AGENDA

Meeting Type:	WORKSHOP
Date:	09/07/1999

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

Rod Autrey
Charles Baker
Patrick Cannon
Malachi Greene
Mike Jackson
Nasif Rashad Majeed
Don Reid
Al Rousso
Tim Sellers
Sara Spencer

Council Agenda

CITY COUNCIL WORKSHOP

Tuesday, September 7, 1999

Dinner	**Room 267**
5:00	**Economic Development: Proposed Sale of City Property at 7th and McDowell Streets**
5:30	**Economic Development: Zoning Board of Adjustment: Options for Handling Caseload**
6:00	**Economic Development: New Federal DOT Regulations: Disadvantaged Business Enterprise**
6:20	**CWAC Committee: Meeting with the Charlotte Housing Authority**
6:45	**Public Safety Committee: Funeral Escorts**
7:15	**Adjourn**
7:30	**Citizens Forum** **Meeting Chamber**

COUNCIL WORKSHOP
AGENDA ITEM SUMMARY

TOPIC: Proposed Sale of Property at 7th and McDowell Streets

COUNCIL FOCUS AREA: Economic Development

STAFF RESOURCE: Kent Winslow, Laura Harmon

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

- The Economic Development and Planning Committee considered several options for the sale of this property including

  1) Non-competitive process - the City would identify one buyer and negotiate a sale based on fair market value of the property

  2) Request for Proposal process - the City would solicit proposals and select the best proposal Once a proposal is selected, there are two options for completing the sale

     a Upset bid
     b Private sale

- The Economic Development and Planning Committee recommended Option 2b - RFP followed by a private sale to the selected developer

- On July 26, City Council approved Option 2, the issuance of an RFP The method of sale will be determined after review of the development proposals

- The 2010 Center City Planning consultant suggested, as part of the 2010 Plan, that this property be developed to set the market standard for price, design, and for the Center City from First Ward to Tryon Street

- Some key points derived from the First Ward Master Plan and the 2010 planning process for the development criteria include

  - Residential structure, up to 6 stories and may include street level retail
  - Brick construction, residential units may have porches or balconies overlooking the

street

- Parking should be placed behind or underneath the building and should be screened from view from 7th and McDowell Streets
- At least 10% of the units should be affordable to households at 80% of the median household income ($42,300 per year)
- Construction should be initiated within 12 months

OPTIONS: **N/A**

COUNCIL DECISION OR DIRECTION REQUESTED: This item is for Council discussion and to get feedback from Councilmembers to determine what information is needed to make a decision on approval of the RFP development criteria Council will be asked to make a decision on September 13

ATTACHMENTS: Map of First Ward showing location of property will be forwarded in the September 3 Council-Manager Memo

COUNCIL WORKSHOP
AGENDA ITEM SUMMARY

TOPIC: City Zoning Board of Adjustment Options for Handling Caseload

COUNCIL FOCUS AREA: Economic Development

STAFF RESOURCE: Robert Brandon, Zoning Administrator, Dave Smith, City Attorney's Office, and Martin Cramton, Planning Director

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

- There has been an annual increase in the Zoning Board of Adjustment's cases from approximately 128 to 164 The Board meets once a month for a daylong meeting with a caseload of approximately twelve-fourteen cases

- There is a backlog of cases that has resulted in some applicants being unable to be placed on an agenda until the third meeting date from the filing of the applications The Board has expressed concern about the backlog and wishes to address it

OPTIONS:

1 Adopt a text amendment that gives the Zoning Administrator delegated authority to approve, in accordance with stated standards, deviations from the requirements of the Ordinance, which would reduce the number of variance applications

2 Increase the number of alternates to the City Board from three to six in order to schedule special meetings in addition to the regularly scheduled monthly meeting The Council would appoint two additional alternates and the Mayor would appoint one

3 Enter into an interlocal agreement with the Board of County Commissioners to give the County Board of Adjustment jurisdiction to conduct hearings for City cases

4 Submit a local act for legislative approval that would authorize the City of Charlotte to appoint twelve board members to sit in panels of five to conduct Zoning Board of Adjustment hearings

COUNCIL DECISION OR DIRECTION REQUESTED: To reduce or better handle City ZBA caseload, the City Attorney and Planning Director recommend implementation of options #1 and 2

Option #1 shifts requests from a Board variance to a request for administrative approval If Council approves Option #1, staff will draft a proposed text amendment for Council review prior to filing for formal consideration

Option #2, the appointment of alternates, expands the pool of members available to attend special meetings

Option #4, consideration of a local act to have panels conduct hearings, is a long-term approach and could be pursued if options #1 and 2 do not have a significant impact on caseload

ATTACHMENTS: List of City Zoning Board of Adjustment members
List of County Zoning Board of Adjustment members
Zoning Board of Adjustment Backlog of Cases

CITY OF CHARLOTTE - ZONING BOARD OF ADJUSTMENT MEMBERS

Deborah L Currier, Chair
Bennie Hutchins, Vice Chair
Meredith D Stoever
Carol L Fortenberry
William H Sturges

Bryan F Kennedy, III, Alternate
James E Mitchell, Jr , Alternate
Lawana M McAllister, Alternate

COUNTY OF MECKLENBURG - ZONING BOARD OF ADJUSTMENT MEMBERS

Thomas Mussoni, Chair
West P Hunter, Vice Chair
Margurette Straley
Richard Yoder
William Rakatansky
Daniel H Jacobs
Anne Marie Howard

Charles W Patrick, Alternate
Charles E Strickland, Alternate

ZONING BOARD OF ADJUSTMENT BACKLOG OF CASES

Background

A Zoning Board of Adjustment carries out two functions The Board can grant variances from a zoning ordinance In addition, citizens can appeal a zoning administrator's decisions (e g , a notice of violation, a denial of a permit, abutting property owners objecting to the issuance of a permit, etc) to the Board, if the citizens believe that the zoning administrator has incorrectly interpreted or applied a provision of the zoning ordinance

