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**WEEK IN REVIEW:**

Mon (Dec 15)	Tues (Dec 16)	Wed (Dec 17)	Thurs (Dec 18)	Fri (Dec 19)
8:15 AM Legislative Breakfast, Room 267		12:00 PM Economic Development and Global Competitiveness Committee, Room 280		
3:30 PM Budget Committee, Room 280				
5:00 PM Council Zoning Meeting, Room CH-14				

## CALENDAR DETAILS:

### **Monday, December 15**

8:15 AM Legislative Breakfast, Room 267

3:30 PM Budget Committee Meeting, Room 280

**AGENDA:** FY16 budget process considerations; Review possible budget and financial condition indicators; Budget Committee meeting schedule for spring 2015; Rescheduling March 18 Budget Workshop meeting

5:00 PM Zoning Meeting, Room CH-14

### **Wednesday, December 17**

12:00 PM Economic Development & Global Competitiveness, Room 280

**AGENDA:** Amateur sports development at Bojangles Coliseum/Ovens Auditorium; 2015 meeting schedule

**December and January calendars are attached.**



DecJan Calendar.pdf

## INFORMATION:

### **December 15 – Joint Council–Delegation Briefing**

*Staff Resources:* Dana Fenton, City Manager's Office, 704-336-2009, [dfenton@charlottenc.gov](mailto:dfenton@charlottenc.gov)

Attached is the meeting agenda and 2015-2016 State Legislative Agenda Briefing Booklet for the Joint Council – Delegation Meeting scheduled for Monday, December 15 at 8:30 a.m. in Room 267 of the Charlotte-Mecklenburg Government Center. Hard copies are enclosed in Council's Friday mail delivery. Extra copies of the attached documents will be provided at the briefing. Breakfast will be served starting at 8:15 a.m.



Dec 15 Joint Council 2015-2016 state  
Delegation Agenda.piaagenda briefing book

### **December 15 – Charlotte's Open Data Portal Launch and Media Event**

*Staff Resources:* Jeffrey Stovall, Innovation & Technology, 704-336-2460, [jstovall@charlottenc.gov](mailto:jstovall@charlottenc.gov)  
Twyla McDermott, Innovation & Technology, 704-451-0555 [tmcdermott@charlottenc.gov](mailto:tmcdermott@charlottenc.gov)

The City will be launching the Charlotte Open Data Portal with a media event on December 15 at 1:30 p.m. in CMGC room CH-14. The Open Data Portal is a website for discovery, access, download and use of publicly-available, non-restricted open data maintained by City departments for business purposes.

Initially, the Charlotte Open Data Portal will focus on geographic information system (GIS) data such as police district boundaries, City roadway projects, adopted future land use areas, streets, and general reference information, as well as frequently requested data such as City staff salaries. In addition to the launch of the Open Data Portal, Citygram, a software application developed through the Code for America program, will also become available to demonstrate the value of open data. Charlotte's Code for America program was made possible by the Knight Foundation.

Speakers for the event include City Manager Ron Carlee, Susan Patterson with the Knight Foundation, Chief Information Officer Jeffrey Stovall, Code for America Fellows Tiffany Chu and Danny Whalen as well as Code for Charlotte Brigade Captains Jim Van Fleet and Jill Bjers. Invitations to City Council, City executives and special guests were sent late last week and a media advisory was sent on Monday.

### **Charlotte Transportation Projects Receive National Recognition**

*Staff Resources: Dan Gallagher, CDOT, 704-336-4984, [dgallagher@charlottenc.gov](mailto:dgallagher@charlottenc.gov);*

*Scott Curry, CDOT, 704-432-4638, [scurry@charlottenc.gov](mailto:scurry@charlottenc.gov)*

The City of Charlotte was recently honored by AARP and the Transportation Research Board as a national model to provide guidance to other municipalities around the country.

AARP recently launched a Livable Communities initiative under the tagline, "Great Places for All Ages." As a part of that initiative, AARP has released a number of community resources including a series of Livability Fact Sheets. Charlotte's East Boulevard project was selected as a national case study for the Road Diets Livability Fact Sheet. As a result, the great success of the East Boulevard road diet is illustrated within AARP's nationally published materials and cited as an example of an innovative safety improvement. AARP's Road Diet Livability Fact Sheet is included as an attachment, and more information can be found at <http://www.aarp.org/livable-communities/>.

