Council-Manager Memo #6
Friday, January 28, 2011

CHARLOTTE.

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WEEK IN REVIEW:

Mon (Jan 31)	Tues (Feb 1)	Wed (Feb 2)	Thurs (Feb 3)	Friday (Feb 4)
2011 MAYOR AND CITY COUNCIL RETREAT, Johnson C Smith University		12:00 PM Housing and Neighborhood Development Committee, Room 280		

CALENDAR DETAILS:

Monday, January 31

8:30 am 2011 Mayor and City Council Retreat, Grimes Lounge at Johnson C Smith University

Tuesday, February 1

7:30 am 2011 Mayor and City Council Retreat, Grimes Lounge at Johnson C Smith University

Wednesday, February 2

12:00 pm Housing and Neighborhood Development Committee
AGENDA: Housing Locational Policy; Single Room Occupancy Text Amendment follow-up

January and February calendars are attached. ***(see attached file: Jan_Feb_Calendar.pdf, left side table of contents)***

INFORMATION:

Mayor and City Council Retreat Materials

Staff Resource: Saskia Thompson, City Manager's Office, 704-336-7285, sthompson@charlottenc.gov

The agenda and informational materials for next week's City Council retreat are included in Council members' Friday packets. The retreat begins Monday, January 31 at 8:30 a.m. in the Grimes Lounge at Johnson C. Smith University.

Land Development Customer Service Resource

Staff Resources: Dave Weekly, E&PM, 704-336-4103, dweekly@charlottenc.gov
Nan Peterson, E&PM, 704-336-6691, npeterson@charlottenc.gov

Engineering's Land Development Customer Service and Permitting Manager, Nan Peterson, is the City's ombudsman with regard to the development process. She is available to assist and answer any questions related to permit requirements, the plan review and inspection process, and the release of holds for issuance of certificates of occupancy. Please feel free to contact her with any concerns that come to your attention, or feel free to refer citizens/businesses directly to her for expediting/resolving any issues that are creating delays in the regulatory approval process. Nan's supervisor, Dave Weekly, is also available to serve as a backup resource in this same regard.

February 9, 10 – Transportation Action Plan Five-Year Update Workshops

Staff Resource: Dan Gallagher, CDOT, 704-336-4984, dgallagher@charlottenc.gov

The City of Charlotte adopted the 25-year Transportation Action Plan (TAP) in May 2006. The TAP consists of a Policy Document and a Technical Document. It provides a comprehensive list of the City's transportation-related policies, programs and projects necessary to help address Charlotte's transportation challenges and opportunities.

The TAP calls for an update every five years "…so that Charlotte residents are provided the latest information regarding the City's short-term and long-term transportation conditions, objectives and accomplishments". Staff has been working with City Council's Transportation and Planning Committee to initiate the TAP five-year update. The TAP update is expected to be completed by summer 2011.

As part of the TAP update, staff will be hosting two kick-off public workshops to provide information and gather feedback to use in updating the TAP. The workshops will be held on February 9 and 10 as follows:

February 9, 2011 – TAP Public Workshop #1
Oasis Shrine Headquarters
604 Doug Mayes Place
Charlotte, NC 28262
Time: 6:00 p.m. -7:30 p.m

February 10, 2011 – TAP Public Workshop #2
Tyvola Senior Center (next to Marion Diehl Recreation Center)
2225 Tyvola Rd.
Charlotte, NC 28210
Time 6:00 p.m. -7:30 p.m.

In addition, staff has created a webpage that includes an internet survey regarding transportation funding and priorities as well as a video detailing the TAP update. The webpage can be found at the link below:
http://charmeck.org/city/charlotte/Transportation/PlansProjects/Pages/Transportation%20Action%20Plan.aspx

February 16 – Public Meeting on TIP and LRTP Amendments for Charlotte Streetcar Project
Staff Resource: John Mrzygod, E&PM, 704-336-2245, jmrzygod@charlottenc.gov

Amendments to the 2035 Long Range Transportation Program and the 2009-2015 Transportation Improvement Program are underway to meet FTA requirements for award of the Urban Circulator Grant for the streetcar project. The Mecklenburg Union Metropolitan Planning Organization (MUMPO) took the initial action for these changes on January 19, and a public comment period began on January 25. A public meeting will be held on Wednesday, February 16 from 4:00 – 6:00 p.m., in Room 270-271 of the Charlotte-Mecklenburg Government

Center. The comment period will end February 23 and it is anticipated the amended LRTP and TIP will be approved by the State Board of Transportation in May 2011.

The amendments to the TIP will result in the 1.5 mile segment of the streetcar being placed in fiscal year 2013 of the TIP. Currently, the streetcar project is not funded in the TIP. MUMPO will also make an air quality conformity determination on both amended documents. Staff anticipates these actions and the approval by the FTA of an Environmental Analysis will allow the grant to proceed by July.

