Mayor and Council Communication
Memo Number: 46
Friday, June 25, 2010

CHARLOTTE.

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WEEK IN REVIEW:

Sun (June 27)	Mon (June 28)	Tues (June 29)	Wed (June 30)	Thurs (July 1)	Friday (July 2)
11:45 AM Discovery Place Public Reopening, Tyron St. entrance	5:00 PM Council Business Meeting, Room 267 6:30 PM Citizens' Forum, Chamber		12:00 PM Housing & Neighborhood Development Committee, Room 280		

CALENDAR DETAILS:

Sunday, June 27
11:45 am Discovery Place Public Reopening, Tryon St. entrance

Monday, June 28
5:00 pm Council Business Meeting, Room 267

6:30 pm Citizens' Forum, Council Chamber

Wednesday, June 30
12:00 pm Housing & Neighborhood Development Committee, Room 280
AGENDA: Johnston & Mecklenburg Mills

June and July calendars are attached. ***(see left side table of contents)***

AGENDA NOTES:

Agenda Item #3 – Sustainable Communities Initiative Planning Grant
Staff Resource: George Berger, E&PM, 704-432-5216, gberger@charlottenc.gov

This item is intended to brief City Council on a significant grant program from the HUD, EPA and USDOT Partnership for Sustainable Communities. Prior to June 24, only an Advance Notice of the program had been released by the Partnership, and City staff had been working closely with Mecklenburg County, CCOG, Catawba COG, UNC-Charlotte staff and others to position our region for the release of the actual grant program. CCOG staff planned to brief the Council on the program in general, noting those items believed to be likely components of the program when it was formally unveiled. The summary for this dinner briefing item, in fact, noted that formal Notice of Funding Availability (NOFA) had not been released.

On June 24, however, the formal NOFA came out and is now being reviewed by City and CCOG staff, along with staff from the likely partners in a Charlotte metropolitan regional application. There are a substantial number of very significant changes to the scope and direction of this federal grant program from its explanation in the Advance Notice. However, three are important enough to note prior to the dinner briefing item.

First, the application deadline for this effort is August 23, 2010.

Second, matching funds in cash are now no longer required, although applicants must still provide 20 percent of the requested funding amount in leveraged resources, that may include cash

AGENDA NOTES (continued):

and/or verified in-kind contributions or a combination of those sources.

Third, the program has been restructured to provide for a much stronger regional planning approach that will ready successful multi-agency, multi-sector regional partnerships for future federal funding. The NOFA specifically notes that applicants demonstrating significant commitment of the region to advancing the Livability Principals *"…will qualify for a broad spectrum of benefits, including access to capacity building resources, and secure potential points in a number of funding opportunities managed by federal agencies such as HUD, DOT and EPA."*

As noted above, there are numerous additional changes to the eligible activities and characteristics of the grant program. CCOG staff will brief Council on the most significant of these criteria on June 28. The NOFA may be found at:
http://www.hud.gov/offices/adm/grants/nofa10/scrpgsec.pdf

Agenda Item #17 – Centers, Corridors and Wedges Growth Framework - PULLED
Staff Resource: Laura Harmon, Planning, 704-336-4565, lharman@charlottenc.gov

At their June 24 meeting, the Transportation and Planning Committee voted to defer action on this item until their next meeting. Therefore Item #28 is being pulled from the June 28 Council Agenda and will be placed back on the agenda after the Committee makes its recommendation.

Agenda Item #18 – University Research Park Area Plan
Staff Resource: Kathy Cornett, Planning, 704-336-484, kcornett@charlottenc.gov

At their June 24 meeting, the Transportation and Planning Committee voted 3-0 (Howard, Cooksey, Kinsey) to recommend the *University City Research Park Area Plan* for adoption, including the Proposed List of Changes. Information on this item is included in the agenda package.

Agenda Items #23 & 24 – Nominations/Appointments to Boards and Commissions
Staff Resource: Pamela Wideman Lopez, N&BS, 704-336-3488, pwlopez@charlottenc.gov

On May 24, 2010, City Council approved the Housing and Neighborhood Development (H&ND) Committee's recommendation to create a Community-Based Advisory Board (Board) to oversee the Ten-Year Implementation Plan to End and Prevent Homelessness.

This Board is charged with developing and implementing a comprehensive community approach to ending and preventing homelessness. The Board's responsibilities include plan implementation, annual plan evaluation/assessment and action plan, partnership development and alignment of services, capital allocation, advocacy and data collection and reporting.

The 15-member board is comprised of three non-voting members, (the Director of Neighborhood

AGENDA NOTES (continued):

& Business Services, the Director of Mecklenburg County's Community Support Director and the Chief Operating Officer of the Charlotte-Housing Authority), nine members appointed by

the City Council and three members appointed by the Mecklenburg County Board of Commissioners.