In addition, Charlotte's Pedestrian Program was selected by the Transportation Research Board as a model program. Charlotte was recognized by the Transportation Research Board for its methodology for prioritizing pedestrian improvements. The Transportation Research Board supports the transportation profession by sponsoring and disseminating research and providing expert technical advice on transportation policy and programs nationwide. Charlotte's Sidewalk Retrofit Policy includes a range of criteria for evaluating potential sidewalk projects. Those criteria were studied by the Board during the development of its ActiveTrans Priority Tool. The ActiveTrans Priority Tool will be released in early 2015. It offers guidance to agencies for effectively prioritizing and implementing pedestrian and bicycle projects. More information is available at [http://www.pedbikeinfo.org/training/webinars PBIC LC 120414.cfm](http://www.pedbikeinfo.org/training/webinars_PBIC_LC_120414.cfm).



AARP Road Diets  
Fact Sheet.pdf

## ATTACHMENTS:

City Council Follow-Up Report



12 -- December.pdf

--Body Worn Cameras for Police

# December

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	<b>1</b> 3:00p Intergovernmental Relations Committee Mtg., Room 280  5:00p Council Workshop/ Citizens' Forum	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b> 8:00a Chamber's Quarterly Elected Officials Breakfast Meeting @ UNC Charlotte Center City – Room 1104  3:30p Transportation & Planning Committee Mtg., Room 280  5:00p Council Business Meeting	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
<b>14</b>	<b>15</b> 8:15am Legislative Breakfast, Room 267  3:30pm Budget Committee Mtg., Room 280  5:00p Council Zoning Meeting	<b>16</b>	<b>17</b> 12:00p Economic Development Committee Mtg., Room 280	<b>18</b>	<b>19</b>	<b>20</b>
<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b> CHRISTMAS DAY HOLIDAY	<b>26</b> CHRISTMAS HOLIDAY	<b>27</b>
<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>			
						<b>2014</b>

# January

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>	
				1 <b>New Year's Day</b>	2	3	
4	5 5:00pm Council Workshop/Citizens' Forum, Room 267	6	7	8 12:00pm Community Safety Committee Meeting, Room 280	9	10	
11	12 5:00pm Council Business Meeting, Room 267	13	14 12:00pm Housing & Neighborhood Dev. Committee Mtg., Room 280  2:00pm Environment Committee Mtg., Room 280	15 12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14	16	17	
18	19 <b>Martin Luther King, Jr. Holiday</b>	20 5:00pm Zoning Meeting, Room CH-14	21	22	23	24	
25	26 5:00pm Citizens' Forum/Council Business Meeting, Room 267	27	28 <b>City Council Retreat</b> TBD			30	31

**2015**



**CHARLOTTE**

**City of Charlotte  
Joint Council - Delegation Meeting  
Agenda**

Monday, December 15, 2014

8:30 a.m. – 9:30 a.m.

Charlotte Mecklenburg Government Center – Room 267

Welcome and Introductions

Mayor Dan Clodfelter

2015-2016 State Legislative Agenda

Dana Fenton  
Intergovernmental Relations Manager

Roundtable Discussion

Mayor Dan Clodfelter

Closing Remarks

Mayor Dan Clodfelter

Upcoming Dates:

January 14 – 2015 Regular Session convenes

March 18 – North Carolina League of Municipalities Town Hall Day



**CHARLOTTE**<sup>SM</sup>

# 2015 - 2016 State Legislative Agenda





## **2015-2016 STATE LEGISLATIVE AGENDA**

### **MAYOR**

Dan Clodfelter

### **MAYOR PRO TEM**

Michael D. Barnes

### **CITY COUNCIL**

Al Austin

John Autry

Ed Driggs

Claire Fallon

David L. Howard

Patsy Kinsey

Vi Lyles

LaWana Mayfield

Greg Phipps

Kenny Smith



## **2015-2016 STATE LEGISLATIVE AGENDA**

### **Replacement Source of Revenue for the Privilege License Tax**

- Support a replacement source of revenue for the business privilege license tax

### **Stormwater Management**

- Authorize the City of Charlotte to undertake the same cost effective flood control solutions on private property as was granted to counties with populations of at least 910,000

