

Mayor Patrick L. McCrory Mayor Pro Tem Susan Burgess

Michael Barnes
Nancy Carter
Andy Dulin
Anthony Foxx
Patsy Kinsey

John W. Lassiter
Don Lochman
James Mitchell, Jr.
Patrick Mumford
Warren F. Turner

CITY COUNCIL WORKSHOP

Tuesday, January 2, 2007

Room 267

- 5:00 p.m. Dinner**
- 5:15 p.m. Environment: Options for Congestion Mitigation Air Quality Funds**
- 5:30 p.m. 2007 North Carolina Legislative Agenda**
- 6:00 p.m. Community Safety: Police Department Update**
- 6:30 p.m. Housing & Neighborhood Development: Johnston and Mecklenburg Mills
Disposition – Request for Proposals and Artspace Presentation**
- 7:15 p.m. Economic Development: Changes in the Regulation of Cable Television
Services**
- 7:30 p.m. Citizens' Forum
Room 267**

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: Options for Congestion Mitigation Air Quality Funds

COUNCIL FOCUS AREA: Environment

RESOURCES: Jim Humphrey, CDOT
Don Willard, Mecklenburg County

KEY POINTS:

- At the November 6 Council workshop, Peter Pappas, Chair of the Regional Air Quality Board, and Dave Franchina, representing the Charlotte Chamber, presented Council with the preliminary results of Clean Air Works! (CAW), the public-private pilot program to reduce ozone emissions this past summer.
- The Council was asked to direct its MUMPO representative, Council member Pat Mumford, to approve use of \$500,000 in CMAQ funds previously planned for a truck stop electrification project for a 2007 CAW program. Questions were raised about the program results, consultant contract expenditures and other options for use of CMAQ funds. Council deferred action on directing the MUMPO representative vote.
- The 2006 Clean Air Works! program was funded by a combination of \$500,000 in CMAQ funds approved by MUMPO and up to \$500,000 in Mecklenburg County funds along with in-kind private sector resources. An identical funding arrangement is proposed for 2007.
- This presentation and discussion was originally scheduled for the December 11 dinner, but had to be postponed due to lack of time. The presentation will discuss the following:
 - purpose of CMAQ funds
 - how funding is allocated by the MUMPO
 - 2006 Clean Air Works! expenditures
 - final results
 - how the program compares to other projects eligible for CMAQ funding
- A summary of the final Clean Air Works! report is attached. This report was prepared by the pilot program consultant, URS. The full report was distributed to Council in early December and additional copies will be available at the Workshop.

COUNCIL DECISION OR DIRECTION REQUESTED:

On January 8, City Council will be asked to direct Council member Mumford's vote on CMAQ funding prior to the mid-January MUMPO meeting.

ATTACHMENTS:

Executive Summary, Clean Air Works! 2006 Final Report of Clean Air Works!



SUMMARY RESULTS & FINDINGS

Project Purpose

To conduct an Air Pollution Reduction Pilot Project (referred to hereafter as “*Clean Air Works!*”) with the primary purpose of testing what organizational approach and implementation elements and methods will produce quantifiable reductions in ozone-forming pollutants (nitrogen oxide) above those obtained through current efforts. Air pollution reductions were obtained from mobile, non-road mobile and operational sources through promotion of alternate modes of transportation (e.g. carpooling, vanpooling, telecommuting, riding transit, walking and biking) and/or changes in business operations (e.g. cleaner fleets, delaying or postponing high-emission activities such as construction work, lawn maintenance). Upon completion, local government and business will be able to assess the potential impact and feasibility of a full-scale program targeting larger numbers of businesses.

Project success will be determined by evaluating data collected during the project. Data collected includes, but is not limited to the following:

- number companies implementing plans,
- number employees reached, number of employees participating,
- daily tons NOx reduced through commute and operational changes

Pilot Goals and Summary Results: February – October 2006

To secure participation by 50 of the largest companies representing a minimum of 100,000 employees in the 8-county Metrolina Region ozone non-attainment region. At least one business should be located in each of the eight counties of the non-attainment region .

- *52 Employer partners secured*
- *56,283 Employees reached*
- *7 Counties represented*

To track worksite/employee participation.

- *13,875 Baseline Surveys completed (response rate = 25%) from 47 companies*
- *32 Companies required or encouraged commute behavior reporting*
- *2,821 Individuals reporting commute type (5%)*

To establish employer-based action plans. To motivate employers to change their business practices and lower NOx emissions.

- *47 Employee Action Plans completed*
- *110 Worksite programs implemented*
- *9,000 new alternative trips were initiated since the project began*
- *78,808 new vehicle miles traveled were reduced by commuters*

Trip-Reduction Strategies	Number Partners
Educational Programs	43 Partner sites
Try It Days	13 Partner sites
Preferential Parking	10 Partner sites
Vanpool/Transit Financial Incentives	9 Partner sites
Gas Cap Check events	8 Partner Sites
Raffles	7 Partner sites
Alternative Scheduling	4 Partner sites
Operational Strategies	7 Partner sites



To achieve quantifiable emission reductions.

- *Reported NOx Reductions (New) From Commute Programs:* 130 lbs (0.065 tons)
- *Reported NOx Reductions (Avoided) From Commute Programs:* 550 lbs (0.275 tons)
- *Reported NOx Reductions (New) From Operational Programs:* 464lbs (0.232 tons)
- *Reported NOx Reductions (Avoided) From Operational Programs:* 78,158 lbs (39.079 tons)
- *Total Combined NOx Reductions (New and Avoided):* 79,302 lbs (39.65 tons)

To design and produce region specific marketing materials

- *The name Clean Air Works! was selected as a distinct project name and logo to aid in creating regional awareness and to strengthen the link between clean air and employer/business participation*
- *Web Site developed and implemented*
- *Additional Marketing Support: Over 20 pieces of Clean Air Works! specific materials were developed*

To highlight successes through media coverage

- *Secured over 68 placements in print, radio, television and online*
- *Advertising equivalency of placements - \$76,400*
- *The editorial value of placements - \$230,000*
- *97 % of media coverage reflected positively on Clean Air Works!*

Summary Findings

To evaluate air pollution reductions and to determine the best approaches to encourage employees to change commuting behaviors.