By state statute, a City's zoning board of adjustment consists of five or more permanent members The same statute allows for the appointment of alternates without stating a limitation upon the number of alternates that can be appointed Presently, the City has appointed three alternates

The County Board of Adjustment consists of seven members and two alternates Seven of the nine County Board members reside in the City

City and County Zoning Board of Adjustments' Caseload

The City's Board meets the last Tuesday of each month The agenda has consisted of approximately twelve to fourteen cases each meeting The meetings begin at 9 a m and end between 3 30-4 00 p m The County Board meets the second Wednesday of each month The County's agenda has consisted of approximately three to four cases for each monthly meeting

The City's agenda has increased by thirty-six cases over a twelve-month period The County's agenda has declined The current trend and future projection indicate that the City's zoning jurisdiction will increase which would result in an increase in the Board's workload

There have been complaints about a delay, often for two months, in having a City-filed application scheduled for the City Board For example, if an application were filed in late July, some citizens have been told that the August and September agendas are filled and the matter will be scheduled in October In order to relieve the backlog, the City Board scheduled a special meeting on August 10, 1999, to conduct hearings on eight cases

Staffing

The Mecklenburg County Engineering-Buildings Standards Department provides the staff support for each Board There is a secretary, under the supervision of the Zoning Administrator, assigned to each Board to provide such support (e g , processing

applications, preparing the agenda, sending out notices, keeping minutes, and preparing drafts of decisions, etc)

The Zoning Administrator and a staff member with the title of Hearing Examiner make presentations to each Board about variance applications and the basis of the Zoning Administrator's decisions A representative of the City Attorney's Office sits as an advisor to the City Board, because the Board is applying the City's Zoning Ordinance That same attorney would represent the City in Superior Court to defend the Board's decision Similarly, a representative of the County Attorney's Office sits with the County Board The City and County Zoning Ordinances are identical except for small differences that are not of a consequence in this matter

Options

Below are options for reducing the backlog of cases for the City Zoning Board of Adjustment

Option #1 Adopt a text amendment that gives to the Zoning Administrator delegated authority to approve, in accordance with stated standards, minor deviations from the requirements of the Ordinance, which would reduce the number of variance applications

Impact The Zoning Administrator estimates that delegated authority might reduce the Board's caseload by approximately ten to twenty-five percent

Following are some illustrations of cases filed for variances that might be handled administratively in the future through a text amendment failure to meet a standard by less than one foot, a surveying error that the Zoning Administrator is satisfied was inadvertent and is inconsequential, location of a handicapped ramp in the setback, and problems presented in the conversion of a residential use to an office-zoned use because preexisting buildings make compliance with buffer, screening, and driveway separation extremely difficult

The text amendment would authorize administrative approval of minor deviations from the Zoning Ordinance only in accordance with specific standards in the Ordinance Before the Zoning Administrator exercised that authority, abutting property owners would be notified to comment upon the requested approval The Zoning Administrator would consider any comments The Zoning Administrator's decision could be appealed to the Board of Adjustment by an abutting property owner

A text amendment would enable citizens to avoid the necessity of a filing fee (i e , residential $150 and nonresidential $250) for variance applications There would be a fee for requesting consideration for administrative approval, but it is expected that that fee would be less than the current variance application

If this option were chosen, the Council would be the petitioner for the text amendment It would be drafted by representatives from the Zoning Administrator's Office, the Planning Commission staff, and City Attorney's Office Council would have an opportunity to review the proposal before filing

Option #2 Increase the number of alternates to the City Board from three to six alternates in order to schedule special meetings in addition to the regularly scheduled monthly meeting, if necessary

Impact If more alternates are appointed, then that would permit more meetings The result of more meetings would be to reduce, and to avoid in the future, a backlog of cases

Currently, if the Board desires to have a periodic special meeting in addition to the regularly scheduled meeting, two problems are presented First, permanent Board members are asked to give either one and half or two days a month for meetings which seriously encroaches into their own work schedules Second, there is often a difficulty in ensuring that five members are present, because both the permanent members and three alternates might have conflicts that might prevent attendance

If the number of alternates were increased from three alternates to six alternates, that would address those concerns and provide an opportunity to schedule, for example, a quarterly special meeting, if a backlog of cases begins to develop By adding three more alternates, the Council would have two appointees The Mayor would have one appointee The Council's and Mayor appointment of three additional alternates can be implemented quickly

Option #3 Enter into an interlocal agreement with the Board of County Commissioners to give the County Board of Adjustment jurisdiction to conduct hearings for City cases

Impact The County-appointed Board would hear City cases with the consent of the applicant

The Zoning Administrator supports this option The Zoning Administrator's point of view is that there are already two mechanisms in place two Boards that each have regularly scheduled meetings (City's last Tuesday and County's second Wednesday) and two secretaries available to handle the caseload The Zoning Administrator's perspective is that the County-experienced Board members would be able to hear City cases at its regularly scheduled second Wednesday of the month Board meeting and thus reduce the backlog of cases

Option #4 Submit a local act for legislative approval that would authorize the City of Charlotte to appoint twelve Board members to sit in panels of five to conduct Zoning Board of Adjustment hearings

Impact This is a possible, long term solution subject to further review By current state statute, a city zoning board of adjustment has five or more permanent members and any number of alternate members The local act would designate the appointment of twelve permanent Board members, any five of whom could serve at one time on a Board panel That would allow for two monthly meetings, if necessary, and an adequate pool of members to sit upon the five-member Board

Recommendations Options #1 and 2

To reduce or better handle City ZBA caseload, the City Attorney and Planning Director recommend implementation of Options #1 and 2 Option #1 is the delegation of authority to the zoning administrator That will shift some cases presently going to the Board of Adjustment to administrative approval in accordance with standards in the Ordinance, As a result, the caseload of the Board will be reduced

Option #2 is the appointment of three more alternates The appointment of alternates will make possible more special meetings (if necessary), can be achieved quickly through the Council's and Mayor's appointive authority, and will be consistent with the City's expanding zoning jurisdiction while the County's zoning jurisdiction is diminishing