### **Street Gang Nuisance Abatement**

- Amend the NC Street Gang Nuisance Abatement Act to state that a gang injunction shall be reviewed by the Court that issued the injunction one year after being issued, and authorize the Court to extend or modify the injunction upon good cause shown by one of the parties

### **Civil Service Board**

- Increase the membership of the Charlotte Civil Service Board from seven to nine members

### **Charlotte Firefighters' Retirement System**

- Request technical amendments to the Charlotte Firefighters' Retirement System in order to maintain conformance with the Internal Revenue Code



## 2015-2016 State Legislative Agenda

<b>Category:</b>	Fiscal & Administrative
<b>Issue:</b>	Replacement Source of Revenue for the Privilege License Tax
<b>Position:</b>	Support a replacement source of revenue for the business privilege license tax
<b>Staff Resources:</b>	Randy Harrington, Management & Financial Services, 704.336.5013

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**Background and History:** The 2014 General Assembly repealed the local privilege license tax effective July 1, 2015. The privilege license tax raises approximately \$62 million per year for North Carolina local governments. When the General Assembly repealed the privilege license tax, it did not specify a replacement source of revenue. The Governor and legislative leaders have publicly committed to securing a replacement source of revenue for the privilege license tax when the General Assembly convenes in 2015.

**Current Need/Problem (including potential allies or detractors):** Over the past several years, the City of Charlotte has received approximately \$18 million per year from the privilege license tax. The revenues support police, fire, solid waste, local roads, economic development and other general fund expenses. In the event a replacement source of revenue is not secured in the 2015 General Assembly, the City will have to determine how to address the loss of \$18 million in general fund revenue while at the same time continuing local efforts to increase economic competitiveness and serve growing levels of population and business activity. In accordance with Federal and State requirements for sound financial practices, the City does not use debt for operating purposes and does not transfer funds from public enterprises to cover general fund shortfalls.

The North Carolina League of Municipalities and North Carolina Metropolitan Mayors Coalition support securing a replacement source of revenue for the local privilege license tax.

**Impact if Addressed/Adopted:** If the General Assembly enacts a replacement source of revenue for the local business privilege license tax, then the City will be better able to provide the services necessary for increasing levels of population and business activity.



## 2015-2016 State Legislative Agenda

<b>Category:</b>	Environmental & Planning
<b>Issue:</b>	Stormwater Management
<b>Position:</b>	Authorize the City of Charlotte to undertake the same cost effective flood control solutions on private property as was granted to counties with populations of at least 910,000
<b>Staff Resources:</b>	Jennifer Smith, Engineering, 704.336.7924 Lina James, City Attorney's Office, 704.336.4111

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**Background and History:** In 2014, the General Assembly enacted legislation authorizing counties with populations of at least 910,000 to engage in a greater range of flood control solutions on private property that would lead to more cost effective solutions. SL 2014-14 authorizes certain types of flood control solutions as permissible measures for public enterprises operated by counties using stormwater fees. SL 2014-14 expressly authorizes those counties to purchase property for the purpose of demolishing flood-prone buildings and to implement flood damage reduction techniques that result in improvements to private property including elevating structures, demolishing flood-prone structures, and retrofitting flood-prone structures. SL 2014-14 states that these private property improvements are only performed as long as certain conditions are met, such as obtaining consent of the property owners and conducting feasibility studies before proceeding.

**Current Need/Problem (including potential allies or detractors):** The City of Charlotte has operated its stormwater management program as a public enterprise using stormwater fees under the authority of NCGS 160A-311 since 1993. While NCGS 160A-311 does not expressly authorize the same types of flood control solutions that were authorized by SL 2014-14, the City has engaged in these flood control solutions. During this time period, the authority of the City to engage in the same flood control solutions has never been challenged. Since the City of Charlotte operates its stormwater management program in coordination with a county that meets the population threshold of SL 2014-14, the City seeks to secure similar enabling legislation in order to minimize challenges to implementing flood control measures on private property using stormwater fees.