- *Recruitment by business leaders and “Top Down” corporate support were critical to success*
- *On-site presence generated greater survey participation (baseline data)*
- *Strategies selected for implementation depended upon corporate culture, other factors*
- *Corporations needed time to make decisions*
- *Financial incentive programs generated significant trip reductions*
- *Meaningful incentives may have helped increase levels of commute reporting*
- *Limited transportation options restricted participation*
- *Uncertainty of the program’s future negatively impacted participation*

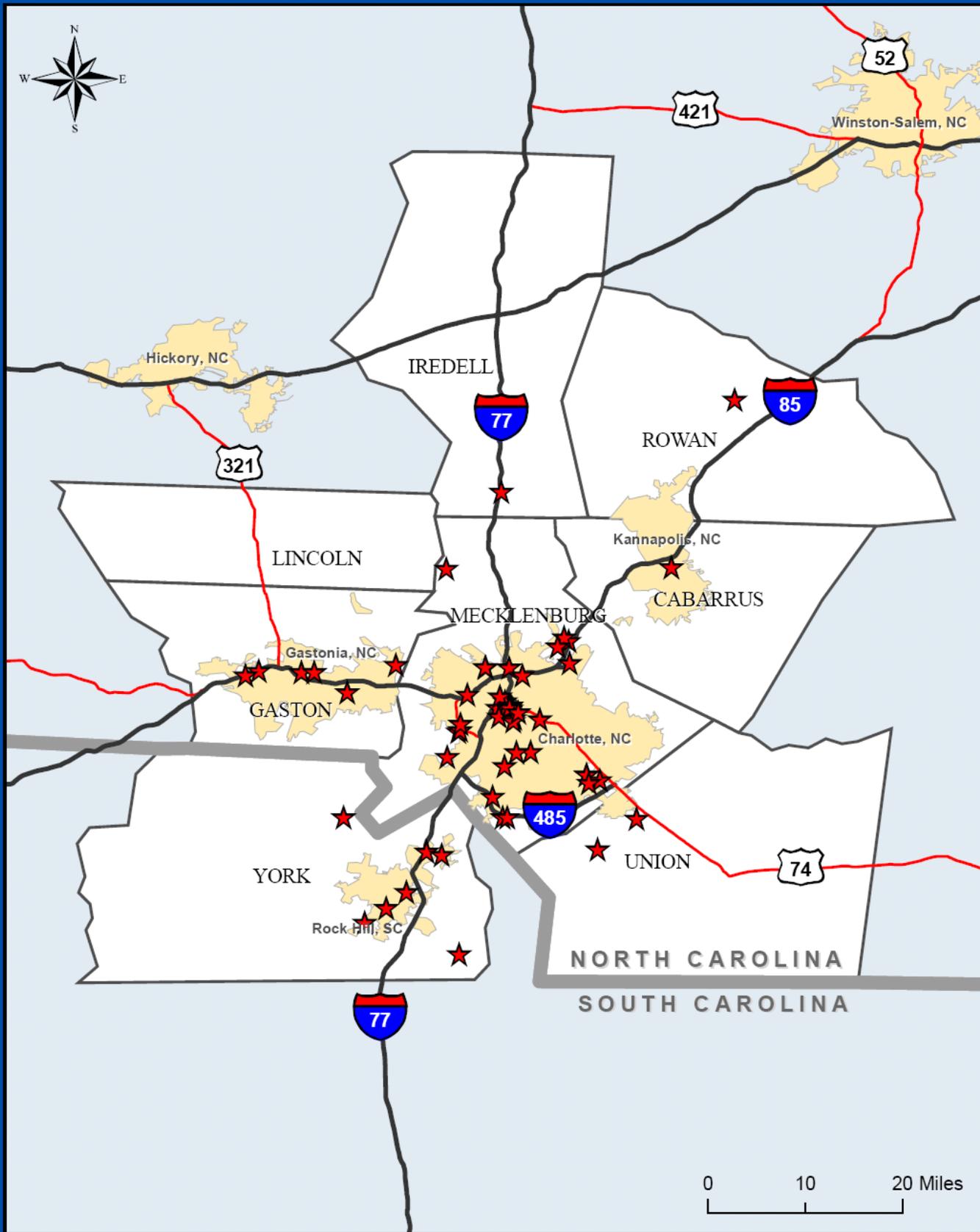
Future Recommendations

- *Expand the Clean Air Works! Pilot project to a year-round sustainable program*
- *Enhance incentive offerings to motivate more commuters to shift modes*
- *Reinforce the role of ongoing corporate leadership*
- *Increase/improve options for commuters*
- *Offer additional training sessions for business and project leaders*
- *Continue and refine marketing/media efforts to engage Partners*

Source

“Clean Air Works!, Final Report on Program Outcomes, 2006,” URS Corporation, October 27, 2006

CLEAN AIR WORKS! EMPLOYER PARTNER LOCATIONS



LEGEND

- ★ Company Locations
- Interstate
- US Highway
- Cities
- Counties





CLEAN AIR WORKS PARTNERS

ALLTEL	Johnson C. Smith University
American & Efird	Johnson & Wales University
Bank of America	Kennedy Covington
Belk, Inc.	Lash Group
BellSouth	Loftin Printers
Bissell Companies	Lowe's
Bowater	Moore & Van Allen
Burchette & Associates	National Gypsum
Carolinas Medical Center	Northeast Medical Center
Carolinas Medical Center - Pineville	Pharr Yarns
CaroMont Health	Piedmont Natural Gas
Central Piedmont	PSNC Energy
Community College	Quaero Corporation
Charlotte Chamber of Commerce	Radiator Specialty Company
The Charlotte Observer	Spivak Homes
Charlotte Pipe & Foundry	Springs Industries
Citigroup	SPX
Coca-Cola Consolidated	Superior Seeding
Compass Group	Terracon
Dixon Hughes	Time Warner Cable
Duke Energy	Tuscan Development
Family Dollar Stores	University of North Carolina Charlotte
First Charter Bank	Wachovia
Food Lion	Winthrop University
Froehling & Robertson	York County Chamber of Commerce
Harris Teeter	York Technical College
Hospitality Tourism Alliance	

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: 2007 North Carolina Legislative Agenda

RESOURCES: Boyd Cauble

KEY POINTS:

- The proposed 2007 North Carolina Legislative Agenda was presented to Council on December 11.
- City Council asked for an opportunity to consider additional items for inclusion in the City's 2007 State Legislative Package.
- The Council will be asked to review and approve the final package on January 8. It will be presented to the Mecklenburg Delegation at 7:30 a.m., Monday, January 22, Room 267.

COUNCIL DECISION OR DIRECTION REQUESTED:

None. This item is for Council discussion and direction to staff about any additional items for inclusion in the legislative agenda.

ATTACHMENTS:

Listing of preliminary legislative requests.

2007 Proposed Legislative Requests

- CATS: Amend City Charter regarding competitive proposal procurement and transit contracts
- CATS: Amend State Statutes regarding complying with licensing requirements for bids and contracts
- CATS: Operate buses in excess of maximum length of vehicles (currently 40 feet)
- CDOT: Transportation Legislative Goals
- CMU: Permission to Utilize Design/Build Contracts
- Engineering: Permission to Conduct Electronic Bidding
- Economic Development: Revise Underwriter Laboratory Inspection requirements
- Finance: Expand investment authority for managing long term trust type funds
- Police: Continued increased funding for criminal justice system
- Police: Street Gang Prevention Act (HB50)
- Police: Auto Theft – Wrecker and Tow Service
- Police: Auto Theft – Chop Shop Act modeled after South Carolina
- Police: Armed Robbery – Firearms should include a mock or apparent firearm
- Police: Window Tint – regulate businesses
- Police: Driving While License Revoked
- Other Council approved policies requiring State authorizing legislation

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Charlotte Area Transit System ("CATS")

Detailed Description of Request:

To amend Section 8.87 of the City Charter to: (1) authorize Council to delegate authority to the City Manager to make findings of fact that competitive proposal procurement is the most appropriate method of acquisition for unique transit equipment; and (2) clarify the City may let transit contracts, wholly or partially funded with federal funds, in the manner prescribed by federal authorities by law, regulations, rules or other directives when such are in conflict with State law.

