council Manager Roles, Budget and Committee Reports _____

Option 3: 1/2 Day Briefing _____

Are there any topics would you pull from the agenda?

1. _____
2. _____
3. _____

Are there any topics would you add to the agenda?

1. _____
2. _____
3. _____

***RETREAT SCHEDULE***

Would you change any of the discussion from morning or afternoon?

List any that you would move or add to the morning

1. _____
2. _____
3. _____

List any that you would move or add to the afternoon

1. _____
2. _____
3. _____

**RETREAT LOCATION**

Royal Insurance has offered the use of their conference facilities for the Council Retreat, if the retreat is scheduled on a Saturday.

Is a Saturday o.k. with you?

1. Yes _____
2. No _____

If not, which day is preferable?

_____

Do you want to have dinner following the meeting?

1. Yes _____
2. No _____

CHARLOTTE

CITY MANAGER'S TRANSMITTAL LETTER

To The Honorable Mayor Richard Vinroot and City Council

After adoption of the Annual Budget Ordinance and the Capital Improvement Program Resolution, the Preliminary Capital Improvement Program document is adjusted to reflect changes directed by the Mayor and City Council This document, the FY93-97 Capital Improvement Program Final Report, reflects those changes

## SUMMARY OF PROGRAM CHANGES

Council directed changes to the Preliminary Capital Improvement Program are as follows

1 Three road projects Minor Roadway Widening, Add-A-Lane and Minor Intersections were merged into one capital project

2 FY93 funding of $500,000 (Street Bonds) in the Private Sector Program for road construction was transferred to the Sidewalk Program

3 The Sidewalk Policy on non-thoroughfare sidewalk construction was referred to the Planning and Public Works Committee for further review

4 FY94-97 funding of $2 million (Street Bonds) in the Private Sector Leveraging Program was approved for right-of-way acquisition for Colony Road Extension - Phase II

5 No change was recommended in the current organization of fire vehicle maintenance FY93 funding of $500,000 (Fire Two-Thirds Bonds) for expansion of the Louise Avenue Heavy Equipment Garage was deferred

6 FY94-97 maintenance funds of $160,000 (Pay-As-You-Go) for the Nature Museum were dropped from the CIP because the County picked up the facility in the Parks consolidation

7 The Committee referred the following CIP issues to Council's Retreat additional funding for Business Corridor Revitalization, a process for CIP expenditure categories to coincide with council priorities, and, decisions on the Transit Fund

Council also directed that watershed protection costs be included in future water and sewer rates This will be reflected in next year's capital program

## MAJOR ISSUES

Major issues in the FY93-97 Capital Improvement Program are as follows

### Environmental Program

The Capital Program does not include funding for environmental remediation

The development of an environmental cleanup financing strategy will involve options ranging from further reductions in the capital program to increasing revenues

### Americans With Disabilities Act (ADA)

This program is underbudgeted at $35,000 per year In the coming months, we will be learning more of our responsibilities in this area

### Transit Fund

The Capital Program does not include any projects for FY96 nor FY97 Additional funding is needed in these years for our local 10% matching funds

### Slower Revenue Growth

The program was affected by slower revenue growth in the Pay-As-You-Go Tax Fund and the Debt Service Fund Steps to address this problem included restructuring our outstanding debt and cutting over $16 million in previously funded projects

## OTHER ISSUES

### Pay-As-You-Go Tax Fund

The FY93-97 Capital Improvement Program includes a 1/4 cent transfer from the Pay-As-You-Go Tax Fund to the General Fund Next year (FY94), one cent is planned to be transferred from the Pay-As-You-Go Tax Fund to the Debt Service Fund, leaving the Pay-As-You-Go Tax Fund with two cents in FY94 and successive years

This means that without additional revenues, planned cuts in capital spending will continue This will be most notable in the Housing and Governmental Facilities Programs

### Debt Service Fund

Restructuring of our long-term debt may be more positive than previously projected Interest rates are at levels not seen in 20 years

I am initiating research on State enabling legislation for Environmental Bonds This would give us an additional option in considering financing plans for environmental cleanup

### Council Retreat

Several issues have been left unresolved in this capital program Much of this is due to the lack of information on the scope and cost of projects

When we meet this winter at our retreat, I anticipate that a good deal of time will be needed to review information and make decisions on the future direction of capital investments in this community I look forward to working with you

Sincerely

Wendell White
City Manager

# M E M O R A N D U M

DATE: October 28, 1992

TO: Mayor and City Council

FROM: Pamela A. Syfert
Deputy City Manager

SUBJECT: Transit Information in November Workshop Material

At the October 14, 1992 Transportation Committee meeting, two requests were made of staff.