Tree Planting in Myers Park and Dilworth

Staff Resource: Gina Shell, E&PM, 704-336-4648, gshell@charlottenc.gov

On Thursday January 27, Council members received an email from Ms. Debra Glennon expressing concern about trees the City has selected for planting in the area of Myers Park and Dilworth. Staff had planned for the installation of 435 trees over the next two months as part of the City's increased efforts at tree planting. On Thursday afternoon, staff met with Ms. Glennon, Neighborhood Association President Mr. Tom Donaldson, and another representative. Staff will be working with these representatives to understand their specific concerns and is willing to consider adjustments to the planting selections on a case-by-case basis. As of mid-morning Friday, tree planting has been halted to provide time for discussion with the neighborhood representatives.

Update on Notice of Violation for Tree Removal, 6125 Nations Ford Rd

Staff Resource: Dave Weekly, E&PM, 704-336-4103, dweekly@charlottenc.gov
Tom Johnson, E&PM, 704-336-3622, tjjohnson@charlottenc.gov

On December 20, 2010 Council member Turner inquired about a civil penalty that was assessed by the City 's Urban Forestry staff to the property owner of 6125 Nations Ford Road.

A tree work permit was issued to the owner, Mr. Stephen Lucas, on July 31, 2009 to allow the removal of lower limbs from trees within the building setback. Staff met with Mr. Lucas at his request to discuss the types of pruning work permissible under the permit. Staff explained that the trees in the building setback were protected by the tree ordinance and could not be removed.

Staff inspected the property on August 30, 2010 and determined that three ordinance-protected trees had been removed from the front building setback area, constituting a violation of the tree ordinance. In total, 46 inches of tree trunk diameter had been removed. The fine was assessed at the standard rate of $150 per inch of diameter removed for a total fine of $6,900. Additionally, the property owner was instructed to replant trees at a rate of two trees for every one tree removed. The deadline for completion of this work and settlement of the fine as stated in the original notice of violation was December 30, 2010.

Section 21-124 (b)(1) of the tree ordinance states that the "Failure to plant original or

replacement trees in accordance with sections 21-62 and 21-93 will result in a fine of $50.00 for each tree not planted" on a per day basis.

The property owner had 30 days to request an appeal before the Charlotte Tree Advisory Committee, but no appeal was made.

City staff worked with the owner to ensure the required trees were planted so that additional fines could be avoided if possible. Mr. Lucas requested a payment plan so that the fine could be settled in installments, and he informed staff that work would begin soon to plant the required trees.

City Urban Forestry staff inspected the installation of the required mitigation trees on January 20. All trees were installed satisfactorily. City Finance staff is working to arrange for a payment plan with the property owner, Mr. Stephen Lucas.

Business*First* Charlotte Confidence Index

Staff Resource: Dennis Marstall, N&BS, 704-336-3980, dmarstall@charlottenc.gov

Next week, email and letter requests will be distributed to Charlotte-Mecklenburg businesses seeking their participation in a quarterly, six-question business confidence survey. The survey is sponsored by Business*First,* the City and Charlotte Chamber's business retention program, as well as Advantage Carolina and the Charlotte-Mecklenburg Workforce Development Board.

The survey will ask business owners questions pertaining to local and national economic trends and how they expect their business and industry will perform in the coming quarter. The results of this survey will be compiled by the Urban Institute at the University of North Carolina Charlotte under the name of the Business*First* Charlotte Confidence Index.

The concept of a business confidence index stemmed from the Mayor's Job Summit held in January 2010 as a way to help policymakers, businesses, job seekers and the media get up-to-date information regarding changes in the Charlotte and national economies through anticipated hiring plans, capital expenditures and sales trends.

Through this outreach, Charlotte and Mecklenburg County businesses will be asked to register on the Business*First* Charlotte Confidence Index website and identify an employee who will commit to filling out the survey questionnaire on a quarterly basis. The email and letter request will be distributed to various sized businesses in various sectors to provide a good overview of the local business community.

Recruitment for businesses to participate in the survey will run through February 25, 2011, with the actual survey data being collected between February 28 and March 11. Results from the first quarter Charlotte Confidence Index will be announced by the end of March 2011.

Film Production in Charlotte

Staff Resource: Dave Christopher, CDOT, 704-336-3889, dchristopher@charlottenc.gov
Brad Richardson, N&BS, 704-336-3857, brichardson@charlottenc.gov

On July 22, 2010, Governor Perdue signed into law legislation that provides an increase in the tax credits for film productions in the state. Since that time, Charlotte has experienced a marked increase in film productions, leading to more frequent requests for short-term street and lane closures throughout the City to facilitate the production. CDOT and CMPD are working closely with film production companies to minimize the traffic impact of these activities on the general public.

Most of the increase has been in commercial production. However, the Charlotte region recently was chosen for a Showtime channel pilot episode. That production is currently filming at various locations throughout Charlotte. The film industry is one of Charlotte's targeted growth sectors and, according to an October 2010 report from UNCC economist John Connaughton, contributed nearly $500 million to the Charlotte region in 2008 and supports nearly 2,500 jobs regionally.