Council Focus Area: Transportation

Justification for Request:

Consistent with industry trends, CATS may need to utilize the competitive proposal procurement method for unique transit equipment that does not necessarily lend itself to sealed bid procurements. This procurement method is used most often for unique equipment, such as light rail vehicles, that must be customized due to local needs. Delegating authority to the Manager to make findings that the competitive procurement method is the most appropriate method of acquisition would streamline the process and reduce the time required for such procurements.

The request to clarify the City's authority to let transit contracts, wholly or partially funded with federal funds, in compliance with federal laws, regulations, rules or other directives stems from a bid protest issue that arose in 2004. In accordance with federal practice, the Federal Transit Administration advised the City it was required to negotiate with all prospective bidders on a construction contract when all bid came in over budget. State law, G.S. 143-129, authorizes negotiations with only the low bidder in like circumstances. This clarification, based upon State law applicable to airports, will give the City clear authority to comply with federal requirements when those requirements may be in conflict with State law.

KBU Staff Resource: Ronald Tober, John Trunk

Legal Staff Resource: Carolyn Johnson, Ashley Heaton

Requested Before? No

Other Agencies Impacted: No

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Charlotte Area Transit System ("CATS")

Detailed Description of Request:

To amend G.S. 87-9 to clarify that the City may comply with licensing requirements for bids and/or contracts, wholly or partially funded with federal funds, in the manner prescribed by federal laws, regulations, rules, or other directives when such requirements are in conflict with State law.

Council Focus Area: Transportation

Justification for Request:

The request to clarify the City's authority to comply with licensing requirements for bids and/or contracts, wholly or partially funded with federal funds, in accordance with federal laws, regulations, rules or other directives when such requirements are in conflict with State law stems from a bid protest issue that arose in 2004. State law, G.S. 87 - 13, requires a prospective bidder to have the appropriate general contractor's license at the time a bid is submitted for the bid to be deemed responsive and responsible. The Federal Transit Administration deems a bid responsive and responsible so long as the appropriate license is obtained prior to the time a contract is awarded by City Council. This clarification, based upon State law applicable to the NC Department of Transportation, will give the City clear authority to comply with federal licensing requirements when those requirements may be in conflict with State law.

KBU Staff Resource: Ronald Tober, John Trunk

Legal Staff Resource: Carolyn Johnson, Ashley Heaton

Requested Before? No

Other Agencies Impacted: No

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Charlotte Area Transit System ("CATS")

Detailed Description of Request:

G.S. 20-116(d)(1) sets 40 feet as the maximum length of vehicles. CATS would like to have flexibility to operate buses in excess of the maximum length set forth in the statute.

Council Focus Area: Transportation

Justification for Request:

The Charlotte Area Transit System would like the flexibility to operate buses up to 61 feet in length to provide additional capacity. The length of standard transit and over-the-road-style buses ranges from 40 feet to 45 feet. CATS also anticipates integrating standard articulated buses and Bus Rapid Transit (BRT) articulated buses into its fleet; the length of articulated buses is between 60 and 61 feet.

KBU Staff Resource: Jim Zingale

Legal Staff Resource: Ashley Heaton, Carolyn Johnson

Requested Before? No

Other Agencies Impacted: None

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Charlotte Department of Transportation (CDOT)

Detailed Description of Request:

The following Transportation Legislative Goals have been presented to Council Committees for discussion leading to potential legislative requests. Both the Budget Committee and the Transportation Committee are reviewing different aspects of the following goals.

- Secure local revenue option (to be selected by City Council) to fund local needs identified in TAP.
- If #1 is accomplished, assume local funding responsibility for construction of lower tier State roads in return for adequate funding, local decision-making, local design standards, and maintenance of effort. State focuses limited resources on higher tier State roads and maintenance.
- Pursue elimination of Highway Trust Fund transfer and phase out of 25% Intrastate Component of Equity Formula to enhance NCDOT capacity to build and maintain roads in urban areas (road costs in 1988 HTF legislation protected to avoid funding losers).
- Establish a cooperative demonstration program between CDOT and NCDOT to implement the City's street designs for regional and sub-regional roads in Charlotte and ETJ. Allow subdivision streets in ETJ designed to City standards to be accepted for maintenance by NCDOT until annexation.
- Gain legislative approval for Turnpike Authority to construct and operate projects identified in Regional HOV/HOT/Managed Lanes Study.
- In non-attainment areas, require NCDOT to allocate additional funding directly to any MPO that accomplishes the following regional actions:
 - Adopts a Memorandum of Agreement with Regional Partners
 - Creates and Funds Maintenance of Regional Travel Model
 - Develops Regional Transportation Plan
 - Completes Regional Air Quality Conformity Report
- Address Street Lighting Replacement, Litter Control, and Landscape Maintenance Issues.
- Secure a report to legislature that addresses needed but longer term policy changes including:
 - Powell Bill Formula (lane miles, truck traffic, VMT)
 - Funding Regions (travel patterns, commonality, Air Quality regions)
 - Funding for Transit Matching Funds
 - Funding Pool for Statewide Tier Roads
 - Needs Based Project Selection Criteria

Council Focus Area: Transportation

Justification for Request:

KBU Staff Resource: Jim Humphrey
Legal Staff Resource:

Requested Before? Yes / No

Other Agencies Impacted:

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Charlotte-Mecklenburg Utilities

Detailed Description of Request: Legislative authorization to use Design-Build (DB) and Design-Build-Operate (DBO) processes for the completion of water and wastewater infrastructure projects.

Council Focus Area: Environment

Justification for Request: Utilities is planning significant expansions of water and wastewater infrastructure capacity and needs the ability to consider alternative project delivery methods. Design-build and Design-Build-Operate methods have the potential to reduce project delivery time and reduce risks to the City while producing facilities that meet operating goals. Traditional design-bid-build methods are frequently resulting in higher than expected costs, change orders, disputes with consultants and contractors, and completed projects that are not entirely consistent with operating goals. Water and wastewater plants, lift stations, and associated infrastructure are well suited for DB or DBO methods due to the lengthy design and construction period involved, the complexity and tight integration of the design and construction methods, and the myriad process and equipment options available.

KBU Staff Resource: Barry Gullet

Legal Staff Resource: Mike Boyd

Requested Before? No

Other Agencies Impacted: None

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Engineering & Property Management

Detailed Description of Request:

Legislation granting the City of Charlotte the right to offer the option for contractors to submit bids for formal construction projects in an electronic format.