1) Find out how other transit systems are financed.

2) Share the information presented at the Committee meeting with the entire Council.

The committee agreed that the long-term transit issue was closely linked to Council's discussion of how to "market" the transit system. The fundamental issue of both of these discussions concerns the level of service Council wishes to provide through public transit. In preparation for a Council discussion (at the retreat or another workshop) on the level of service to be provided through public transit, the committee asked that we send the following information to the Mayor and Council:

1. Presentation Package of October 14, 1992 Transportation Committee.

2. Minutes of October 14, 1992 Transportation Committee.

3. Summary of funding sources of other Transit Systems.

4. Questions and Answers provided as a follow-up to last year's transit funding discussion. (10/7/91 - Transportation Committee)

**TRANSPORTATION COMMITTEE**
**October 14, 1992; 4:00 pm**
**Charlotte-Mecklenburg Government Center**
**Room 270**

**Committee Members:**

Stan Campbell, Chairman
Cyndee Patterson, Vice-Chairman
Tom Mangum
Pat McCrory
Ella Scarborough

---

# A G E N D A

Transit Services/Funding Options

I. Developing Policy Direction for Charlotte's Transit Future

A. What does our current system look like and who are the riders? (Attachment 1.) (CDOT)

B. What are some options for our transit future? (Attachment 2). (CDOT)

1. Serve the transit dependent with 10% express commuter service. (Current)

2. Serve the transit dependent and expand commuter services to provide alternatives to the automobile.

3. Expand the system to build a light rail future.

4. Reduce system routes to meet the projected revenue shortfall.

5. Discussion of funding estimates for the future. (Budget) (Attachment 3).

C. Policy questions for City Council to address: (City Mgr/ Committee)

1. What future do we want and can we afford?

2. How do we fund that future?

3. How do we achieve that future?
   a. funding strategy
   b. marketing strategy
   c. operational strategy

D. Recommendations to City Council on how to address the policy questions. (Committee)

II. Status Report on Express Routes

Attachments (3)

CC: Mayor and City Council
Wendell White
Pam Syfert
Julie Burch
Bob Pressley
David Hines
Vi Alexander
Bill Guerrant

# ATTACHMENT 1

# DESCRIPTION OF CURRENT SYSTEM

**PROFILE OF CHARLOTTE TRANSIT RIDER**
**(Data from 1989 and 1980 Passenger Surveys)**

AGE

- Over 60 percent of local riders are between 16 and 34 years old.
- The age distribution changes with express ridership. Over 75 percent of the passengers are between the ages of 25 and 49.

SEX

- Over 65 percent of Charlotte Transit passengers are female, slightly greater than the 1980 figure of 63 percent. This compares to a Countywide female population percentage of 53 percent according to the 1990 Census

EMPLOYMENT

- Full and part-time employed persons represent 80 percent of weekday ridership, about 10 percent higher than the 1980 figure of 70 percent.

POSSESSION OF A DRIVER'S LICENSE

- About half of the users of Charlotte Transit local routes do not have a driver's license. This is slightly greater than the 1980 figure of 44 percent.
- About 96 percent of Charlotte Transit express passengers have a driver's license.

AUTO AVAILABILITY

- On Charlotte Transit local routes, approximately 75 percent of riders do not have a car available for their trip. This figure is unchanged from the 1980 survey.
- On express routes, only 15 percent of transit users do not have a car for their trip. This clearly suggests that express riders choose the bus rather than use an available car.

TRIP PURPOSE

- Almost 80 percent of peak-period transit trips are work trips, either beginning or ending at the rider's home. This is up from the 1980 figure of 67 percent.
- Over 70 percent of Charlotte Transit passengers who use the system at night are traveling between home and work. This is almost double the 1980 figure of 37 percent.

**PROFILE OF CHARLOTTE TRANSIT RIDER**
**(Data from 1989 and 1980 Passenger Surveys)**
Page Two

- Non-work, home-based trips represent over 50 percent of midday transit travel, slightly lower than the 1980 figure of 56 percent.