If implementation of Option #1 and #2 do not have a significant impact on caseload, Option #4, a local act that would increase the number of board members and permit such board members to sit in panels of five to conduct hearings, could be pursued That would remove a distinction between permanent and alternate members and allow for more flexibility in scheduling hearings

City ZBA Member Comments

At its July 29, 1999, meeting, the City Board was asked to provide any comments that they wished to make about the options of adding alternates to make possible specially called meetings, if necessary, or to give the County Board jurisdiction to conduct hearings on City cases One Board member strongly supported giving the County Board jurisdiction One Board member strongly opposed giving the County Board jurisdiction The chairperson observed that additional alternates could probably be appointed more quickly than the adoption of an interlocal agreement The position of the other two Board members is not known

COUNCIL WORKSHOP
AGENDA ITEM SUMMARY

TOPIC: New U S Department of Transportation Disadvantaged Business Enterprises (DBE) Regulations

COUNCIL FOCUS AREA: Economic Development

STAFF RESOURCES: Jerry Orr, Jim Humphrey, Bob Hagemann, Richard White

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

- The U S Department of Transportation recently issued new Disadvantaged Business Enterprises (DBE) regulations that require the City to adopt a DBE program for all federally-funded airport and transit contracts

- In 1979, the Airport developed a minority participation plan in conjunction with the 1978 $47M general obligation bond issue In 1980, USDOT adopted its Part 23 regulations requiring recipients of FAA grants to establish an MWBE participation plan The Airport modified its 1979 plan to comply with the new federal requirements Part 23 was changed from a MWBE program to a DBE program in 1987 and the Airport's program was modified once again Throughout this time, the Airport has operated its program covering all Airport contracting separate from the City's MWBD program

- Prompted, in part, by the U S Supreme Court's decision in the *Adarand* case, USDOT has now largely replaced the Part 23 regulations with the new Part 26 regulations The new regulations require federal recipients to adopt a compliant program Key aspects of the new regulations include the following

  - The program only applies to federally funded contracts

  - Annual or program DBE goals must be set based on local market evidence using a prescribed methodology

  - Race conscious means (*e g* contract goals and good faith effort requirements) can only be used to meet the portion of an annual goal that connot be met through race-neutral means

  - DBE eligibility criteria now include a "small business" test and a personal net worth cap

- The proposed program would apply to the Airport's FAA-funded contracts and the City's FTA-funded transit projects Airport contracts that do not include federal funds would now be covered by the City's MWBD program The Airport's concession program continues to be governed by the Part 23 regulations and remains unchanged

OPTIONS: In order to remain eligible for federal DOT funding, the City must adopt a DBE program that is in compliance with the new Part 26 regulations

COUNCIL DECISION OR DIRECTION REQUESTED: This item was postponed from the August 23 dinner meeting due to lack of time The purpose of the briefing is to provide Council with information and an opportunity to ask questions At the September 13 meeting, Council will be asked to approve the proposed DBE program

ATTACHMENTS: Chart showing key differences between the old federal DBE program, the new federal DBE program, and the City's MWBD program

COMPARISON
Federal Disadvantaged Business Enterprise Program
and
City Minority/Women-Owned Business Development Program

	Old federal DBE	New federal DBE	City's MWBD
Legal Standard	Program founded on federal government's belief that its program was not subject to "strict scrutiny" review	"Strict scrutiny" recognized as the proper legal test	"Strict scrutiny" recognized as the proper legal test
Annual Goals	Local annual goals could be set in reliance on the federal 10% goal	Annual goals must be based on a two step local market evidence analysis	No annual goals
Use of Race-Conscious Means (*i e* contract goals/good faith efforts requirement)	"Race conscious means" broadly used	"Race-neutral means" emphasized - "Race-conscious means" only used to bridge the gap between annual goal and the portion of the annual goal that can be achieved using race-neutral means	"Race conscious means" used on all competitively bid contracts over $100,000
Small Business Test	Small business cap for DBE eligibility, no personal net worth cap for DBE eligibility	Small business and personal net worth cap on DBE eligibility	No small business or personal net worth cap on MWBD eligibility

COUNCIL WORKSHOP
AGENDA ITEM SUMMARY

TOPIC: City Within A City Committee Report Meeting with the Charlotte Housing Authority

COUNCIL FOCUS AREA: City Within A City (CWAC)

STAFF RESOURCE: Stanley D Watkins

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

- Over the past few years, City Council has raised a number of questions about policy issues and land development activities of the Charlotte Housing Authority (CHA)
- On August 4, 1999, the CWAC Committee met with the Charlotte Housing Authority's Board Chair, Vice-Chair and President to discuss these policy issues and land development activities
- Attached are the questions and issues generated from the August 4th CWAC Committee meeting

OPTIONS: Not Applicable

COUNCIL DECISION OR DIRECTION REQUESTED:
City Council is asked to provide any additional questions or issues not listed on the attachment Charlotte Housing Authority and City staff will prepare a response to these issues and questions The CWAC Committee will review the response and report back to City Council

ATTACHMENTS:
List of issues and questions generated from the August 4, 1999 CWAC Committee meeting

City Within A City Committee Meeting with the Charlotte Housing Authority

The City Within A City Committee of City Council and the Charlotte Housing Authority held a joint meeting on August 4, 1999 to discuss issues relating to low to moderate-income housing In addition, the Committee and CHA discussed the broader policy issues relating to low to moderate-income housing in Charlotte

Following is the list of issues and questions grouped by category Please provide any additional questions in the space following each category

A. HOPE VI Grants and Family Self-Sufficiency (FSS) Program

1 In Earle Village, $6 million was allocated to work with families
   What is the success of the families that moved out?
   What is the number of families that were successful on the self-sufficient track?
   What programs were created and when?
2 How much of the unspent $6 million will go back into First Ward Place (Earle Village) toward FSS? Does CHA plan to be proactive in getting families that moved out back on track?
3 What lessons have we learned from Dalton Village and First Ward Place?
4 What is the percentage of individuals who took advantage of the FSS Program in First Ward?
5 What happens to the individual that leaves the FSS program after 5 years and still doesn't have enough income to purchase a home? Where do they go?
6 What supportive services were created by CHA and when did they start?