Council Focus Area: Transportation

Justification for Request:

Currently state statutes require that bids for formal construction projects let by municipalities are to be submitted in hardcopy form, sealed, and accompanied by a bid deposit or bond. In contrast, bids let by state agencies may be submitted electronically. The North Carolina Department of Transportation has successfully used electronic bidding since 2001. They utilize an on-line application developed especially for this purpose. Electronic bidding serves both the "owner" and the bidders well because it reduces the risk of bid entry and calculation errors and saves time. NCDOT reports that they have reduced the time for bid evaluation/ comparison and bid tabulation from two days to one day.

Several local contractors familiar with the State's electronic bidding process have requested that the City offer them the same option when bidding on City projects. These contractors report that the State's electronic bidding has reduced their travel costs, reduced the number of simple math errors, and enables them to watch and listen to bid openings online; additionally, the State's program is compatible with a commonly-used estimating program, which allows the information to be easily transferred and it saves them time and money. The system is very secure and the contractors have no concerns in that area. Electronic bidding will also lead to other cost reductions for the City in staff-hours and printing cost.

Within the past five years, state statutes were amended to allow municipalities to receive bid electronically in addition or instead of paper bids. Municipalities were also required to put procedures in place to ensure the security, authenticity, and confidentiality of the bids.

KBU Staff Resource: Bren Yett / Gina Shell

Legal Staff Resource: Jude Starrett

Requested Before? No

Other Agencies Impacted:

Proposed 2007 North Carolina Legislative Request

Requesting KBU: City Manager/Economic Development Office

Detailed Description of Request:

North Carolina is one of the few states with a mandated machinery listing and labeling requirement through the building codes process. This position has had significant impact on the State's ability to recruit, retain, and expand businesses—and will have even greater impacts in the future.

When installed industrial machinery and equipment is considered part of the building, a company cannot get a certificate of occupancy to occupy until they have gone through a rigorous, costly, and time consuming process to have their equipment individually inspected and labeled by a third-party organization.

Numerous companies have cited this law in the past as a reason that they would not expand further in NC nor would they recommend any other companies locate in NC. They cannot understand why their equipment should be considered part of the building when it is portable in nature, subject to periodic replacement, and already regulated by OSHA.

The request is to clarify that industrial machinery is not subject to regulation under the Building Code. The act would be an amendment to NCGS. 143-138(b) as follows:

Nothing in this Article shall extend to or be construed as being applicable to the regulation of the design, construction, location, installation, or operation of industrial machinery. For the purposes of this paragraph, 'industrial machinery' means equipment and machinery used in a system of operations for the explicit purpose of producing a product. The term does not include equipment that is permanently attached to or a component part of a building and related to general building services such as ventilation, heating and cooling, plumbing, fire suppression or prevention, and general electrical transmission.

Council Focus Area: Economic Development

Justification for Request:

- Industrial machinery & equipment is not specifically covered under the National Electrical Code (NEC), a primary code for the NC Building Code Council.
- The NEC defines “building” as structure and all installations a part of, or permanently affixed to, the structure, such as plumbing and electrical wiring.
- The Federal Government has placed the responsibility of plant safety on OSHA, not the State Building Code or State Building Code Council.

- Initial laws from 1933 were written to protect the general public from faulty consumer equipment. The laws were not written with the intent to regulate industrial equipment.
- These understandings are duplicitous & harmful to North Carolina's ability to create and retain jobs by both new & expanding companies, particularly foreign company investment.
- Many states have no requirement that local electrical inspectors certify the safety of industrial equipment or a requirement that a 3rd party agency be hired to label electrical equipment. Local industries that locate or expand in North Carolina often face costly delays and unnecessary expense in scheduling a 3rd party to label and list their equipment.

KBU Staff Resource: Brad Richardson

Legal Staff Resource: Bob Hagemann

Requested Before? Not by Mecklenburg; however, this act was introduced in the 2005-2006 House Legislative Session by Representative Pryor Gibson (D – Union/Anson). It was referred to Committee On Rules, Calendar, and Operations of the House on 05/29/2006. No action was taken.

Other Agencies Impacted: Mecklenburg County LUESA

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Finance

Detailed Description of Request:

We need legislation to expand investment authority for the City consistent with what the State and the City of Winston-Salem have so that we can manage long-term trust type funds effectively.

Council Focus Area: All

Justification for Request:

Accounting rules have changed concerning the treatment of certain long-term obligations and the City's obligations may be unfairly stated if this legislation is not enacted. As the largest City in the State with impacted long term obligations we need to have the same level of authority to invest as the State. The police separation allowance obligation mandated by the State is one place where this legislation could be used to lower the statement of our liabilities.

KBU Staff Resource: Greg Gaskins

Legal Staff Resource: Mujeeb Shah-Khan, Bob Hagemann

Requested Before? No

Other Agencies Impacted: No

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Police Department - Property Crimes Section/Criminal Investigations Bureau

Detailed Description of Request:

A tow truck for hire must display an identification number that is provided by the Department of Motor Vehicles. The identification number must be displayed on the truck on the door of the truck and be easily observable.

Council Focus Area: Public Safety

Justification for Request:

Currently, there is no way to determine if a wrecker is towing a vehicle for a legitimate purpose. Some unregulated wreckers are responsible for auto thefts and other wreckers have been known to "fill orders" for chop shops. If the wrecker was required to display an identification number on the side of the truck, then police could determine who was the owner of the truck. If the truck failed to display an identification number on the side of the truck then it could be stopped for failure to display the identification number.

KBU Staff Resource: Darrel Stephens/Detective D.L. Hunter

Legal Staff Resource: Mark Newbold

Requested Before? No

Other Agencies Impacted: DMV

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Police Department Criminal Investigative Bureau – Auto Theft Unit

Detailed Description of Request:

The Charlotte-Mecklenburg Police Department Auto Theft Unit in the past seven years has come across multiple chop-shops in and around the Charlotte-Mecklenburg area. These investigations have crossed city, county and state lines. At the present time, if a chop-shop is located the only charge that a suspect can be arrested for is Receiving Stolen Property or Possession of Stolen Property. The State of South Carolina enacted in 1987 laws (G.S. 56-29-10, G.S. 56-29-20, G.S. 56-29-30, G.S. 56-29-40, G.S. 56-29-50, and G.S. 56-29-60) to help combat auto theft and chop-shops. This same type of law would be extremely helpful as a tool in fighting the rising number of auto thefts and the emergence of professional car thieves not only in the Charlotte-Mecklenburg area, but the entire State of North Carolina.