FREQUENCY OF USE

- Approximately 73 percent of Charlotte Transit local passengers use the system 5 of more days per week (unchanged from 1980).

- Almost 85 percent of express riders use Charlotte Transit every weekday.

REASONS TO USE THE BUS

- The top 3 reasons why local passengers ride Charlotte Transit:

  1) I don't drive
  2) Family does not have a car
  3) Bus is convenient

- The top 3 reasons why express passengers use the bus:

  1) Avoid traffic congestion
  2) Bus is economical
  3) Bus is convenient

INCOME

- In 1989, the median annual household income of local passengers was $14,000. About a third of the local passengers reported a household income under $10,000.

- In 1989, the median annual household income of express riders was over $41,000. Approximately one third of the express users indicated a yearly household income over $50,000.

DAILY RIDERSHIP AND SERVICE HOURS

- Local 39,725 passengers (96 percent),
  1112 hours (90 percent)

- Express 1,600 passengers (4 percent),
  125 hours (10 percent)

mps/378

ATTACHMENT 2

SERVICE OPTIONS FOR FUTURE

TRANSPORTATION FUND
SERVICE OPTIONS FY94-FY96

| | Revenue Needed Beginning in | Average Annual Additional Revenue Needed (Millions) |
|---|---|---|
| Current System: Transit Dependent with some commuter | FY94 | $4.85 |
| Minimal Transit Dependent | - | 0 |
| Transit Dependent and Expanded Commuter | FY94 | $6.7 |
| Preparing for Light Rail | FY94 | $8.0 |

CDOT
10/14/92

## SERVICE OPTIONS

## CHARLOTTE TRANSIT

| | Minimal | Current | Expanded Commuter | Light Rail |
|---|---|---|---|---|
| Peak Buses (FY94-96) | 64 | 134 | 155 | 170 |
| Annual Service Hours (FY 94-96) | 190,600 | 328,700 | 380,500 | 420,000 |
| Annual Passengers (FY94-96) | 9,000,000 | 12,000,000 | 13,700,000 | 14,500,000 |
| Total 3-Year Unfunded Deficit FY94-96 | 0 | $14,569,000 | $20,123,000 | $24,000,000 |

CDOT
10/14/92

# ATTACHMENT 3

# TRANSPORTATION FUND REVENUE OPTIONS

# TRANSPORTATION FUND REVENUE OPTIONS

WHAT IS NEEDED: A source of revenue for the Transit System

FY93 FUNDING SOURCES:

| | Rounded Millions |
|---|---|
| System Operating Revenues | $ 6.1 |
| UMTA Grant | 1.3 |
| Sales Tax | 5.7 |
| Auto Tax | 5.7 |
| Other Revenue | 0.5 |
| Reserve for Inventory | 0.6 |
| Interest on Investment | 0.2 |
| Fund Balance | 2.6 |
| TOTAL | $22.7 |

CDOT
10/14/92

## AUTO TAX REVENUE OPTION

| | |
|---|---|
| I. AUTO TAX: | Transfer $1.4 million from the General Fund ($5 of the $25 Auto Tax) |
| FY92 Value: | $5 = $1.4 million |
| Who Pays: | All owners of motor vehicles in the City of Charlotte |
| Who Authorizes: | N. C. General Assembly |
| Why This Source: | No restriction on use. Ties Auto use to Transit use. |
| FY93 Distribution: | General Fund - $5<br>Transit Fund - $20 |

CDOT
10/14/92

## SALES TAX REVENUE OPTION

| | |
|---|---|
| II. SALES TAX: | Transfer 1/4 cent ($5.8 million) from the General Fund |
| FY92 Value: | 1/4 cent = $5.8 million |
| Who Pays: | All persons and businesses making purchases of goods and services in the City of Charlotte. |
| Who Authorizes: | N. C. General Assembly |
| Why This Source: | No restriction on use. Point of collection tied to regional revenue. Major source of revenue. |
| Current Distribution: | General Fund - 1 cent Point of Collection<br>Transit Fund - 1/2 cent Per Capita<br>Municipal Debt - 1/2 cent Per Capita |