_____
_____
_____
_____
_____

B. Section 8 Certificates & Vouchers

1 Is there a lack of Section 8 certificates available to the City?
2 What is being done to encourage Section 8 outside of City Within A City (CWAC)?
3 Are these individuals with vouchers being scattered away from needed services (transportation, etc)? Does this create difficulty in case management?
4 In neighborhoods that are "cycling down," does Section 8 location play a role in stability of neighborhoods? What are the neighborhood crime rates? Is owner occupancy declining?
5 What responsibilities/requirements could be attached to Section 8 recipients on maintenance of units? What is the responsibility of CHA for maintenance?
6 How satisfied are the landlords with Section 8 residents?

7 What agreement exists between the City and CHA relative to Section 8 vouchers?

C. Crime & Domestic Violence

1 Is there basis for the perception of crime in Charlotte Housing Authority (CHA) properties?
2 Provide crime statistics on arrests made by non-residents of CHA properties Statistics should be presented by crime category
3 Do domestic violence victims receive emergency housing from CHA? From City?
4 Provide crime statistics for all CHA properties, surrounding area and City as a whole
5 Provide record/statistics of all CHA residents who have been arrested
6 How is the $1 million grant (Public Housing Drug Elimination Program Grant) on crime prevention being spent?
7 What is the CHA Comprehensive Plan?

D. Goals, Programs & Policies

1 Is a lack of physical structures for the poor a result of Urban Renewal Development? Is this an issue?
2 Are the housing policies of CHA and the City out of alignment?
3 Provide a listing of the housing policies of CHA and the City
4 Evaluate housing programs as a continuum, align goals, programs and policies
5 Is there is a disconnect between what Neighborhood Development and CHA are doing?
6 City and CHA staff should provide a strategic review of the goals and policies

E. Population Served

1 Who is looking out for the poorest of the poor (30% of median income) for housing?
2 Provide family income statistics of CHA residents Provide demographic profile of that population
3 What is the mix of elderly and disabled in housing communities?
4 Are the elderly and disabled assigned to specific communities or do they have a choice?

F. Other

1 What can the City and CHA do to forge a cooperate relationship to address issues?
2 Is a Board retreat needed with City Council and CHA?
3 What questions do other Council members have regarding these issues?
4 What will be the next course of action after obtaining answers to these questions and any additional questions?

COUNCIL WORKSHOP
AGENDA ITEM SUMMARY

TOPIC: Public Safety Committee Report Funeral Escorts

COUNCIL FOCUS AREA: Public Safety

KEY POINTS (Issues, Cost, Change in Policy): The Police Department has met with the Public Safety Committee on two occasions to discuss funeral escorts The Police Department expressed concerns regarding

(1) Lack of Statutory Authority to Conduct Funeral Escorts
(2) Liability Issues
(3) Officer and Citizen Safety
(4) Manpower and Cost Implications of Providing Funeral Escorts

The Public Safety Committee expressed the desire for the Police Department to continue providing escorts provided that the liability issue could be addressed The Committee asked the department to see if legislation pending in the State Legislature would sufficiently address the liability issue The committee also asked the department to determine the true cost of funeral escorts and to identify changes that they wished to make in continuing to provide the service

The General Assembly passed legislation, effective December 1, 1999 that addresses funeral processions The legislation includes provision for police and funeral directors to escort processions, therefore, addressing the liability issue

The Committee then discussed the other issues of safety and staffing The Committee endorsed continuing the practice of funeral escorts with provision that a procedure be written with the funeral industry, and that the cost be reviewed

OPTIONS:

(1) Continue to provide funeral escorts under the provisions of state legislation which goes into effect on December 1, 1999 This option includes adjusting the fee for funeral escorts to more accurately reflect the true cost of providing the service It also calls for the Police Department to enter into a contractual agreement with the funeral homes regarding disclosure of fees, waiting time for police officer, and operating procedures for escorts

(2) Discontinue Providing Funeral Escorts

The Public Safety Committee endorses Option One

COUNCIL DECISION OR DIRECTION REQUESTED: Council is asked to accept the recommendation of the Public Safety Committee and endorse Option 1 Continue to provide

funeral escorts, adjust fees for this service to reflect costs, and enter into contracts with funeral homes

ATTACHMENTS: Copy of Funeral Escorts presentation, March 24, 1999 Public Safety Committee

FUNERAL ESCORT POLICY

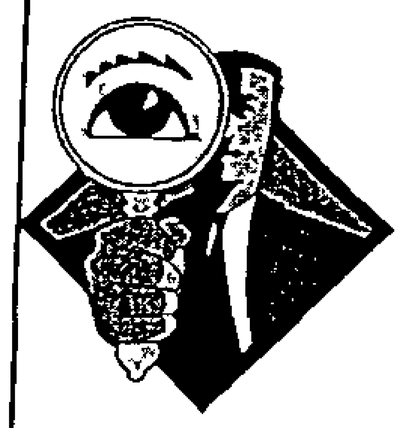
CHARLOTTE-MECKLENBURG
POLICE DEPARTMENT

A Look at the Past...

- Traditional and Southern courtesy service provided to the community
- The tradition began when Charlotte was smaller in geographic size, population and traffic congestion
- Service began many years ago and has not been amended in last 15-20 years

...Today's Environment

What are the Concerns?



- Legal
- Liability
- Safety
- Resource

An Overview

- No written department policy authorizing escorts or defining procedures
- No protection from or authority granted by state statute
- Changes in current legal environment create significant liability issues
- Larger population density, increased traffic congestion and longer travel distances create safety risks

LEGAL

- *The current state statute, GS156-b does not grant authority to lead non-emergency vehicles against traffic signals. It allows this only in emergency situations.*

Legal (cont.)