Council Focus Area: Public Safety

Justification for Request:

- *What our current law provides:*
 - At the present time, the only charge that a suspect can receive for operating a chop-shop is Possession of Stolen Goods or Receiving Stolen Goods.
- *Why amend?*
 - Current law does not focus on professional chop shops
 - Current law is too narrow and is limited to possession of Stolen Goods
 - There is an increase in the number of professional car thieves in Charlotte. These thieves are targeting specific vehicles for parts, stealing the vehicles, and piecing (chopping) out the vehicle for money.
 - Due to the popular underground street racing, Hondas and Acuras are being stolen at an alarming rate and stripped for their parts.
 - There has been an increase in the thefts of sports bikes. These bikes are chopped up for their parts.
- *Recommended amendments*
 - Modeled after South Carolina's "Motor Vehicle Chop Shop Act"*
 - Specific punishment for owning /operating a chop shop
 - Specific punishment to knowingly transport a motor vehicle to or from a chop shop
 - Specific punishment to transfer, sell, purchase, or receive a motor vehicle from a chop shop
 - Specific punishment to alter or disguise VINs or knowingly remove VINs
 - Seizure of motor vehicles, tools, implements, used in violation of the above
 - Forfeiture of motor vehicles, tools and implements
- District Attorney agrees that amendment would be beneficial in the prosecution of professional auto thieves.

KBU Staff Resource: Chief Darrel Stephens / Detective D. L. Hunter
Legal Staff Resource: Mark Newbold

Requested Before? No

Other Agencies Impacted: District Attorneys

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Police Department - CIB/ DA Liaison Unit

Detailed Description of Request:

The definition of a Dangerous Weapon and Deadly Weapon should include any weapon whether real, appearing to be real, or non-operable where a reasonable person would believe the weapon to be dangerous or deadly. This attempt to change the language was done back in 1991 under House Bill 305.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

HOUSE BILL 305

Second Edition Engrossed 4/19/91

Short Title: Amend Armed Robbery (Public)

Sponsors: Representative

March 25, 1991

Referred to: Judiciary II

A BILL TO BE ENTITLED AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE ARMED ROBBERY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-87 reads as rewritten:

"§ 14-87. Robbery with firearms or apparent firearms or other dangerous weapons.

(a) Any person or persons who, having in possession or with the use or threatened use of any firearms or any apparent firearms or other dangerous weapon, implement or means, whereby ~~the life of a person is endangered or threatened, a reasonable person under the circumstances would believe that his life was endangered or threatened,~~ unlawfully takes or attempts to take personal property from another or from any place of business, residence or banking institution or any other place where there is a person or persons in attendance, at any time, either day or night, or who aids or abets any such person or persons in the commission of such crime, shall be guilty of a Class D felony. For purposes of this section the phrase 'apparent firearms' shall include any article that a reasonable person would believe to be a firearm.

(d) Notwithstanding any other provision of law, with the exception of persons sentenced as committed youthful offenders, a person convicted of robbery with firearms or any apparent firearms or other dangerous weapons shall serve a term of not less than seven years in prison, excluding gain time granted under G.S. 148-13. A person convicted of robbery with firearms or apparent firearms or other dangerous weapons shall receive a sentence of at least 14 years in the State's prison and shall be entitled to credit for good behavior under G.S. 15A-1340.7. The sentencing judge may not suspend the

sentence and may not place the person sentenced on probation. Sentences imposed pursuant to this section shall run consecutively with and shall commence at the expiration of any sentence being served by the person sentenced hereunder."

Sec. 2. This act becomes effective October 1, 1991, and applies to offenses occurring on or after that date.

Council Focus Area: Public Safety

Justification for Request:

Armed Robberies are on the rise through Mecklenburg County. There are many cases where a suspect can only be charged with Common Law Robbery instead of Armed Robbery because he/she had a fake or inoperable weapon.

KBU Staff Resource: Sgt. Ken Clark / Sgt. S.D. Christenbery

Legal Staff Resource: Mark Newbold

Requested Before? Yes, in 1991

Other Agencies Impacted:

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Police Department - Support Services

Detailed Description of Request:

1. Make it illegal for businesses or person(s) to sell illegal window tint and make it illegal for businesses and private individuals to apply illegal window tint to vehicles.
2. Window tint owners must bear a certificate of compliance on the inside and on the lower right corner of each tinted window to show the window tint is in compliance with the law. The certificate shall include the percentage of light transmission allowed, identity of installer by name, address and telephone number and date of installation.
3. Include all windows of vans, pickups and SUVs to comply with the 35% law. Manufacturer tint will still be legal on the windows of vans, pickups, and SUVs but no after-market-tint shall be below 35% when applied by itself or if manufacture tint is below 35%. (current threshold)

Council Focus Area: Public Safety

Justification for Request:

- **What our Current law provides: GS 20-127:**
 - Total light transmission must be at least 35%
 - Excludes passenger vans, SUV's, minivans and P/U trucks
 - Enforcement by officer requires expensive meter \$250- \$500.00
 - No restriction on sale of illegal tint.
 - DMV checks for compliance during yearly inspection.
- **Why Amend?**
 - *Current Statute is difficult to enforce:* GS 20-127 is a difficult for officers to enforce because it requires expensive equipment to measure degrees of tint. (Each device costs between \$200.00 to \$500.00)
 - *Exception for Vans P/U and Suv's is not warranted:* The exceptions for vans, pickups and SUVs are confusing. There is no reason for vans, pickups and SUVs to be permitted to tint all the windows behind the front windows as dark as they want. When operators of these vehicles need to back up, merge with traffic or pull out into traffic, the dark windows prevent the operators from being able to see, especially at night. The same driving hazard caused by passenger vehicles that have excessively tinted windows exists to Vans, P/U's and SUV's. The operator of the vehicle with dark tint has now endangered other motorists because of their inability to operate their vehicle in a safe manner.
 - *Officer Safety:* Officers need to see into all vehicles – not just passenger vehicles - when they approach a vehicle stopped for a violation.
 - *It is not against the law to sell illegal window tint:* Anyone can purchase tint that is darker than the legal limit. Currently some businesses offer its customers legal and

“illegal” tint. If the business applies the tint it is usually done without a receipt.

- **Recommended Amendments:**
 - No exceptions for vans, mini vans, p/u or vehicles occasionally designed for off- road operation
 - Make it unlawful to sell or install illegal window tint
 - Require installer or person applying tint to attach a certification of compliance sticker to window (similar to small sticker that oil change is due). It would be unlawful for a person to drive a vehicle with tint unless it has the certification sticker.
- **Model for statutory language:** South Carolina has adopted similar provision and is a good model for regulating window tint.

KBU Staff Resource: Chief Darrel Stephens/ Officer Mike Retort

Legal Staff Resource: Mark Newbold

Requested Before? No

Other Agencies Impacted: No cost should be incurred by other agencies. The cost of certification will be passed onto consumers.