CDOT
10/14/92

## PROPERTY TAX REVENUE OPTION

| | |
|---|---|
| III. PROPERTY TAX: | Increase by 2 1/4 cents |
| FY92 Value: | 2 1/4 cents = $5.6 million<br>1 cent = $2.5 million |
| Who Pays: | All persons and businesses which own real property in the City of Charlotte |
| Who Authorizes: | City Council |
| Why This Source: | N.C. General Assembly made transit a public purpose, eligible for property tax funding, in 1992 Session. |

Current Distribution:

| | |
|---|---|
| General Fund | - 35.1 cents |
| Municipal Debt | - 5.5 cents |
| Pay-As-You-Go Capital | - 3 cents |
| Total | - 43.6 cents |

CDOT
10/14/92

**TRANSPORTATION COMMITTEE**
**October 14, 1992**
**EXECUTIVE SUMMARY**

The City Council Transportation Committee met at 4:00 p.m., on October 14, 1992, in room 270 of the Charlotte-Mecklenburg Government Center, with Chairman Stan Campbell presiding. Committee members Pat McCrory and Ella Scarborough were in attendance; Tom Mangum and Cyndee Patterson were absent.

Staff members present: Bob Pressley, Terry Lathrop, David Hines and Lynn Purnell-Department of Transportation; Nancy Elliott and Lisa Schumacher-Budget; Wendell White, Pam Syfert, Julie Burch, and Darlene Shrum-City Manager's Office.

Also in attendance: Mary Clayton, Uptown Transportation Council.

**Transit Services/Funding Options**

Discussion: The committee met to begin a process for developing policy direction for Charlotte Transit's future (i.e., what future do we want and can we afford, and how do we achieve that future). The need for funding, marketing, and operational strategies were discussed.

The committee expressed support for a major restructuring of Charlotte Transit routes and schedules, resulting in more circumferential routes. Achieving a consensus on transit policy questions needs to involve the entire Council, possibly at a retreat. Council will be unable to wait until a retreat if they wish to identify a financial option which requires General Assembly approval. Items to be included in the City's legislative package need to be developed by the end of 1992.

There is need for community input. Do citizens prefer the minimal level of bus service or a growing public transportation network? The Uptown Transportation Council has been asked to convene a citizens' group to assess public opinion.

The most pressing issue is determining a funding option which will maintain, at a minimum, the current level of transit service. Three revenue options appear to be the most promising for supporting transit services: auto tax, sales tax, and property tax. Although gaining General Assembly approval of new revenue options such as rental car surtax, parking space tax, land transfer tax, etc., may be difficult, the committee expressed interest in reviewing a full range of revenue options. Once funding is secured, development of a more "user friendly" system and new neighborhood and circumferential services can be pursued. The City needs to explore the possibility of obtaining Federal and State funding to operate some demonstration services which test the neighborhood circulator and circumferential routing concepts.

Staff recommended that the express routes, extended through September 1992 by Council action, continue to operate until 1993. Although surveys taken last month indicate no ridership change, staff recommends

no action until Council completes its discussions on service and funding issues.

Action Taken: Committee unanimously approved (3-0) continued operation of current express routes.

Additional information requested of staff:

- Information on revenue sources being used by other cities/counties to finance public transportation;
- Menu of revenue options which will address the projected shortfall in the Transportation Fund. The committee will recommend funding source(s) to Council for their approval; and
- A timeline showing when decisions are needed from Council for inclusion in the legislative package, incorporation in the FY94 and FY95 budget preparation, etc.

Meeting adjourned at 5:20 p.m.

CHARLOTTE

Budget and Evaluation Department

# Report

## PUBLIC TRANSPORTATION FUNDING SOURCES

Charlotte Department of Transportation had the results of a survey of the funding sources of 112 different transit systems in the USA and Canada. The survey was conducted in 1987 by the American Public Transit Association. Below is a summary of the survey information. The number in parenthesis represent the number of transit systems out of the 112 in the survey which reported the indicated revenue source.

