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**WEEK IN REVIEW:**

Mon (Feb 29)	Tues (Mar 1)	Wed (Mar 2)	Thurs (Mar 3)	Fri (Mar 4)
1:30 PM Budget Committee, Room 280  5:00 PM Continued Zoning Meeting, Room CH-14		12:00 PM Housing & Neighborhood Development Committee, Room 280		

## CALENDAR DETAILS:

### Monday, February 29

- 1:30 PM Budget Committee, Room 280  
**AGENDA:** Work plan update/Council priorities; March 16 Budget Workshop agenda; General Fund update; Solid Waste Services; Employee compensation and benefits overview; General Community Investment Plan
- 5:00 PM Continued Zoning Meeting, Room CH-14

### Wednesday, March 2

- 12:00 PM Housing & Neighborhood Development Committee, Room 280  
**AGENDA:** Tenant based rental assistance contracts; Annual action plan; Targeted neighborhood rehabilitation program

February, March, and April calendars are attached.



Feb-March-April  
2016.pdf

## INFORMATION:

### March 22 – “Charlotte MOVES” Transportation and Planning Public Workshop

Staff Resources: Ben Miller, CDOT, 704-432-1535, [bqmillier@charlottenc.gov](mailto:bqmillier@charlottenc.gov)  
Pamela White, CATS, 704-336-2226, [pwhite@charlottenc.gov](mailto:pwhite@charlottenc.gov)  
Grant Meacci, Planning, 704-336-8308, [grant.meacci@charlottenc.gov](mailto:grant.meacci@charlottenc.gov)

The Charlotte Area Transit System (CATS), Charlotte Department of Transportation (CDOT) and Charlotte-Mecklenburg Planning Department are hosting a joint public workshop on March 22 from 4 p.m. – 8 p.m. at the Grady Cole Center at 310 North Kings Drive. The workshop’s theme is the “Charlotte MOVES Transportation Fair.” The workshop’s purpose is to engage residents on a number of interrelated plans underway in 2016, including:

#### Charlotte Area Transit System (CATS)

- Countywide Transit Service Plan (update)
- Coordinated Human Services Public Transportation Plan (update)
- LYNX Silver Line Transit Study

#### Charlotte Department of Transportation (CDOT)

- Transportation Action Plan (update)
- Comprehensive Transportation Plan (CRTPO regional plan)
- Charlotte BIKES (update)
- Charlotte WALKS

## Charlotte-Mecklenburg Planning Department

- Community Character Place Types

Together, these plans address some of the essential questions Charlotte faces as one of the fastest-growing large cities in the United States. *How will we grow? How will we travel? What will we look like?* The City will use these plans to better define the transportation and urban design components of the City's overarching plan, the Centers, Corridors and Wedges Growth Framework.

The workshop is a drop-in style format and will be designed to gather public input for the development of these plans. The Grady Cole Center provides an accessible venue for all modes of transportation, being located near the CityLYNX Gold Line, two bus routes, the Little Sugar Creek greenway, and free parking adjacent to the venue.

For more information visit [Transportation Plan Updates](#).

### **2017 Disparity Study**

*Staff Resource: Eric Nelson, M&FS, 704-336-2735, [enelson@charlottenc.gov](mailto:enelson@charlottenc.gov)*

On February 17, 2016 the Economic Development & Global Competitiveness Committee (ED&GC) voted unanimously to endorse the marketplace release of a request for proposals for the 2017 Minority and Women Business Enterprise (MWBE) Disparity Study. A copy of the presentation given at the committee meeting is attached below. The RFP process and evaluation of vendors for the study is expected to be completed in July 2016.

The anticipated timeline for the Disparity Study is eighteen months and the RFP is scheduled for release on March 1, 2016. Management & Financial Services (Charlotte Business INclusion) will present this information at the March 14 Council Dinner Briefing and request Council's support to include the cost of the Disparity Study in the FY17 budget. The Disparity Study's purpose is to determine whether disparity exists between the number of MWBE firms available to perform on City contracts and the City's utilization of these firms, the extent to which any disparities found are attributable to discrimination and recommend modifications to remedy the effects of any identified disparities.



Disparity Study  
EDGC 2-17-16 Final.p

### **Open Streets 704 Program**

*Staff Resource: Scott Curry, CDOT, 704-432-2648, [spcurry@charlottenc.gov](mailto:spcurry@charlottenc.gov)*

Last September, Gil Penalosa visited Charlotte to provide a series of Knight Foundation sponsored talks on the concept of "Open Streets" events, or "cyclovias." The City of Charlotte is helping launch a new "Open Streets" initiative – Open Streets 704 – beginning this spring. Mecklenburg County is taking the lead in partnership with the Charlotte Department of

Transportation, Mecklenburg County Parks & Recreation, the Mecklenburg County Health Department, and Partners for Parks. The Charlotte Mecklenburg Police and Charlotte Fire departments will support the events.