- Public is more suit-conscious and more likely to sue and ask for higher damages
- The statute provides no exemption of liability for officers, police department, city or individuals in the procession

LIABILITY

- The courts have set precedents establishing that liability.
  - *4 major cases*

    Lejeune v Allstate- Department liability
    Porter v Decatur Ill -municipal and department liability
    McBride V Freeze (NC)-individual liability
    Cogdell v Taylor(NC)- individual liability

SAFETY...

- *Highest safety danger occurs when an officer must leave an intersection while procession is still continuing in order to begin clearing the next intersection*
- *Current common practice due to*
  - average length of procession 20-25 cars
  - increased number of intersections along route
  - longer travel distance where the average length is 10 miles

SAFETY

- Headlights are no longer viable way to determine who is in procession
- Traffic has more than doubled in the last 10 years and continues to grow
- 75,000-100,000 accidents per year occur in Charlotte Mecklenburg
- Escorts occur during peak traffic hours of 8 00 am to 6 00 pm

RESOURCE

- Averages out to 255 resource hours per month/3060 per year for escorts using only one officer
- Entire process involves Police Communications Police Administration and City Finance as well as Patrol
- Number of escorts involving multiple officers increased from 4% in 1997 to 35 % in 1998 and continues to grow
- Average length of time is 1 hour and 15 minutes
- We do approximately 2100 escorts per year/6-7 per day,7 days a week

* Hours are understated as they are based on escorts using only one officer

How Do Other Jurisdictions Handle the Escort Issue?

Cities Outside N.C.

- *Jacksonville, Orlando, Seattle, Phoenix, San Jose and Atlanta* do not provide escorts at all
- *Birmingham and Nashville* only provide escorts for police and public officials
- *Houston* provides on an off duty basis using motorcycles which are owned privately by officers
- *Cincinnati* provides on off duty basis at current off-duty rates Off duty officers not allowed to go against traffic signals
- *Louisville* provides using civilian traffic unit 3 wheeled vehicles on routine basis

NC Cities

- *Greensboro* provides using civilian traffic unit 3 wheeled vehicles on a routine basis and obeys all traffic signals
- *Hickory*- News piece aired in April Clergy and funeral directors are advising against processions due to individual liability Suggest setting designated time to meet at gravesite and providing maps with programs Currently provide but obey traffic signals
- *Goldsboro* contacted us They are reviewing their policy due to series of accidents Currently provide on routine basis if unit available
- *Raleigh* currently provides on duty but less volume, duration and travel distance

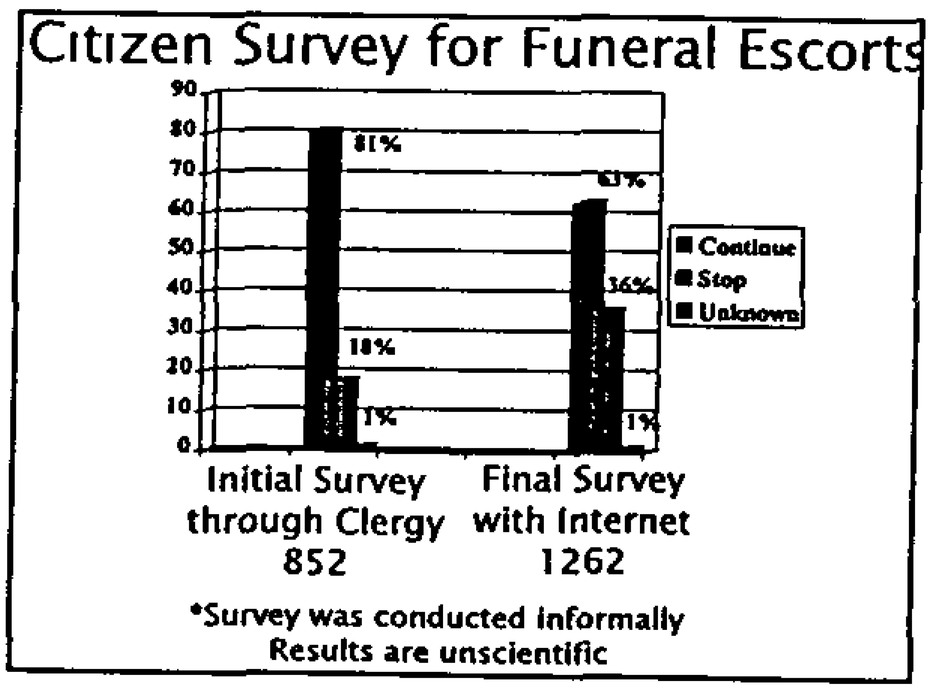
Stakeholder Responses

Citizen/Clergy Survey Results

Informal Survey/Results are Unscientific

- 642 surveys originally sent to clergy throughout Mecklenburg County with request to further distribute to congregations to reach larger base. Potential of 30,000 individuals based on 50 per congregation
- Received 132 clergy responses
- 19 congregations responded with over 5 responses - total of 720 responses from citizens

Total received from initial survey- 852
81 % to keep escorts
18 % to stop escorts,
1% Unknown
Survey put on Internet in August of 1998
additional received 410
Final total (11/30/98)- 1262 responses received
63% to keep escorts
36% to stop escorts
1% Unknown



Funeral Home Response

- Meeting Held on September 3, 1998
- 21 Invitations sent out, 6 in attendance representing 5 funeral homes
- Chief Nowicki expressed feeling that funeral escorts present legal, liability and safety issues for department
- Funeral home representatives expressed concerns over discontinuing escorts and voiced opinion that escorts should continue in some form

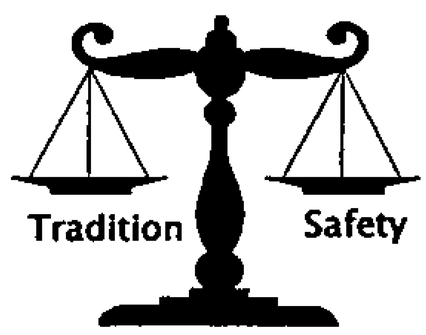
Officer Input Response

Officers asked to submit any accident reports involving funeral processions Averaging 1-2 per month

Still unable to capture those not involving cars in the procession but which are caused by cars stopping for a procession

Officers asked to send documentation about specific problems seen during escorts Memo after memo citing near accidents, oncoming traffic ignoring blue lights and siren extended wait times for processions to begin

Balancing the Factors...