Nominations for the City Council appointments occurred at the June 14, 2010, meeting with the exception of the Donor board position, which was held over until the June 28, 2010 Council meeting. Council also nominated and appointed David Furman for the Affordable Housing category and David Jones for the Legal category.

At the June 28, 2010 Business Meeting, Council will be asked to make the remaining board appointments in the categories of: Community, Real Estate, Financial and Donor. Below is a list of names of individuals that have applied or have been nominated for or appointed to the Board:

CATEGORY/NOMINEES	STATUS
Community - Michael Clement - Larry Shannon - Ken Szymanski - Kenyatta Wheeler - Keith Wilson - Moira Quinn Klein	Consider Appointment June 28 meeting
Real Estate - Ken Szymanski - William Miller - Jason Tuttle - Renata Henderson	Consider Appointment June 28 meeting
Financial - Keith Wilson - Michael Clement - Abel Massalee, Jr. - Patrick Williams	Consider Appointment June 28 meeting
Donor - Bart Landess - Herb Gray	Nominate and consider appointment June 28
Affordable Housing - David Furman	Appointed at June 14 business meeting
Legal - David Jones	Appointed at June 14 business meeting

Council may also choose to name the Board at its June 28, 2010 meeting. The H&ND Committee originally asked the Housing Trust Fund Advisory Board (HTFAB) to provide a new board

AGENDA NOTES (continued):

name. The HTFAB believes the new Board should have ownership of its name and make

the final decision. However, the HTFAB recommended the first two of the following names. The others are suggestions from City staff.

(1) Commission on the Homeless
(2) Charlotte Coalition To End Homelessness
(3) Charlotte Housing Coalition
(4) Housing First Advisory Board
(5) Charlotte Coalition for Housing
(6) Citizen Commission on Homeless

Agenda Item #41 – Airport Roof-Mounted Solar Energy System - PULLED
Staff Resource: Jerry Orr, Aviation, 704-359-4006, tjorr@charlotteairport.com

City staff is pulling this item and will place it on the July 26 Council agenda. This project is fairly complex, involving multiple parties, and more time is required for completing the documents. In discussion with Narenco, the recommended contractor, delaying Council action until July will not affect the completion schedule.

INFORMATION:

Charlotte-Mecklenburg's Draft Housing Locational Policy – Summer Public Forums
Staff Resource: Pamela Wideman Lopez, N&BS, 704-336-3488, pwlopez@charlottenc.gov

At the June 14, 2010 Council Dinner Briefing, City Council was briefed on the Housing and Neighborhood Development Committee's recommendation to conduct five public forums throughout July and August to answer questions and gather feedback about the draft revised Housing Locational Policy.

Host locations have been secured for the five forums. The host locations were determined based on geographical area: North, South, East, West and Central Charlotte. This will allow the greatest numbers of citizens the opportunity to participate in a forum. All venues have agreed to provide their space free of charge.

- **South Region**
  - Wednesday, July 7, 2010
  - 6:30 – 8:30 p.m.
  - St. Matthews Catholic Church, 8015 Ballantyne Commons Parkway
- **East Region**
  - Tuesday, July 27, 2010
  - 6:30 – 8:30 p.m.
  - Hickory Grove Baptist Church, 6050 Hickory Grove Road

INFORMATION (continued):

- **West Region**
  - Tuesday, August 10, 2010

- 6:30 – 8:30 p.m.
- Mount Carmel Baptist Church, 7237 Tuckaseegee Road

- **Central Region**
  - Wednesday, August 18, 2010
  - 6:30 – 8:30 p.m.
  - Charlotte-Mecklenburg Government Center, 600 East 4th Street
  - City Council Chamber
  - Session will be broadcast live on the gov.channel
- **North Region**
  - Vance High School, 7600 IBM Drive
  - Committed – date is TBD

The host location in the North region will provide staff with a date by the end of June.

Staff will immediately begin promoting the July 7, 2010 forum. At the completion of the forums, Neighborhood & Business Services staff will present the collective public feedback to the Housing and Neighborhood Development Committee for the purpose of finalizing the locational policy. Following a recommendation by Committee, Council will be asked to consider the policy and conduct a public hearing as part of the review process.

Heat Wave Impacts Regional Air Quality/City Steps to Reduce Emissions from City Vehicles

Staff Resource: Eldewins Haynes, CDOT, 704-336-7621, ehaynes@charlottenc.gov
Jerry Schwinghammer, BSS, 704-226-6252, jschwinghammer@charlottenc.gov
Olaf Kinard, CATS, 704-336-2275, kkinard@charlottenc.gov

In June, the Charlotte area has experienced a likely record-breaking number of consecutive days of temperature at or above 90 degrees. This extraordinary heat wave has also generated a wave of high ozone days.