- 69 of 112 systems received operating support from their states

- Most common sources of state support were:

  - General Fund (27)
  - Gas Tax (23)
  - Sales Tax (20)

- Other State Support came from:

  - Income Tax (7)
  - Auto Sales Tax (8)
  - Property Transfer Tax (2)
  - Lottery/Casino Revenue (4)
  - Vehicle Weight or License Fee (7)

- There were 14 methods of financing transit systems which the local jurisdictions used (some were county or regional systems)

- The most common sources of local support were:

  - Property Tax (38)
  - Sales Tax (37)
  - General Fund (29)
  - Gas Tax (12)

- Other local support came from:

  - Income/Payroll Tax (8)
  - Property Transfer Tax (4)
  - Business Tax (4)
  - Long Lines (Utility Franchise Fees) (4)
  - Business Gross Receipts (2)
  - Auto Sales Tax (2)
  - Utility Tax (2)
  - Lottery (1)
  - Auto License Fees (1)
  - Motor Vehicle Weight Tax (1)

CDOT also had an August 1991 Report on State Transit Initiatives which was produced by American Public Transit Association (APTA) State Affairs Committee. The relevant highlights include:

- Arkansas enacted a 1 cent per pack tax on cigarettes with a portion of the revenue dedicated to transportation for the elderly.

- California enacted additional gas tax (total increase of 9 cents over 4 years) and increased truck weight fees, all dedicated to transit and transportation projects.

- Florida enacted a 4 cent per gallon increase in the gas tax to fund transit programs including operating assistance to bus transit systems.

- Illinois passed a 6 cent increase in the gas tax over a two year period to increase funding for mass transit projects, increase bonding capacity for regional transit authority and "Operation Greenlight" - a new program to help address urban and suburban congestion.

- Iowa approved an increase in the city transit levy limit, from $.54 per $1000 of assessed valuation (or $.054 per $100) to $.95 per $1000 (or $.095 per $100) of assessed value.

- Louisiana established a Transportation Trust Fund to support infrastructure improvements over the next decade. The support will come from a 4 cent per gallon increase in the state gas tax.

- North Carolina legislature approved the first regional transit authority (Raleigh-Durham-Chapel Hill) to be funded by a $1-$5 auto license fee (Charlotte currently has a $25 per auto license fee, of which $20 is dedicated to Transit)

- Oklahoma approved the establishment of a Public Transit Revolving Fund, to be used for operating or capital expenses. It was funded by an appropriation of $500,000.

- Oregon approved five bills to raise funds for transportation purposes: increased the gas tax by 2 cents per gallon; raised automobile registration fee from $10 to $15 per year; increased weight per mile road use taxes for trucks; raised cigarette tax by 1 cent per pack; enacted a video lottery bill

- Washington (State) approved a 5 cent gas tax increase and a commercial parking tax on all parking for which a fee is paid. "The Parking Tax...is flexible and will be structured according to land use type, area or time of day, among other factors, and the City or County may require that the tax be paid by the owner of the motor vehicle."

  Washington also gave counties and transit district a local option taxing authority for high occupancy vehicle and high capacity transit development. The "HOV" portion of the bill gives counties the authority to place before the voters either an employer tax of $2 per month per employee or a local motor vehicle excise tax of 0.3%. Employers can receive credits if they subsidize the cost of bus passes for employees or take other actions to discourage single occupant vehicle commuting.

FOLLOW-UP INFORMATION
FROM OCTOBER 7, 1991
CITY COUNCIL TRANSPORTATION COMMITTEE

1. Q. **WHAT WAS THE SPECIAL TAX REFERENDUM QUESTION OF APRIL 8, 1975?**

   A. "Shall the City of Charlotte be authorized to levy annually a property tax without restriction as to rate or amount for the purpose of providing funds for the operation and maintenance of the public bus and transportation system in the City of Charlotte?" (Charlotte Observer Legal Advertisement - April 17, 1975).

2. Q. **WHAT WERE THE REFERENDUM RESULTS?**

   A. There were 12,234 votes cast for the proposition and 19,201 votes were cast against the proposition. (Charlotte Observer Legal Advertisement - April 17, 1975).