After extensive research and consideration of all aspects,the Department finds that the most compelling recommendation is to:

- Eliminate the service

Advantages:

- Increases safety for the community
- Eliminates liability
- Complies with state statute
- Puts more officers in the community
- Allows more time for problem-solving

Disadvantages:

- Counter to tradition

Alternative A:

- Provide escorts with amended procedures

Changes to consider:

- Obey all traffic signals in compliance with the law
- Number of officers used to provide escort based on length of procession and/or complexity of route
- Emergency vs routine priority of dispatch
- Officer down time waiting on onset of escort
- Clear financial guidelines to include
  - Charges, delinquencies, and notification procedures by funeral homes

Advantages:

- Addresses public opinion
- Depending upon changes made, some liability and safety issues may be partially mitigated

Disadvantages:

- *Substantial liability and safety issues remain*
- Officers taken away from problem solving in neighborhoods
- Financial issues continue
- Could result in increased cost to consumers
- Would require education campaign for public

Alternative B:

Off-Duty with amended procedures

Advantages:

- Puts more officers in community and allows them more time for problem solving.
- Satisfies public opinion

Disadvantages:

- Non-compliance with state statute
- Liability issues remain
- difficulty in monitoring new guidelines
- safety hazards to community persist
- availability of marked police units for escort
- Increased cost to consumer
- would require public education campaign

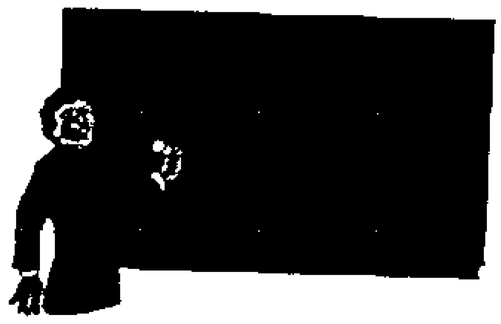
In Summary

There is an understanding that this is a long standing traditional courtesy

...but we must recognize that Charlotte-Mecklenburg has changed a great deal

...it is time to re-examine the policy to determine the safest way to serve the citizens of Charlotte-Mecklenburg