Ozone is largely a weather-driven pollutant. Nitrogen Oxide (NOx) emissions from vehicles and power plants cannot disperse when there are no winds. High temperatures and lots of sunshine increase the rate of chemical reactions involving NOx and volatile organic compounds (VOC) emissions in the air, increasing the concentration of ozone in our air. With enough consecutive hot, sunny, stagnant days, air quality worsens resulting in Code Orange or even Code Red days as designated by the North Carolina Division of Air Quality.

As of June 23, Charlotte had a total of five actual (not just forecast) Code Orange days, during which a total of seven ozone monitors in this region exceeded the eight-hour, 75 parts per billion (ppb) National Ambient Air Quality Standard (NAAQS) for ground-level ozone. On June 23 the eight-hour average ozone reading reached 86 ppb at the county line monitor near Lowes Motor Speedway. This marked the first exceedance this year of the only enforceable ozone air quality

INFORMATION (continued):

standard, the 1997 ozone NAAQS of 84 ppb.This is the standard for which EPA has designated this area “non attainment” (the counties of Mecklenburg, Union, Cabarrus, Rowan, Lincoln,

Gaston, the southern portion of Iredell; and York County in SC). The Charlotte area can still meet that 84 ppb NAAQS this year, if the fourth-highest ozone reading at any monitor does not exceed 88 ppb. The ozone NAAQS is based on a three-year average value, and furthermore, only the fourth worst ozone readings at each monitor is compared to the NAAQS.

The air quality index "Code Orange" for ozone is based on a 75 ppb standard that EPA created in 2008, but EPA is not enforcing that standard. Only the 86 ppb reading on June 23 was a code orange day under the 1997 ozone NAAQS. The 1997 ozone standard, which is effectively 84 ppb, is still in effect, and remains the existing air quality goal for our area.

City Vehicle Emissions Reduction

The City of Charlotte's operational practices are designed to minimize its contribution to the ozone problem. In particular, the City has an anti-idling policy that prohibits employees from idling City-owned vehicles longer than five minutes. Fleet managers from the various KBUs and County departments, who meet regularly to discuss fleet issues, have a special initiative that focuses on environmental impacts of fleet operations. In light of the recent hot weather, this group of managers has been emphasizing the anti-idling policy. Fleet managers are also utilizing tools from the North Carolina Division of Air Quality's "Turn Off Your Engine" campaign to promote anti-idling. Signs with the anti-idling message are being posted at equipment lots throughout the organization. Finally, truck use at peak heat/ozone hours is being curtailed to the extent practical.

CATS has a separate anti-idling policy for its vehicles. CATS typically refuels its fleet in the evening, when pollution from the fuel does less harm.

The City is also working hard to ensure that when its vehicles and engines do run, they do so as cleanly and efficiently as possible. On April 12 City Council approved the Grants to Replace Aging Diesel Engines (GRADE +) grant. GRADE + will be used to replace or upgrade equipment that does not run cleanly. It will be used to replace four compressors and a backhoe within Utilities. The City is also in the process of purchasing oil analyzer equipment which will reduce the need for engine oil replacement and help identify engines that may not be burning cleanly.

FY10 Justice Assistance Grant

Staff Resource: Darrellyn Kiser, CMPD, 704-336-7736, dkiser@cmpd.org

The City of Charlotte and Mecklenburg County will receive $940,519 in funding from the 2010 Justice Assistance Grant (JAG) from the United States Department of Justic. The City will receive $929,241 and the Town of Huntersville will receive $11,278. The enabling legislation for the JAG grant requires the City to give a portion of its funds to Mecklenburg County since the

INFORMATION (continued):

Sheriff's Office is responsible for the incarceration of prisoners. Under its agreement with

the County, the City will give the Mecklenburg County Sheriff's Office 25% ($232,310) of its portion of the funds. The City share of the funds will be $696,931. The legislation also requires that all three jurisdictions file a joint application which will be submitted by the City.

Chief Monroe plans to use the JAG funds in four areas:

- $241,475 will be allocated over the four-year grant period for overtime for officers to address crime issues in neighborhoods. The overtime initiatives will have defined goals and objectives.
- $219,496 will be use to purchase two additional Sky Watch towers to be deployed throughout the city at special events and in places such as shopping mall parking lots where large crowds of people gather. The two existing Sky Watch towers have drawn positive response from citizens who have encouraged the department to increase the number of towers in use.
- $125,000 will be allocated to the Police Activities League (PAL) and Right Moves for Youth to expand their program offerings. PAL will use $75,000 to develop a culinary arts program; Right Moves for Youth will use its funds to develop a summer camp for students in 2011 and to hire an additional program manager for one year.
- $110, 960 will be used to add additional equipment to the Crime Analysis Division to help them better monitor index crimes and priority offenders and share that information more effectively with patrol divisions and investigative units.