Proposed 2007 North Carolina Legislative Request

Requesting KBU: Police Department - Court Liaison

Detailed Description of Request:

Successful prosecution of Driving While License Revoked charges requires that the State prove that the driver's license was in fact revoked, and that they had knowledge of this status when they were driving. The current process for obtaining a certified true official copy of the driver's history and revocation letter requires that we send an official request to DMV, who then prints a copy of each that are then signed by the Commissioner of Motor Vehicles, and sent to the requesting agency. CMPD alone requests thousands of these documents each year. The average complete driving history and revocation letter average around 15 pages of paper. CMPD could fill a small office from floor to ceiling numerous times. DMV is required by statute to provide this documentation to requesting agencies for free. The associated costs of the paper required to fulfill these requests for CMPD alone must be astronomical, not to mention the total of all other requesting agencies in the State. A great deal of time and effort goes into providing these copies, and then, as far as CMPD is concerned, then storing and delivering of these documents. Despite our best efforts, numerous DWLR charges are dismissed because of missing, incorrect, or partial histories/revocation letters. This results in a large portion of these cases being dismissed. I propose a legislative request that will allow CMPD and other authorized agencies (Clerk of Courts, DA's, etc.) to be allowed to print a copy of a driver's history and revocation order when needed in the court room. This printed copy would be considered true and certified copy and therefore admissible in court. This effort, if successful, would lead to a tremendous amount of State money that could then be used for other things. It would also completely change the way that these cases are handled by defense lawyers and DA's alike.

Council Focus Area: Public Safety

Justification for Request:

Streamlining the process of obtaining admissible driving histories and revocation orders necessary to prosecute persons charged with Driving While License Revoked.

KBU Staff Resource: Sgt. Chris Parnell/ Chief Darrel Stephens

Legal Staff Resource: Mark Newbold

Requested Before? No

Other Agencies Impacted: Court, Department of Motor Vehicles, AOC.

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: Police Department Update

COUNCIL FOCUS AREA: Community Safety

RESOURCE: Chief Darrel Stephens

KEY POINTS:

The presentation will focus on three topics:

- **Redistricting - Connecting with the Community:** Chief Stephens will discuss a series of community meetings that will be held in each of the 13 patrol divisions; the first meeting will be held January 24. The meetings will give division residents an opportunity to meet command staff and officers assigned to the division, learn about staffing levels, crime issues, and ask questions. The meetings will give the Police Department a chance to interact with residents from all areas of the city. The division meetings will be followed by a community wide safety summit in March or April of 2007.
- **Communications Strategic Plan:** The Chief will outline CMPD's new strategic communications plan which will more aggressively tell the Police Department's story. The plan will emphasize consistent and credible communications that focus on the Police Department's strategic enforcement, problem solving, and prevention initiatives. This will be accomplished through restructuring CMPD's Public Affairs Section, improving partnerships with the media, and making better use of technology, including the Internet, to disseminate information. The ultimate goal of the plan is to increase citizen engagement with CMPD.
- **Update on Crime:** The Chief will present the most current crime data and will discuss several key enforcement initiatives including the Street Crimes Task Force and the Dusk to Dawn Curfew.

COUNCIL DECISION OR DIRECTION REQUESTED:

The presentation is for information only.

ATTACHMENTS:

None.

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: Johnston and Mecklenburg Mills Disposition – Request for Proposals

COUNCIL FOCUS AREA: Housing & Neighborhood Development

RESOURCES: Stanley Watkins

KEY POINTS:

- On November 27, 2006, City Council: 1) approved the Housing & Neighborhood Development Committee’s recommendation to discuss the Mill properties at the January 2, 2007 City Council Workshop, in order to review the City’s policy objectives related to disposing of the Mill properties; and 2) to receive a presentation on the inclusion of affordable housing for artists at the site.
- The Mills property is a 7.8 acre tract located in proximity to the intersection of North Davidson Street and East 36th Street that houses the Johnston and Mecklenburg Mills properties. The property had been used for 150 units of affordable housing until its closure in May 2006.
- The Request For Proposals (RFP) for disposition of the site was prepared by a citizen group presenting the Historic North Charlotte Neighborhood Association (NODA) and City staff. The RFP seeks proposals that preserve affordable housing, but allows for development of a mixed use project that includes market rate housing, office and retail uses. Any new development proposed for the site should be consistent with urban design and transit development guidelines developed by the Planning Department.
- The Housing & Neighborhood Development Committee, in reviewing the proposed RFP, considered a number of City policies and priorities in disposition of the property. The Committee’s considerations include:
 - **Return of the City's investment** - Maximize the return of the City’s investment (\$6.7 million). The current value is estimated between \$4.2 and \$4.8 million. There is interest in the properties from private and non-profit developers.
 - **Replacement of affordable housing** - Both on-site and off-site. Previously there were 150 units on the site. Priority for housing should be given to former Mecklenburg Mills residents.
 - **Promote transit oriented development** - Proximity of the site to a future transit station (36th Street) supports mixed use development at the site.

- The Committee is seeking Council guidance as to which factor(s) should be given priority in disposition and/or redevelopment of the site.

OPTIONS:

- The Artspace proposal is another option for redevelopment of the site.
- Artspace is a non-profit organization which helps develop living spaces for artists. The mission of Artspace Projects is to create, foster and preserve affordable space for artists and arts organizations. This mission is achieved through development projects, asset management activities, consulting services, and community-building activities that serve artists and arts organizations of all disciplines, cultures, and economic circumstances.
- The Historic North Charlotte Neighborhood Association (NODA) believes that artists are an important part of the neighborhood character, which they want to preserve. They have requested that the City Council consider:
 - 1) Donating Mecklenburg Mill to Artspace;
 - 2) Promoting development of artist housing as part of the RFP process; or
 - 3) Allowing Artspace to submit a proposal in partnership with a developer.

COUNCIL DECISION OR DIRECTION REQUESTED:

After the workshop discussion, the Housing & Neighborhood Development Committee will deliberate further and respond to Council with a final recommendation regarding the Mills RFP process.

ATTACHMENTS:

Background – Johnston and Mecklenburg Mills
Request for Proposal Highlights
Draft Mecklenburg Mills RFP
Artspace Proposal Letter
Artspace Information Sheet
Artspace Properties

Background – Mecklenburg and Johnston Mill Apartments

- Mecklenburg Mill Apartments is a 60-unit complex located at 3327 North Davidson Street and Johnston Mill Apartments is a 90-unit complex located at 3315 North Davidson Street.
- August 6, 1990 - The City approved a \$1,000,000 loan to Trenton Property, Inc. for the acquisition and rehabilitation of Johnston and Mecklenburg Mills.
- June 24, 1991 - The City provided an additional loan of \$2,533,500 to develop Johnston Mill and renegotiated the \$600,000 balance of the original loan.
- The City invested \$2.4 million for the rehabilitation of the Mecklenburg Mill Apartments.
- On September 27, 2004 City Council approved an additional \$800,000 to acquire the first mortgage for Johnston Mill Apartments to protect the City's interest and maintain the units as affordable.
- In January 2006, the City foreclosed and took possession of both the Mecklenburg and Johnston Mill apartments.
- On May 12, 2006, the residents in Mecklenburg Mill were evacuated for their safety.
- On October 20, 2006 the Housing & Neighborhood Development Committee began discussions regarding the Request for Proposal (RFP) process for the disposition of the Mecklenburg and Johnston Mill Apartments. The Committee recommended modifications to the RFP and requested that the document come back at a subsequent meeting for approval.
- On November 14, 2006, the Housing & Neighborhood Development Committee met again to review and discuss requested modifications to the Request for Proposal document.