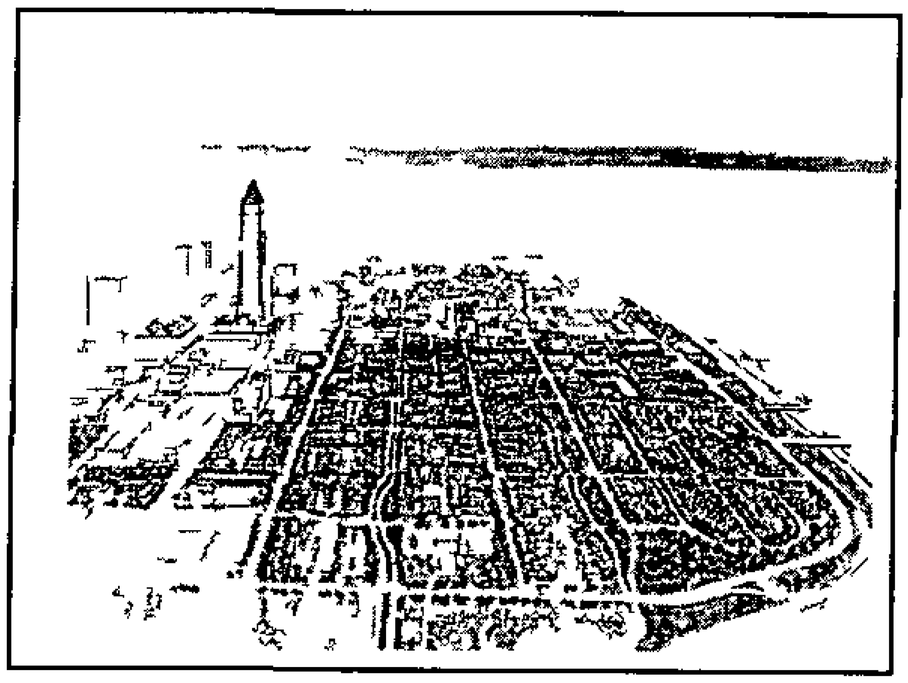
Designing the Future

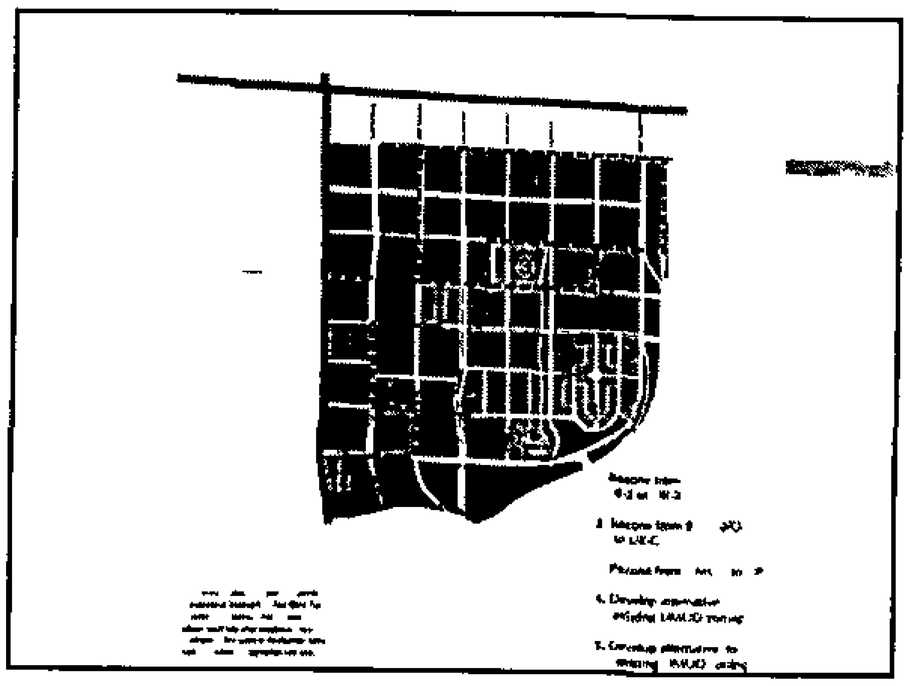


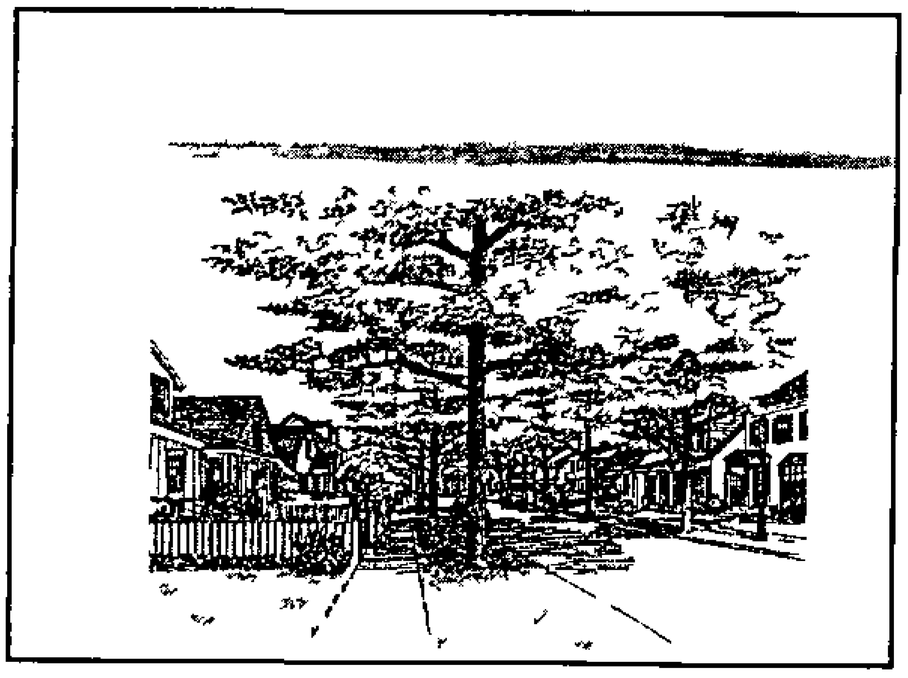
Where do We Go Next?