**Impact if Addressed/Adopted:** If the General Assembly expressly authorizes the City of Charlotte to engage in the same flood control solutions for which Mecklenburg County now has authority, then challenges to the City exercising these same options may be mitigated.

**CITY OF CHARLOTTE**  
**STORMWATER MANAGEMENT**

AN ACT TO BROADEN THE PERMITTED USE OF STORMWATER FEES.

**SECTION 1.** Article 160A of Chapter 16 is amended by adding a new statutory section to read:

**"§ 160A-311.1. Flood control activities under stormwater management programs.**

(a) Findings. – The General Assembly finds that it is in the best interest of the residents of North Carolina to promote and fund the implementation of stormwater management programs to control and manage water quantity and flow in order to reduce the chances of loss of life and damage to property due to flooding. The General Assembly also finds that a city has an integral role in furthering this public purpose by promoting and funding implementation of stormwater management programs within the city's jurisdiction to reduce reliance on emergency response services, to reduce negative financial impacts on the community and the public from flooding, including the cost of public infrastructure repairs, to decrease the number of flood-prone homes and businesses, to increase infiltration of stormwater into the ground, and to reduce pollutants from entering the streams.

(b) Scope. – For purposes of operating a public enterprise under this Article, a city is authorized to do any of the following activities within its stormwater management program:

- (1) Purchase property for the purpose of demolishing flood-prone buildings.
- (2) Implement flood damage reduction techniques that result in improvements to private property in accordance with subsection (c) of this section, to include:
  - a. Elevating structures or their associated components.
  - b. Demolishing flood-prone structures.
  - c. Retrofitting flood-prone structures.

(c) Policy Document. – The city may engage in the activities listed in subdivision (2) of subsection (b) of this section only under the circumstances contained in a policy document approved by the city council. The policy document shall, at a minimum, establish, and may elaborate on, the following:

- (1) Private property owner's written consent must be obtained prior to implementation of flood reduction improvements on the owner's property.
- (2) The city has determined that improving the stormwater system is not practically feasible or cost-effective, and the activities in subdivision (2) of subsection (b) provide savings to the stormwater fund.
- (3) The improvements to private property are the minimum necessary to accomplish the stormwater benefit.
- (4) Funding provided by the city, above a certain amount, to the property owner or expended upon improvements to the property shall be reimbursed to the city if the property is sold within five years of the completion of the flood reduction improvement project. The amount of reimbursement due to the city may be calculated as the difference between the established premitigation fair market value and the sale price of the property, not to exceed the total funding provided by the city.
- (5) The minimum financial contribution the private property owner must make to the project.

(d) Advisory Committee. – An existing stormwater advisory committee established by the city council and having specific charges, duties, and representation as set forth by the city council must review and approve projects that implement flood damage reduction techniques under subdivision (2) of subsection (b) of this section. The committee shall submit an annual report to the city council for its review.

(e) Application. – This section applies only to cities with a population of 500,000 or greater according to the most recent annual population estimates certified by the State Budget Officer."

**SECTION 2.** This act is effective when it becomes law.



## 2015-2016 State Legislative Agenda

<b>Category:</b>	Public Safety
<b>Issue:</b>	Street Gang Nuisance Abatement
<b>Position:</b>	Amend the NC Street Gang Nuisance Abatement Act to state that a gang injunction shall be reviewed by the Court that issued the injunction one year after being issued, and authorize the Court to extend or modify the injunction upon good cause shown by one of the parties
<b>Staff Resources:</b>	Rodney Monroe, Police, 704.336.2360 Mark Newbold, Police, 704.336.2406

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**Background and History:** In 2012, the General Assembly enacted the North Carolina Street Gang Nuisance Abatement Act (SL 2012-28) declaring street gangs that regularly engage in criminal street gang activities as a public nuisance, and authorizing the courts to enter orders enjoining defendants in a suit from engaging in criminal street gang activities and impose other reasonable requirements to prevent the defendant or a gang from engaging in future criminal street gang activities. The courts entered the first temporary injunction authorized by SL 2012-28 in the State of North Carolina in August 2013 against a criminal street gang operating in a Charlotte neighborhood. The temporary injunction expired in August 2014 as the legislation requires the injunction to expire after one year. The City has also filed a public nuisance lawsuit against the criminal street gang, which is still proceeding through the court system.