Project Description:

- City staff has prepared a Request for Proposals based the recommendations of a Proposal Review Committee.
- Committee representation was as follows:
 - Kevin Sutton, North Davidson Neighborhood Association
 - Chad Maupin, North Davidson Neighborhood Association
 - Paul McBroom, North Davidson Business Association
 - Paul Sires, North Davidson Business Association
 - Fred Dodson, Charlotte Mecklenburg Housing Partnership
 - Diane English, Belmont Neighborhood Representative
 - Angela Coleman, Villa Heights Neighborhood Representative
 - City Staff representatives from Economic Development, Planning, CATS, Real Estate and Neighborhood Development

Note: The Historic Landmarks Commission has been added to the Proposal Review Team.

RFP Highlights - Johnston and Mecklenburg Mill

- RFP Scope: The City is seeking proposals from qualified developers or development teams to purchase, design, rehabilitate market and manage the mill properties. The City seeks mixed-income development.
 - Proposals can be a combination of rental and/or ownership housing units.
 - The City is seeking to maximize the number of affordable rental housing units. A minimum of 50% of the affordable rental units are to remain on-site. Proposals maximizing the number of on-site affordable housing units will be given greater consideration.
- Developer Expectations:
 - Secure the financing for the acquisition and rehabilitation of the apartments.
 - Secure all approvals, (zoning, subdivision, etc.) permits and pay fees necessary for the development and construction on the site.
 - Provide liability, builders risk and workman's compensation insurance in amounts acceptable to the City of Charlotte.
 - Develop a "turnkey housing project" in accordance with plans approved by the City.
 - Adhere to the agreed upon time schedule for construction. Construction shall be initiated within six (6) months of the real estate closing.
 - Secure and maintaining proof of appropriate licenses as required by local and state laws.
 - Develop and execute a sales and marketing plan for the project (*homeownership*)
 - Provide on-site management or equivalent for entire existence of the apartments.
 - Provide a project development pro-forma and financial qualifications of the development team.

Note: The City will not invest additional funds in the redevelopment of the mill properties with the exception of its investment in the assets (land and building).

- Former Mecklenburg Mill Residents:
 - Former Mecklenburg Mill residents who meet the leasing and/or ownership requirements will be given priority.
- Affordability Targets (*minimum affordability targets*)
 - A minimum of 50% of the affordable rental units are to remain on-site.
 - Affordable rental housing can be up to 60% or less of the area median income, but the City's priority is housing units that serve households earning 30% or less than the area median income.
 - Affordable homeownership units must serve households earning 80% or less than the area median income to be considered affordable.

Note: The Median income for a 4-person family in Charlotte is currently \$64,400. This figure is adjusted annually by the City.

- Architectural Design Guidelines
 - RFP document includes design guidelines to create livable housing units that are attractive, easy to maintain, enhances the architectural character of the NODA neighborhood. Guidelines address; transit, unit design, plans, construction and historic tax credits.
 - All proposals must be reviewed by the Historic Landmark’s Commission to be considered.
 - The site is in proximity of a proposed future transit station site, which has not been approved. As part of the Northeast Light Rail Project Draft Environmental Impact Study (DEIS), a Station Area Concept was developed for the 36th Street station. The Station Area concept calls for small-scale (2-3 story) infill development to strengthen the character of established neighborhoods.
 - Planning recommends a focus on compatibility with the historic character and limited land availability. Proposed development should not exceed 4 stories. The property may need to be rezoned to accommodate the development future. Consideration should be given to the opportunity for redeveloping surrounding industrial land uses to neighborhood-oriented mixed use developments that can help reinforce Historic North Davidson’s vitality.

- RFP Submission Requirements
 - Developers or Development teams must submit the following information as its proposal submission to the City of Charlotte.

Submission Information	Description
General Developer Information	Information to include; experience and qualifications of all team members, type of organization, recent financial information, previous developments (<i>similar in nature</i>), references, certificate of good standing.
Proposed Project Information	Information to include; general description of the proposed project, number and type of units, income levels served (<i>particularly on-site affordable units and units serving 30% and below</i>), proposed economic development, market study, graphic illustrations, (<i>site plan, floor plans and conceptual design</i>). Proposed project schedule.
Project Financing	Information to include, project proforma, cash flow projections, offered price for the property, sources and uses of funds, scope of work, (<i>projected construction costs and specifications</i>).
Project Design	Information to include; integration of light rail station with the Mill site, architectural site design, streetscape design, parking, public spaces and amenities, pedestrian paths.

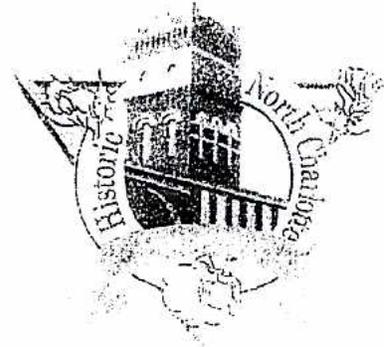
- Selection Criteria

The City will select the developer/development team that most successfully meets the criteria listed below:

1. Proven ability of the development team to successfully develop and manage higher-density residential projects. Proven ability shall mean successfully completed and managed at least three multi-family developments.
2. Ability to secure construction and permanent financing for the project.
3. Commitment and ability to bring developer equity to the project.
4. Degree of responsiveness to the development program, and specifically the affordability targets (number of “on-site” affordable rental units and priority rental units serving 30% or less than the area median income) and other goals and objectives in the request for proposals.
5. Quality of the design proposed and ability of the development team to implement a high quality project.
6. A purchase price that provides the City of Charlotte acceptable compensation for City’s land while achieving the other goals of this project.
7. A Management plan for the project that maintains the affordability goals of this project.
8. Proven ability and experience in managing mixed income higher-density residential properties.
9. Connectivity between site and light rail station
10. Proposed Density

November 10, 2006

The Honorable Patrick L. McCrory, Mayor
Office of the Mayor
600 East Fourth Street
Charlotte, NC 28202



Dear Mayor McCrory;

First, we would like to thank you for hearing our requests at the October 20, 2006 Housing and Neighborhood Development Committee meeting. At that time, we asked the committee to delay the Johnston and Mecklenburg Mills Request for Proposals (RFP), so that an affordable housing organization like Artspace could potentially have a chance for access to the Mills site. Although the committee decided against delaying the RFP, we still think that there may be some alternative avenues that could include Artspace in the future development. The purpose of this letter is to explore options that could create those possibilities.