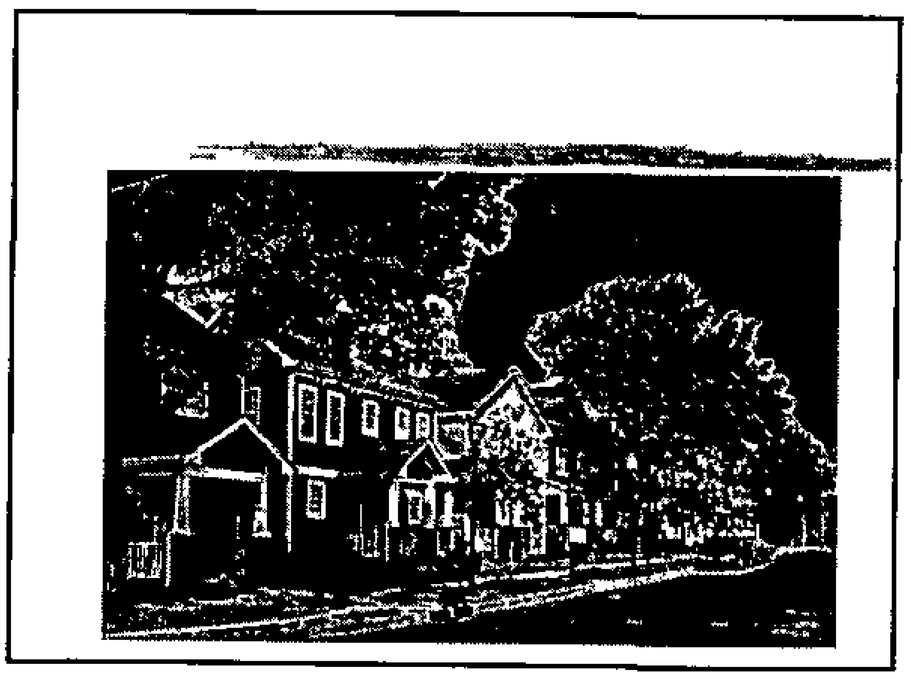
First Ward Development Presentation

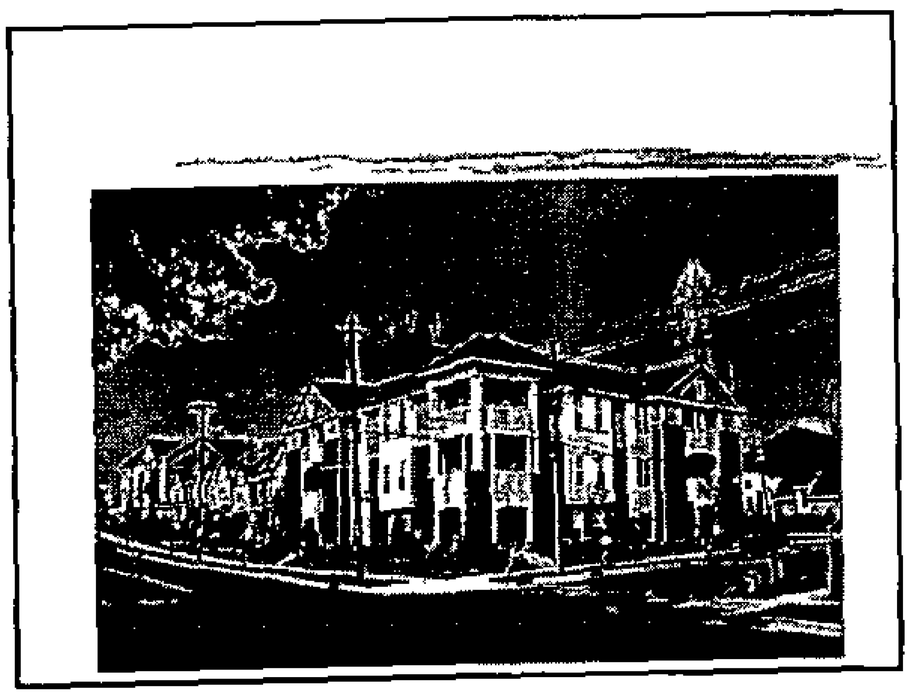
4.85 Acre Vacant Property
7th and McDowell Streets











Developing the Criteria

- First Ward Master Plan
- 2010 Center City Plan
- Evolving Trend in First Ward Market

Development Criteria - from First Ward Master Plan

- A residential (15 25 dua) retail office structure, up to 6 stories
- Building and primary entrance facing the street.
- On site parking located to the rear
- Streetscape with sidewalks street trees, and pedestrian scale lighting

Preliminary Recommendation of 2010 Plan

- Residential structure
- Increase density to up to 50 dua
- Ground level retail oriented to McDowell Street.
- Make this site a development model
- Use this site to set price, design and density comps for the rest of Center City
- Decisions made here will have long range implications

Other Development Criteria

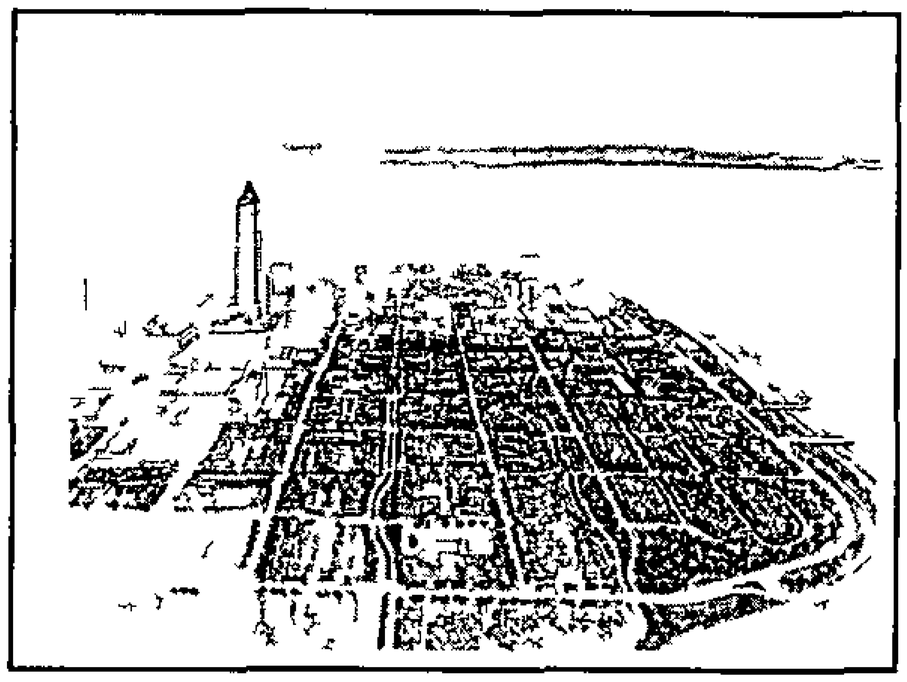
- At least 10% of the units should be affordable to households at 80% of the median household income ($42 300 per year $1 060 per month for rent and utilities)
- Brick construction consistent with the character of development along 7th Street Residential units shall have porches or balconies overlooking the street
- The development proposal should meet the Urban Design Standards of the MUDD zoning district
- Power lines along 7th Street and McDowell Street should be buried
- Construction should be initiated within 12 months of closing

Draft Criteria

- Residential at 50 dua, up to 6 stories, potential for ground floor retail
- 10% affordable units
- MUDD Urban Design Standards
- Building entrances facing street with streetscapes
- Brick construction, porches or balconies
- On site parking to the rear
- Utilities buried along the street
- Construction initiated within 12 months

Process and Schedule

Contacts by interested developers	Fall 1998
ED & Planning Committee	May/June 1999
Council decision on RFP	July 1999
Develop RFP	September 1999
File rezoning	September 1999
Complete rezoning	February 2000
Mail and advertise RFP	February 2000
RFP acceptance closes	May 2000
Council to review proposals and select method of sale	June 2000



Brenda Freeze

I want this message to go to Mr Erdman, Mr Baker, Mr Autrey and Ms Spencer

This is in reference the article in the Charlotte Observer on Monday, August 30, "Arena Could Come Down to Wire"

I have served in the Military and fought for freedom, and I don't want anybody telling me I don't have a right to vote on the matter of a new arena in uptown Charlotte

I can't afford to buy a ticket or tickets for me or my family to go to Hornets games, and they pay athletes monumental salaries, and yet they want us to pay for a new arena That is a personal affront to me

My freedom is going down the drain and I resent it

To Ms Spencer individually I am now in your district because of the change of district lines, and I did not vote for you, so my vote in the 1997 election was for nothing

Cit Cain

I received the above comments by phone to be given to you
Brenda Freeze, City Clerk
August 31, 1999 3 30 p m

Given to above Councilmembers at workshop 9/7/99 -NSG
Given to J. Burch 9/3/99 - BFT