**Current Need/Problem (including potential allies or detractors):** SL 2012-28 states that temporary injunctions entered into shall expire after one year. However the abatement of gang activity may take longer than a year. Since lawsuits that seek declaration that a criminal street gang is a public nuisance will more than likely last longer than one year, the injunction should be in place for at least the time the suit is pending. The most expeditious way to address this issue is to amend the statute to have the courts review the injunction prior to the expiration date and authorize the courts to modify the injunction by extending its duration for good cause shown.

The North Carolina League of Municipalities and North Carolina Association of Metropolitan Chiefs of Police support this initiative.

**Impact if Addressed/Adopted:** Authorizing the courts to extend temporary injunctions for good cause shown against criminal street gang activity during the time when public nuisance lawsuits are continuing will enable the public to receive additional reasonable protections from such groups.

**CITY OF CHARLOTTE  
STREET GANG NUISANCE ABATEMENT**

AN ACT TO AMEND THE NORTH CAROLINA STREET GANG NUISANCE ABATEMENT ACT.

**SECTION 1.** G.S. 14-50.43 reads as rewritten:

**“§ 14-50.43. Street gangs declared a public nuisance.**

(a) A street gang, as defined in G.S. 14-50.16(b), that regularly engages in criminal street gang activities, as defined in G.S. 14-50.16(c), constitutes a public nuisance. For the purposes of this section, the term "regularly" means at least five times in a period of not more than 12 months.

(b) Any person who regularly associates with others to engage in criminal street gang activity, as defined in G.S. 14-50.16(c), may be made a defendant in a suit, brought pursuant to Chapter 19 of the General Statutes, to abate any public nuisance resulting from criminal street gang activity.

(c) If the court finds that a public nuisance exists under this section, the court may enter an order enjoining the defendant in the suit from engaging in criminal street gang activities and impose other reasonable requirements to prevent the defendant or a gang from engaging in future criminal street gang activities.

(d) An order entered under this section shall ~~expire~~ be reviewed by the issuing court one year after entry. ~~entry; however, Upon motion of any party and upon good cause being shown the order may be modified, extended, rescinded, or vacated at the review date or at any time prior to its expiration date. date upon the motion of any party if it appears to the court that one or more of the defendants is no longer engaging in criminal street gang activities.”~~

**SECTION 2.** This act is effective when it becomes law.



## 2015-2016 State Legislative Agenda

<b>Category:</b>	Public Safety
<b>Issue:</b>	Civil Service Board (Local)
<b>Position:</b>	Increase the membership of the Charlotte Civil Service Board from seven to nine members
<b>Staff Resources:</b>	Stephanie Kelly, City Clerk, 704.336.4515 Catherine Cooper, City Attorney's Office, 704.432.4761

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**Background and History:** In 1929, the Civil Service Board was established and charged with reviewing and approving appointments, promotions and disciplinary actions, including suspensions, demotions and citations for termination, for sworn police officers and uniformed firefighters in the Charlotte-Mecklenburg Police Department and the Charlotte Fire Department. The Board regularly meets on the first Tuesday of each month to consider appointments and promotions. The Board also convenes hearings, which are held separately from the regular meetings, for sworn police officers and uniformed firefighters to appeal disciplinary actions resulting in suspension, demotion or termination. An appeal hearing typically lasts two to three days and must accommodate the schedule of the participants in the process, including the officer or firefighter, the attorney for the officer or firefighter, the Police or Fire Department attorney, witnesses, court reporter, City staff, and the required number of Board members for the hearing panel. Appeals of suspensions and demotions require three members of the Board to serve on a hearing panel while termination hearings require five members of the Board to serve on the panel. The Board's charter provision states that an appeal hearing shall be held no less than 15 days nor more than 30 days from the date of the notice of appeal, or the termination citation, is received by the Board.