January 26 Metropolitan Transit Commission Meeting Summary
Staff Resource: Carolyn Flowers, CATS, 704-336-3855, cflowers@charlottenc.gov

At its meeting on Wednesday, January 26, 2011, the MTC took action on two items and heard two information items:

Service Policies
MTC members unanimously approved proposed changes in the Transit Service Policy. The major changes removed references to the discontinued historic trolley service and changed rail vehicle loading standards to 150 passengers per vehicle during standard service and 194 passengers per vehicle for special events. The new loading standards align CATS' standards with appropriate loading standards followed by other rail transit systems.

Blue Line Extension (BLE) Affordable Alternative Concept
MTC members unanimously approved changes to the BLE project to reduce project costs and ensure its financial feasibility. The project will terminate at UNC Charlotte rather than at I-485, removing 1.2 miles of alignment and two stations. To accommodate increased ridership at other stations, the project will include a parking deck at the JW Clay Boulevard station and a combination of deck and surface parking at the University City Boulevard station. Other changes are as follows: service frequency will be slightly reduced initially; surface lots will be constructed at the Sugar Creek station rather than a parking deck; the park and ride lots at Tom Hunter and McCullough stations will not be built; and the project will not build a Vehicle Light Maintenance Facility at the Norfolk Southern Intermodal site on North Brevard Street, but will construct only a storage yard and dispatch building and up-fit the existing South Boulevard maintenance facility. Staff will move forward to prepare the Final Environmental Impact Statement for FTA submittal and complete 65% design for the project.

Financial Policies

Staff presented a review of changes proposed for CATS Financial Policies as part of the regular three-year review. Key proposed changes include: utilizing additional financial tools available in the market to fund CATS programs such as public-private partnerships and government credits and loans like the Transportation Infrastructure Finance and Innovation Act (TIFIA) and the Railroad Rehabilitation & Improvement Financing (RRIF) Program; changing the level of routine fare increase which occurs every two years from $0.10 to a $0.25 increase in base fare to ensure that riders pay a reasonable share of the cost of the service; and aligning CATS reporting requirements to be in accordance with National Transit Database reporting requirements.

Budget Overview

Staff presented the mid-year financial report for FY2011, as well as the proposed FY2012-13 operating budget and FY2012-16 Capital Improvement Plan (CIP). CATS continues to focus on core business lines while trying to expand the long-range capital financial plan in a challenging economy. For FY2011, sales tax revenue is down 4.5% from the operating budget but made some recovery in November, leading to hope for further improvement. CATS is taking a conservative approach to the FY2011 budget to keep pace with reduced revenue projections. Staff reviewed the FY2012-13 operating budget, the key risk of probable rising fuel prices, and cost drivers of increasing costs for risk insurance and inventory. The five-year proposed CIP for FY2012-16 includes funds to maintain the bus fleet and infrastructure, funds for a required rail overhaul program to include track and systems upgrades and maintenance, and rapid transit funds to advance the BLE and formulate the Red Line funding strategy.

CATS CEO Report

Under the CEO's report, Carolyn Flowers discussed:

a. Expanded Gold Rush Service:
   Johnson C. Smith University (JCSU) and Central Piedmont Community College (CPCC) are funding an expanded Gold Rush service. The new service will extend from JCSU past CPCC. The service will begin on Monday, February 14.
b. JPA Contract Amendment:
   In its meeting on Monday, January 24, the Charlotte City Council approved the contract amendment for Jeffrey A. Parker & Associates (JPA). JPA can now work to develop a detailed financial plan for delivering the BLE, provide options to advance the Red Line, and help CATS organize a framework of tasks and decisions on the Red Line's unfunded components. CATS staff will manage the project and report to MTC.
c. Legislative Efforts:
   Will attend the APTA Legislative Conference from March 14-16 in Washington, DC. While there, staff will engage the NC delegation to ensure that transit is still in Presidential and congressional budgets.
d. Safety on Light Rail:
   A rider on the light rail system has lodged a complaint that she was solicited by panhandlers and did not feel secure. CATS is reviewing security on the rail system, and has engaged CMPD to investigate as well.

e. ULI Study:
At the March MTC meeting, City staff will present a review of the Urban Land Institute (ULI) Daniel Rose panel study on the *Independence Boulevard Area Plan*.

Other Business

The New Partners for Smart Growth Conference on February 3-5 will include a session and tour entitled Using Light Rail as a Catalyst for Redevelopment. Attendees may take a field trip to the three northern Mecklenburg towns to determine how rapid transit may spur Smart Growth development in the region.

The next MTC meeting will be February 24, 2011 at 5:30 p.m.

ATTACHMENTS:

December 9 Economic Development Committee Summary
(see attached file: ED Summary 12-9-10.pdf, left side table of contents)

December 16 Economic Development Committee Summary
(see attached file: ED Summary 12-16-10.pdf, left side table of contents)