The JAG application will be filed by June 30. City Council will be asked to accept the grant and appropriate the funds upon receipt of the grant award

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

At the meeting on Wednesday, May 26, 2010, the MTC had no action items and three information items on the agenda:

High Speed Rail Update
Mr. Patrick Simmons, Director, NCDOT Rail Division, spoke on the recent award of $545 million from the American Recovery & Reinvestment Act of 2009 (ARRA) for future development of the Southeast High Speed Rail (SEHSR) Corridor. Approximately $247 million was earmarked for three projects in the Charlotte area: $95 million is allocated for the North Carolina Railroad Improvement Program (NCRRIP) Double Track Project from northeast Charlotte to Concord; $23 million is allocated for the NCDOT Locomotive and Railcar Maintenance Facility; and $129 million is allocated for the NC/CSXT Mainline Grade Separation near Uptown. Mr. Simmons described details of each project.

INFORMATION (continued):

Blue Line Extension (BLE) Update / South Corridor Retrofit

Staff presented an update on the Northeast Corridor BLE Preliminary Engineering (PE) activities. CATS has completed the 30% design level and will submit the Draft Environmental Impact Statement to FTA this summer. CATS expects to complete PE at the 65% design level in Summer 2011, and anticipates award of a Full Funding Grant Agreement in fall 2012. Local funding will play an important role in schedule development after PE completion. CATS will have an updated cost estimate at the 30% design level with the Year of Expenditure cost in August. The success of the South Corridor LYNX Blue Line has driven the design of the BLE, with infrastructure planned to support three-car trains. Staff described the need for additional design and environmental work to retrofit the Blue Line to allow for three-car operations. CATS has requested the FTA to include Blue Line retrofit elements in the BLE project. FTA's decision on including those elements in the BLE project is expected in June.

City of Charlotte Policy for Sustainable Facilities

Staff discussed the new City Policy for Sustainable Facilities and how the policy will apply to CATS capital and operating projects. CATS has been working on including best practices relative to sustainability in a number of projects and has identified opportunities to include sustainable features in future projects.

CEO Report

Under the CEO's report, Carolyn Flowers discussed the following:

a. **Ridership**:
   Ridership for April 2010 increased 3.3% over April 2009, a positive indicator. Bus ridership increased, and rail service was up 10.7% over April 2009. Rail averaged 16,000 weekday trips, with some days exceeding 18,000 riders.
b. **Legislative Efforts**:
   Ms. Flowers reported that she went to Washington, DC, with three members of the MTC (Commissioner Roberts and Mayors Swain and Woods), along with John Muth, Deputy Director for Development, to meet with the Federal Transit Administration (FTA) and Federal Railroad Administration (FRA) to discuss the Red Line project. The delegation received good feedback and clarification on criteria FTA currently uses for rail projects. This will help in developing future federal funding requests for the project.
c. **CATS-CMS Collaboration**:
   CATS has been in discussion with Charlotte Mecklenburg Schools (CMS) on transportation for magnet school students. Under FTA regulations, CATS cannot offer services that are not open to the public and cannot accept funding for temporary special events. CATS believes that approximately 30% of magnet school students can be accommodated with CATS current service.
d. **APTA Legislative Alert**:
   The American Public Transit Association (APTA) announced a US Senate bill authorizing $2 billion for emergency transit operating assistance for transit systems across the country. The proposed bill would distribute funds to help restore and

INFORMATION (continued):

prevent service reductions and layoffs, or fare increases that have happened due to decreased state and local funding since January 1, 2009. APTA has urged immediate action to generate support for the bill. Ms. Flowers will be speaking with CATS lobbyists to see if letters of support from MTC members will be helpful.

e. **Sales Tax Revenue**:
CATS sales tax revenue has been down compared to revenue the City is receiving. CATS is asking the City to speak with the NC Department of Revenue to determine why the two tax revenues are tracking differently.

f. **Stockholders' Meetings**:
CATS staff plans to meet with the community in July and August to discuss the area's transit vision and get the public's feedback. This is part of CATS' long-range review of transit plans.

The next MTC meeting will be June 23, 2010 at 5:30 p.m.

Week Six State Legislative Report

Staff Resource: Dana Fenton, City Manager's Office, 704-336-2009, dfenton@charlottenc.gov

Attached is the Week Six State Legislative Report of issues being monitored at the North Carolina General Assembly. *(see left side table of contents)*