**Current Need/Problem (including potential allies or detractors):** Over the last four years, as a result of accommodating schedules for 14 appeal hearings, the average number of days for the Civil Service Board to hear an appeal is 193 days or 163 days longer than what the City Charter requires. When this issue was first raised in 2010, a revision of the Board's attendance policy was considered. The Board has a 65% attendance requirement for its regular monthly meetings, but not for hearings. It was felt that extending the attendance requirement to hearings could result in problems such as some Board members failing to achieve attendance goals, the loss of qualified appointees, difficulty recruiting for the body and inconsistencies with attendance requirements for other city advisory boards. After managing this issue for the last several years, it is believed that increasing the number of board members will expedite the disciplinary process much more effectively than revising the attendance requirement.

**Impact if Addressed/Adopted:** If the Civil Service Board is expanded to nine members, then it will be easier to select hearing dates which are acceptable to the required number of Civil Service Board members and other participants, with the result that hearings can take place sooner, affording a greater level of certainty to the disciplinary process.

**CITY OF CHARLOTTE  
CIVIL SERVICE BOARD (LOCAL)**

AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE CONCERNING  
THE CIVIL SERVICE BOARD

**SECTION 1.** Section 4.61(a) of Article III of Chapter 4 of the Charter of the City of Charlotte, being S.L. 2006-124, as amended, reads as rewritten:

“Section 4.61. **Civil service board; membership, powers and duties.** (a) Establishment. There is hereby continued a Civil Service Board for the City of Charlotte, to consist of ~~seven~~ nine members; ~~four~~ six members to be appointed by the Council and three members to be appointed by the Mayor. Each member shall serve for a term of three years. In case of a vacancy on the Board, the Council or the Mayor, as the case may be, shall fill such vacancy for the unexpired term of said member. For the purposes of establishing a quorum of the Board, ~~any combination of Board members and alternates totaling three~~ five shall constitute a quorum. All Board members shall attend regular meetings for the purposes of meeting attendance policy and familiarity with Board business and procedures. Attendance at meetings and continued service on the Board shall be governed by the attendance policies established by the Council. Vacancies resulting from a member's failure to attend the required number of meetings or hearings shall be filled as provided herein.”

**SECTION 2.** Section 4.61(j) of Article III of Chapter 4 of the Charter of the City of Charlotte, being S.L. 2000-26, as amended, reads as rewritten:

“Section 4.61. **Civil service board; membership, powers and duties.** (j) Appeal hearings. Upon receipt of a citation for termination from either chief or upon receipt of notice of appeal for a suspension from any civil service covered police officer or firefighter, the Board shall hold a hearing not less than 15 days nor more than 30 days from the date the notice of appeal, or the citation, is received by the Board, and shall promptly notify the officer of the hearing date. Termination hearings shall be held with a panel of five ~~made up of any combination of~~ available members ~~or alternates~~, and suspension hearings shall be held with a panel of three ~~made up of any combination of~~ available members ~~or alternates~~. In the event an officer desires a hearing at a date other than that set by the Board within the period set forth above, such officer may file a written request for a change of hearing date setting forth the reasons for such request, and the Chair of the Board is empowered to approve or disapprove such request; provided that such request must be received by the Board at least seven days prior to the date set for the hearing. For good cause, the Chair of the Board may set a hearing date other than within the period set forth above, or may continue the hearing from time to time. In the conduct of its hearing, each member of the Board shall have the power to subpoena witnesses, administer oaths, and compel the production of evidence. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the Board may apply to the General Court of Justice, Superior Court Division, for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all parties. If any person, while under oath at a hearing of the Board, willfully swears falsely, such person shall be guilty of a Class 1 misdemeanor. Both the officer and the police or fire department shall have the right to present relevant evidence to the Board at its hearing. The officer must be furnished with a copy of the charges which have been brought against an officer and which will be heard by the Board. The officer shall be required to answer questions from members of the Board or the Board's counsel;

however, the officer may refuse to answer any question where the answer might incriminate the officer with respect to any criminal violation of State or federal laws. The officer may be present at all evidentiary portions of the hearing, may retain counsel to represent the officer at the hearing, and may cross-examine those witnesses who testify against the officer. The officer will be given the right to an open or closed hearing as he may elect. After the evidentiary portion of the hearing is concluded, the Board will consider the evidence in closed session, and the Board will make findings of facts which will be provided to the officer together with a statement of the action taken by the Board on the basis of its findings of fact.”