Open Streets events temporarily close streets to automobile traffic so that people may use them for walking, bicycling, dancing, playing, and meeting their neighbors. Open Streets festivals currently take place in more than 100 cities across North America. These events typically are held on Sunday afternoons when traffic volumes are minimal. Open Streets programs have proven to be successful at achieving goals related to recreation, public health, active transportation (walking and biking), and community building. Open Streets 704 will strengthen neighborhoods by encouraging Charlotte and Mecklenburg area residents to walk, bicycle, and experience the city together. The branding represents the prevalent Charlotte area code, "704." A logo is pictured below.

The Open Streets 704 event this spring will be the first of a series of four events made possible by a grant from the Knight Foundation. Staff from the City of Charlotte and Mecklenburg County intend to use the four events to assess whether an ongoing Open Streets program makes sense for the community.

The first Open Streets event will coincide with the opening weekend of Bike!Charlotte. It is planned for Sunday, May 1 from Noon to 4 p.m. Details on the route for the Open Streets event will be released soon. Businesses and residents along the route will be notified so they can plan accordingly.



# February

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	<p><b>1</b></p> <p><b>11:00am</b> Ad Hoc Committee on City Mgr's Compensation and Contract, Room 274</p> <p><b>12:00pm</b> Environment Committee Mtg., Room 280</p>	<p><b>2</b></p>	<p><b>3</b></p> <p><b>12:00pm</b> Housing &amp; Neighborhood Development Committee Mtg., Room 280</p>	<p><b>4</b></p>	<p><b>5</b></p>	<p><b>6</b></p>
<p><b>7</b></p>	<p><b>8</b></p> <p><b>12:00pm</b> Budget Committee Mtg., Room 280</p> <p><b>2:00pm</b> Transportation &amp; Planning Committee Mtg., Room 280</p> <p><b>5:00pm</b> Council Business Mtg., Room 267</p>	<p><b>9</b></p>	<p><b>10</b></p> <p><b>10:30am</b> Ad Hoc Committee re City Manager's Compensation &amp; Contract, Room 274</p>	<p><b>11</b></p>	<p><b>12</b></p>	<p><b>13</b></p>
<p><b>14</b></p>	<p><b>15</b></p> <p><b>12:00pm</b> Council Agenda Briefing (optional), Room 886</p> <p><b>12:00pm</b> Intergovernmental Relations Committee Mtg., Room 280</p> <p><b>5:00pm</b> Zoning Meeting, Room CH-14</p>	<p><b>16</b></p>	<p><b>17</b></p> <p><b>12:00pm</b> ED &amp; Global Competitiveness Committee Mtg., Room CH-14</p>	<p><b>18</b></p> <p><b>12:00pm</b> Community Safety Committee Mtg., Room 280</p>	<p><b>19</b></p>	<p><b>20</b></p> <p><b>9:00am – 12:00pm</b> District 3 Budget Workshop &amp; Resource Fair, West Svc. Ctr. – 4150 Wilkinson Blvd.</p>
<p><b>21</b></p>	<p><b>22</b></p> <p><b>12:00pm</b> Governance &amp; Accountability Committee Mtg., Room 280</p> <p><b>5:00pm</b> Citizens' Forum/Council Business Mtg., Room 267</p>	<p><b>23</b></p>	<p><b>24</b></p> <p><b>1:30pm</b> Budget Workshop, Room 267</p> <p><b>5:30pm</b> MTC Meeting, Room 267</p>	<p><b>25</b></p>	<p><b>26</b></p>	<p><b>27</b></p>
<p><b>28</b></p>	<p><b>29</b></p> <p><b>1:30pm</b> Budget Committee Mtg., Room 280</p> <p><b>5:00pm</b> Continued Zoning Meeting, Room CH-14</p>					

**2016**

# March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2 12:00pm Housing & Neighborhood Development Committee Mtg., Room 280	3	4	5 NLC Congressional City Conference, Washington, DC
6	7	8	9	10 12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14	11	12
NLC Congressional City Conference Washington, DC						
13	14 12:00pm Environment Committee Mtg., Room 280  2:00pm Transportation & Planning Committee Mtg., Room 280  5:00pm Council Business Mtg., Room 267	15	16 1:30pm Budget Workshop, Room 267	17 12:00pm Community Safety Committee Mtg., Room 280	18	19
20	21 12:00pm Council Agenda Briefing (optional), Room 886  12:00pm Intergovernmental Relations Committee Mtg., Room 280  1:30pm Budget Committee Mtg., Room 280  5:00pm Zoning Meeting, Room CH-14	22	23 5:30pm MTC Meeting, Room 267	24 12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14	25 Good Friday	26
27	28 12:00pm Governance & Accountability Committee Mtg., Room 280  5:00pm Citizens' Forum/Council Business Mtg., Room 267	29	30	31		