We think that the best option moving forward would be to divide the two mills into two separate land sales by the City. The Historic North Charlotte Neighborhood Association (HNCNA) requests that the property be divided in such a way that Mecklenburg Mill, the smaller of the two with 60 residential units, could be split off for sale to Artspace. Johnston Mill, the larger building with 90 total units, would remain in the current RFP, along with all three out buildings and most of the vacant land on the site.

We see many advantages to this proposal. First, it would leave the current RFP largely unchanged and ready for rapid release. The vacant land along 36th street, most valuable to a potential investor, would still be intact. Johnston Mill is the more desirable of the two properties, as it is larger and did not suffer the termite damage of the smaller Mecklenburg Mill. Because of that damage, the City may in fact recoup just as much or more money by shaving off the Mecklenburg Mill from the proposal, as it would if it left the RFP site intact. In this scenario, even if the City sold Mecklenburg Mill to Artspace for \$1, the City would recoup the same amount on their investment.

Second, we know that Artspace would still be interested in this smaller outlay, and they are not averse to historic properties that need substantial amounts of renovation, like the damaged Mecklenburg Mill will need. In fact, a project of this size would be more in keeping with the average scale of Artspace projects in the past. Artspace has a history of renovation and historic preservation of warehouse properties.

Third, the City could still pursue additional affordable housing in Johnston Mill; we would request a minimum of forty units or 20% of total units, whichever is greater. Historically, the two mills were different companies with different histories. Having two different owners remodeling them could help return that historic individuality. Again, this is the option that is most desirable to the HNCNA.

If the committee rejects the idea of splitting the two mills, we would request that wording be added to the RFP that shows preference to proposals that partner with non-profit organizations to meet the affordability guidelines set forth in the RFP. This could potentially allow Artspace to partner with the developer who will submit a proposal. Obviously, there are many factors that will go into choosing the best proposal. We are only asking that proposals with organizations like Artspace as a partner be one of those preferential variables. Obviously, this path would create less certainty in getting Artspace to Charlotte and getting Artspace into NoDa. Thus, we much prefer the first option of splitting the two properties.

Separate from the Artspace issue, if the committee decides not to split the two buildings, we request that the RFP be amended to stipulate a minimum of sixty affordable units, or 20% of total units, whichever number is greater. While we are very encouraged that Council decided to increase the total number of affordable units at the October 20th meeting, we feel that the 150 units demanded may unnecessarily limit the number of investors who submit proposals, or it may encourage investors to overbuild the site in an effort to create enough units to recoup the cost of building affordable units. The HNCNA is committed to adding affordability to our neighborhood wherever possible, but not at the cost of creating the wrong project.

It is important to note that we had another vote at our November HNCNA meeting on the idea of trying to bring Artspace to NoDa, specifically of incorporating them into the Johnston & Mecklenburg re-development. Once again, there was unanimous support for pressing forward, with over forty Association members in attendance. We look for your vision and your advice in making that happen. Thank you for your time.

Sincerely,

Hollis Nixon
HNCNA President

Chad Maupin
HNCNA Board Member
Former Johnston and Mecklenburg Mill RFP Committee Member

Kevin Sutton
HNCNA Board Member
Former Johnston and Mecklenburg Mill RFP Committee Member

CC: (alphabetical order)

Michael Barnes, Julie Burch, Susan Burgess, Anthony Foxx, Patsy Kinsey, Don Lochman, Patrick Mumford, Stanley Watkins, Stanley Wilson

About Artspace

(Source: Artspace Website)

The Artspace Mission

The mission of Artspace Projects is to create, foster and preserve affordable space for artists and arts organizations. We pursue this mission through development projects, asset management activities, consulting services, and community-building activities that serve artists and arts organizations of all disciplines, cultures, and economic circumstances. By creating this space, Artspace supports the continued professional growth of artists and enhances the cultural and economic vitality of the surrounding community.

The Artspace Story

Finding and retaining affordable live/work space is an age-old problem for artists, painters, sculptors, dancers, and others who require an abundance of well-lit space in which to work. Many artists gravitate to old warehouses and other industrial buildings, but their very presence in an industrial neighborhood often acts as a catalyst, setting in motion a process of gentrification that drives rents up and forces the artists out.

This is precisely what happened in Minneapolis' historic Warehouse District in the 1970s and led to the creation of Artspace in 1979. Established to serve as an advocate for artists' space needs, Artspace effectively fulfilled that mission for nearly a decade. By the mid-1980s, however, it was clear that the problem required a more proactive approach, and Artspace made the leap from advocate to developer. Since then, the scope of Artspace's activities has grown dramatically. Artspace is now America's leading nonprofit real estate developer for the arts.

In the last few years, Artspace has further expanded its mission to incorporate the planning and development of performing arts centers, museums, other arts facilities, and entire arts districts throughout the country.

Why We Do What We Do

Artspace's experience in facilitating space development for artists has led us to the following conclusions:

- Aesthetically pleasing spaces create a safe working environment that helps artists grow professionally and achieve financial stability.
- Artists' live/work projects help increase pedestrian traffic in urban areas, while streetscapes take on a new, lively character.
- Other neighborhood development typically follows within three years of the completion of an artists' live/work project. This development in turn helps generate other cultural activity and creates a general increase in visitors to the area.

Artspace Properties

Completed



Elder Street Artist
Lofts
Houston, TX



Everett Station
Lofts
Portland, OR
97209



Frogtown Family Lofts
Saint Paul, MN



Grain Belt
Studios
Minneapolis, MN



Hennepin Center for the
Arts
Minneapolis, MN



Kaddatz Artist
Lofts
Fergus Falls, MN



Mount Rainier Artist
Lofts
Mount Rainier, MD



National Hotel
Artist Lofts
Galveston, TX



Northern Warehouse
Artists' Cooperative
Saint Paul, MN



Riverside Artist
Lofts
Reno, NV

Source: Artspace Web site

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: Changes in the Regulation of Cable Television Services

COUNCIL FOCUS AREA: Economic Development

STAFF RESOURCE: Doris Boris and Robert Hagemann

KEY POINTS:

- The new NC Video Services Competition Act was passed in July and is effective January 1, 2007.
- The Act removes the City's Franchising Authority for Video Services.
- The NC Secretary of State becomes the sole franchising authority for Video Services.
- Existing City franchises will remain in effect until competitor begins providing services in the franchisee's service area.
- City retains the authority to effectively manage its rights-of-way.
- Financial structure of the Act is intended to have no impact on current revenues the City receives from its franchises.
- The Act maintains provisions for Public, Educational and Governmental (PEG) channels for municipal and county governments.
- The presentation will review the impact of bill implementation on the City, including the handling of citizen complaints about cable television services.
- Impact on the City's Office of Cable & Franchise Management (which is a shared City/County function) is currently under review.

COUNCIL DECISION OR DIRECTION REQUESTED:

None. This presentation is for information purposes only.

ATTACHMENTS:

None.