3. Q. **WHAT HAPPENED TO THE PROPOSALS FOR A RENTAL CAR SURTAX AND A PARKING SPACE TAX IN THE LAST N.C. LEGISLATIVE SESSION?**

   A. The Legislative Study Committee on Public Transportation, chaired by House Speaker Daniel Blue, recommended that three new sources of revenue be considered to support public transportation. Those new sources of revenue were the parking space tax, motor vehicle tax, and rental car surtax. A bill passed the House which would have authorized counties that are the organizers of a regional transportation authority to levy a privilege tax up to 5% on gross receipts of short term leases for passenger vehicles and motorcycles. This bill was opposed in the Senate and a substitute bill was introduced authorizing a regional transportation authority to levy a vehicle registration tax not exceeding $5 per year. This bill, House Bill 80, did pass the Senate and was ratified by the House. The parking space tax was not proposed in the last legislative session. The parking associations began lobbying against this idea immediately. According to Ellis Hankins of the League of Municipalities, the State is interested in the rental car tax as a new State revenue. Mr. Hankins was not optimistic about municipalities receiving approval for either the parking space tax or the rental car tax.

4. Q. **HOW MANY JURISDICTIONS HAVE THE LAND TRANSFER TAX?**

A. Seven counties in eastern North Carolina have the Land Transfer Tax. No city in North Carolina has the Land Transfer Tax. In the last legislative session, several requests for the Land Transfer Tax were not approved. Ellis Hankins (N.C. League of Municipalities) believes this was because of strong opposition from the Realtors and Home Builders Associations.

5. Q. **WHAT ARE THE APPROVED USES OF THE LAND TRANSFER TAX?**

A. In Dare County for the first 12 fiscal years, all proceeds of the land transfer tax must be placed in a special Capital Reserve Fund to be used only for capital expenditures for courts, jails, emergency medical services, libraries, recreation, education, administration, water, sewage, health and social services. Beginning the 13th fiscal year of the land transfer tax, one-third of the net proceeds of the tax are to be shared with the towns in proportion to the amount of ad valorem taxes levied by each town for the preceding fiscal year. (N.C. General Statute Chapter 525, Section 2 (e) - Dare County Land Transfer Tax). According to the League of Municipalities, most of the other counties' legislation was similar, with variations on how revenue is shared with towns.

6. Q. **COULD THE MUNICIPAL SERVICE DISTRICT TAX BE USED TO SUPPORT EXPRESS BUS SERVICE?**

A. The City Attorney says that bus service is not one of the purposes for which the Municipal Services District Tax may be used under the existing N.C. General Statute enabling legislation.

7. Q. **COULD FUTURE ROAD BONDS CONTAIN A SET-ASIDE PERCENTAGE FOR SUBSIDY OF THE BUS SYSTEM?**

A. In the opinion of Henry Underhill, the two questions would have to be listed separately on a referendum. Also, N.C. General Statutes do not allow bond money to be used for operating expenses.

8. Q. **BESIDES LEGISLATIVE AUTHORITY, WHAT WOULD BE NECESSARY TO IMPLEMENT A PARKING SPACE TAX?**

A. A physical inventory or survey of parking spaces would have to be conducted. Information on the number of parking spaces in the City or County is not available. However, the Charlotte Department of Transportation estimates that there may be as many as 400,000 non-residential parking spaces in Mecklenburg County. Policy decisions to determine who must pay the parking space tax would have to be made. Also, a billing and collection system would have to be designed.

9. Q. **WHAT IS THE REVENUE ESTIMATE FOR THE PARKING SPACE TAX FOR UPTOWN CHARLOTTE?**

A. Updated information from the Charlotte Uptown Development Corporation indicates that there are 34,000 parking spaces uptown. If you assume a monthly tax rate of $1, then the annual revenue would be $408,000.

| | |
|---|---|
| Work Shop | 11-2-92 5:10 |
| Mayor | ✓ |
| Comphile | ✓ |
| Ulrich | ✓ |
| Hammond | Absent |
| Mc Cory | ✓ |
| Mojeed | ✓ |
| Morgan | ✓ |
| Martin | ✓ |
| Patterson | ✓ |
| Reid | ✓ |
| Scarbourgh | ✓ |
| Wheeler | ✓ |
| | |
| Mayor | |
| White | |
| Martin | |
| Scarbourgh | |
| McCory | |
| Mayor | |
| Martin | |
| Nimsh Ghavari | 7 steps to pass |
| Martin | |
| Ghavari | |

John Kelly
Shaver
McGrory
Kelly
McGrory - pullback from City management staff?
Shaver
McGrory - fuzzy area
White - will say 2 things
Martin - isn't that the objective?
McGrory
Martin
White - isn't willing to do
Martin
White
Martin
Reid - terms of what we use it? | Gov said - how will we use it? Why is it important?
~~McGrory~~ Campbell
Reid
Campbell
Mayor
John Kelly
Mayor
Shaver - close to the end
Martin

Shaver

Mayor - Double Oaks refinancing

White -

McCrary - thanks to Hoyle

Martin (Richard)

John Proctor

Mayor consent for original loan

Proctor

McCrary

Reid -

Proctor

Reid any downside at all?