# 2016

# April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1	2
3	4 <b>12:00pm</b> Environment Committee Mtg., Room 280  <b>2:00pm</b> City Manager's Update Mtg., Room CH-14  <b>5:00pm</b> Council Workshop/Citizens' Forum, Room 267	5	6 <b>12:00pm</b> Housing & Neighborhood Development Committee Mtg., Room 280  <b>1:30pm</b> Budget Workshop, Rom 267	7	8	9
10	11 <b>12:00pm</b> Budget Committee Mtg., Room 280  <b>2:00pm</b> Transportation & Planning Committee Mtg., Room 280  <b>5:00pm</b> Council Business Mtg., Room 267	12	13 <b>12:00pm</b> Community Safety Committee Mtg., Room 280	14 <b>12:00pm</b> ED & Global Competitiveness Committee Mtg., Room CH-14	15	16
17	18 <b>12:00pm</b> Council Agenda Briefing (optional), Room 886  <b>12:00pm</b> Intergovernmental Relations Committee Mtg., Room 280  <b>5:00pm</b> Zoning Meeting, Room CH-14	19	20 <b>1:30pm</b> Budget Workshop (optional), Room 267	21	22	23
24 <b>2:00 – 4:00pm</b> CM Fallon's Town Hall Meeting, TBD	25 <b>12:00pm</b> Governance & Accountability Committee Mtg., Room 280  <b>5:00pm</b> Citizens' Forum/Council Business Mtg., Room 267	26	27 <b>5:30pm</b> MTC Meeting, Room 267	28 <b>12:00pm</b> ED & Global Competitiveness Committee Mtg., Room CH-14	29	30

2016







## Disparity Study



Economic Development & Global Competitiveness Committee Meeting  
February 17, 2016

	Agenda
<b><u>Purpose:</u></b> Outline plan for proposed Disparity Study	1. Disparity Study Overview
<b><u>Requested Committee Action:</u></b> Endorsement to move forward with Disparity Study Request for Proposal (RFP)	2. Legal Foundation for Race and Gender Conscious Programs
	3. 2011 Disparity Study Background
	4. 2017 Proposed Disparity Study
	5. Next Steps

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## 1. What is a Disparity Study?






Study to determine:

- Whether disparity exists between the number of MWBE firms available to perform on City contracts and the City's utilization of these firms;
- The extent to which any disparities found are attributable to discrimination; and
- Recommend modifications to remedy the effects of any disparities identified.

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## Why does the City need a Disparity Study?

- Necessitated in part by the 1989 U.S. Supreme Court's decision in the case of *City of Richmond v. J.A. Croson*
  - Court imposed legal requirements on jurisdictions to establish a "compelling interest" to support the establishment of a minority and women business program.
- Determination if there is just cause to support the continued implementation of MWBE goals in the City of Charlotte.
- Race and gender conscious measures of the Charlotte Business INclusion (CBI) Policy, including the establishment of MWBE goals, will expire on June 30, 2017.

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## 2. Legal Foundation for Race and Gender Conscious Measures






- Courts apply a strict legal standard in evaluating MWBE programs.
  - **First requirement:** a disparity study demonstrating (i) statistical proof of past disparity, and (ii) anecdotal evidence linking the disparity to discrimination.
  - **Second requirement:** MWBE programs must be narrowly tailored:
    - Try and evaluate race neutral efforts first
    - Set goals related to availability
    - Ensure program flexibility
- Examples of narrow tailoring:
  - Good Faith Efforts
  - Goals set by contract category only for groups for which discrimination shown
  - Outreach
- Examples of what violates narrow tailoring
  - Quotas (or “mandatory goals”)
  - Goals set across the board rather than by category
  - Goals set for groups for which no discrimination shown

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## Why are anecdotal activities conducted as part of the study?

- Required by case law to help explain and lend credibility to statistical findings of MWBE utilization, availability, and disparity.
- During the Disparity Study, firms are randomly selected to participate in various anecdotal activities, including:
  - Business Interviews
  - Focus Groups
  - Surveys
- All interested firms are openly invited to participate in public meetings to provide anecdotal testimony.
- Data collected during all the anecdotal activities are equally important.

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 3. 2011 Disparity Study Background

 **October 2010:** City retained MGT of America, Inc. (MGT)

 **September 2011:** MGT presented findings and recommendations to City Council concluding:

- Statistical disparity in some areas of City contracting
- Insufficient anecdotal evidence of discrimination
- Race and gender neutral (SBE) program was effective

 

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 2011 Disparity Study Background

**February 2012:** City Council retained Tydings & Rosenberg, LLP to review MGT’s findings and recommendations.

**May 2012:** Franklin Lee with Tydings & Rosenberg concluded:

- Statistical disparity (confirming MGT’s findings)
- Sufficient anecdotal evidence of discrimination
- Implementation of a hybrid race and gender conscious (MWBE) and race and gender neutral (SBE) program.

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## 2011 Disparity Study Background

**April 2013:** City Council adopts hybrid CBI Program

**Race and Gender Conscious (MWBE) Efforts:**

- Establishes targeted contract goals to address underutilization
  - *Construction Subcontracting:* MBE goals for African American, Hispanic, and Native American firms
  - *Architecture & Engineering Subcontracting:* MBE Goals for African American firms

**Race and Gender Neutral (SBE) Efforts:**

- Establishes local small business goals regardless of race and gender



## 4. 2017 Disparity Study






**Request for Proposal (RFP) Project Scope:**

- Conduct a complete, comprehensive and legally supportable disparity study.
- 10% MBE Subcontracting Goal for Disparity Study work
- Expenditure examination period: July 1, 2010 – June 30, 2015
- Procurement categories to be analyzed include: Construction (prime and subcontracts), Architecture & Engineering (prime and subcontracts), Professional Services, Other Services, Goods and Supplies
- Anticipated study timeframe: 18 months

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## 2017 Disparity Study

Budget Request\*: \$350,000

Budget based on:

- City's Historical Costs
  - 2003: \$349,120 (City's portion of joint effort with County and CMS)
  - 2011: \$315,450 (MGT: \$305,450; Tydings & Rosenberg: \$10,000)
- Research of similar studies
  - Durham, NC: \$350,000
  - Greensboro, NC: \$206,000
  - Memphis, TN: \$350,000

*\*If Committee endorses Disparity Study RFP, City Manager will prioritize project for funding in the recommended FY2017 budget.*

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## 2017 Disparity Study Advisory Committee

- Appointed by City Council
  - Nominations in late Spring 2016
- Committee will ensure community engagement throughout the study period and will:
  - Review and comment on data sources
  - Assist in outreach efforts
  - Review and comment on the findings and recommendations of the 2017 Disparity Study

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### 5. Next Steps: Preliminary Timeline

<b>February 2016</b>	<ul style="list-style-type: none"> <li>• Presentation to Economic Development &amp; Global Competitiveness Committee <i>Action: Get endorsement to release RFP for MWBE Disparity Study.</i></li> <li>• Release RFP</li> </ul>
<b>March 2016</b>	<ul style="list-style-type: none"> <li>• City Council Dinner Briefing (<i>information only</i>)</li> </ul>
<b>April - May 2016</b>	RFP Submission Deadline and Oral Presentations/Interviews
<b>June - July 2016</b>	Contract Negotiations and Contract Award <i>(pending identification of and Council approval of funding source for study)</i>
<b>July 2016 - May 2017</b>	Disparity Study Review/Analysis Process
<b>June 2017</b>	Disparity Study Findings Dinner Briefing Presentation
<b>July 2017</b>	Council Adopts Disparity Study Findings

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### Next Steps

- Requested Committee Action:
  - Endorsement to move forward with Disparity Study Request for Proposal (RFP)
- Council Manager Memo - February 19, 2016
- RFP release late February 2016
- City Council Dinner Briefing (*information only*) - March 14, 2016

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## Disparity Study



Economic Development & Global Competitiveness Committee Meeting  
February 17, 2016

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# APPENDIX

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### 2011 Disparity Study Findings

Industry Segments	African American	Hispanic	Asian	Native American	Non-Minority Women
Construction Prime	<u>Yes</u>	<u>Yes</u>	No	<u>Yes</u>	<u>Yes</u>
Construction Subcontracts	<u>Yes**</u>	<u>Yes**</u>	No	<u>Yes**</u>	No
A&E Prime Contracts	<u>Yes</u>	<u>Yes</u>	No	<u>Yes</u>	<u>Yes</u>
A&E Subcontracts	<u>Yes**</u>	No	No	No	No
Prof. Services	No	No	<u>Yes</u>	No	<u>Yes</u>
Other Serv.	No	<u>Yes</u>	<u>Yes</u>	No	<u>Yes</u>
Goods	<u>Yes</u>	No	<u>Yes</u>	No	<u>Yes</u>

*\*\*indicates significant underutilization*

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### How is disparity determined?

- Disparity is calculated in the form of an index.
- The disparity index is a ratio of the percentage of MWBE utilization and the percentage of availability of MWBE firms.
- If the disparity index is 100, the utilization of MWBE is level with the availability of MWBEs in the market area.
- If the index is less than 80, it indicates that MWBEs are significantly underutilized by an agency based on availability.
- An index between 80 and 100 – which is close to full participation – indicates under utilization though not significant.

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