White

Reid

White

Mayor

Whe / Scar - move approval

Lenan.

Mayor - MPO discussion

Campbell

Clod

Campbell

Scar

Mangum / Con't support

Mayor

Morgan

Mayor

McCoy

Morgan

Mayor

VOTE: (FOR the 9-3 voting structure)

NO - for Morgan

Campbell

(Clerk/ Wheeler - made the motion)

Adjourn for dinner 5:45

Reconvene 5:55

Mayor

Boyd Cantlo

McCoy - already voted on this

Clerk/Peter

Cantlo

McCoy/Morgan - motion B - unan

Mayor

Cantlo

Morg/ Wheeler motion II A

Clerk - has some hesitation

Cantlo

Clerk

Mangum

Union Vote

Cauble

Mangum - Move II B

Majeed

Mangum

Cauble

Mangum

Martin

Majeed - second

Cloud

Mangum

Cauble - appeal with caveat

McCory

Mangum

Mangum

Union Vote

Cauble

Martin why necessary?

Cauble

Martin

White

Majeed changed his vote on II-C to No

Mangum

Cloud / Martin Move II

3 - No - Reid + Wheeler + Majeed

| | |
|---|---|
| Cauble | None |
| Mar / Morgan | III A Unan |
| Cauble | |
| Martin | |
| Cauble Yes | Amt |
| Martin | |
| Morgan | |
| Cauble | |
| Morgan | |
| Henry Underhill | |
| Mary / Mc | None III B |
| Unanimous | |
| Cauble III c | |
| Reid | |
| Cauble | |
| Underhill | |
| Morgan | |
| Underhill | |
| Morgan safety Valve | |
| Underhill | |
| Scan / Clod | None III C |
| Vote — | |
| 1 No — Martin | |
| Cauble | |

Lauk

Mar / Mc Mr III D

NO - Mayard

Cauble

Mc / Mar III E

NO - Mayard

Cauble

McC - Mr III

Scar

Cauble

Scar

Cauble

Scar not question

Cauble don't know answer

Scar
Cauble

Unanimous. II - qual f. ed except on

Mayor
Morris - second

Unanimous Vote

Cauble

Mayor

Clod

Hw in

Clod

Hw in

Clod

Hunsberger
Clerk
Lund
Mangum
Clerk what causes it to expire
Hull
Clerk
Lund
Mayor
McCrory - Move V
Hull
McCrory
Hull
McCrory
Hull present law
Martin
HWU
Martin
Clerk
Mayor
Mangum
Clerk (Leave out - Chatter before this)
Hull
Clerk
Poole

Mayor
Clark more than 1
Scar
Mc/Luke - go to Build. Stan.
Hwu = pass to County
Scar
Majeed
Martin
Mc Cory rejected motion
Mar
Scar
Mayor
Patterson
Mc Cory
Unan
Cauble = Mandatory referral
Mayor
Clark
Mc Cory - Clark
move to reject
Unan
Cauble - Dec 16 lunch
Mayor - 2 things on horizon
Martin raised ? - few ago

Hun

Mart

Hun

Patt

Mart

Hun

Patt

McCrory — Upton Comm — Forward on Council

Mart — copy of my letter (Clear out)

McCrory

Scan

McCrory

Caudle — Put on agenda for 16th?

Mayor

Patt

Caudle

Syfert

White

Patt.

Mayor - go to last item

White - Pam go over details

re: 1/2 day retreat

Patt - resp disagrees

wants day & 1/2 with OCI

Campbell
Scar
Mangum (that is McCray rattling 1a)
Patt / Clerk
day + half
Mayor — Patt + Comp come Here to plan
Martin
Sgt
Patt
Mangum — Silliness — leave out
Mayor
Sgt Royal Inn offered loc
Mayor
Reid
Sgt
Mart. N
Sgt
Mayor
Wheeler
Sgt
Mayor
White
Mayor
unanimous
(Ston was kidding)

Adjourn
7:00