**SECTION 3.** This act is effective when it becomes law.



## 2015-2016 State Legislative Agenda

<b>Category:</b>	Public Safety
<b>Issue:</b>	Charlotte Firefighters' Retirement System (Local)
<b>Position:</b>	Request technical amendments to the Charlotte Firefighters' Retirement System Act in order to maintain conformance with the Internal Revenue Code
<b>Staff Resources:</b>	Sandy Thiry, Charlotte Firefighters' Retirement System, 704.336.4431 Thomas Powers, City Attorney's Office, 704.336.5877

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**Background and History:** The Charlotte Firefighters' Retirement System was established in 1947 pursuant to Chapter 926 of the 1947 Session Laws of North Carolina. The System is a defined benefit pension system for which the City is the plan sponsor. The System is governed by an eleven member Board of Trustees. The General Assembly has amended the Act periodically in order to maintain conformance with federal or State laws, Internal Revenue Service regulations, and court decisions.

**Current Need/Problem (including potential allies or detractors):** The Internal Revenue Service recently notified the System that two sets of amendments to the Act were required in order to maintain conformance with the Internal Revenue Code.

Amendment Number Four modifies the Act by (i) amending Section 12 to establish a framework for reimbursement of contributions or a deferred benefit for any firefighter who is unable to return to employment with the Charlotte Fire Department on account of death or disability while performing qualified military service on or after January 2007; (ii) adding Section 13.1(b)(5) to authorize a non-spouse beneficiary to rollover his/her benefit to an Individual Retirement Account if the distribution occurs after December 31, 2009; (iii) adding Section 13.1(b)(6) to authorize a participant or beneficiary to rollover his/her benefit to a Roth Individual Retirement Account if the distribution occurs after December 31, 2007; and (iv) adding Section 23.1 to authorize a firefighter to receive a distribution for retiree health insurance premiums, which will only be valid between January 1, 2007 and December 31, 2012.

Amendment Number Five modifies the Act by amending Section 13.1(b)(1) to delete a specific Internal Revenue Code reference.

The actuarial notes, which are attached, state that the amendments are housekeeping in nature and would not have any impact on the cost of the System. Pursuant to Section 39 of the Act, the Board of Trustees approved the amendments on October 23, 2014.

**Impact if Addressed/Adopted:** If the General Assembly makes the necessary changes to the System, then the System will maintain its status as a qualified pension plan under the Internal Revenue Code.



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November 18, 2014

Ms. Sandra Thiry  
Interim Administrator  
Charlotte Firefighters' Retirement System  
Charlotte National Building  
428 East Fourth Street, Suite 205  
Charlotte, NC 28202

## **Proposed Amendment Number Four**

Dear Sandy:

As requested, we have reviewed Proposed Amendment Number Four to the Charlotte Firefighters' Retirement System. This amendment includes changes advised by legal counsel as necessary for the Plan to be compliant with Federal Law. The changes made in the amendment are housekeeping in nature and are consistent with current administrative procedure and, therefore, would not have any impact on the cost of the Retirement System.

Please let us know if you have any questions or need any additional information.

Sincerely,

Todd B. Green, ASA, FCA, MAAA  
Principal and Consulting Actuary

Cathy Turcot  
Principal and Managing Director

S:\Charlotte Firefighters Retirement System\Correspondence\2014\Proposed Amendment Four.doc

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November 18, 2014

Ms. Sandra Thiry  
Interim Administrator  
Charlotte Firefighters' Retirement System  
Charlotte National Building  
428 East Fourth Street, Suite 205  
Charlotte, NC 28202

## **Proposed Amendment Number Five**

Dear Sandy:

As requested, we have reviewed Proposed Amendment Number Five to the Charlotte Firefighters' Retirement System. This amendment clarifies the definition of an eligible rollover distribution as requested by the IRS in order for the Plan to receive a favorable determination letter. This amendment is housekeeping in nature and, therefore, would not have any impact on the cost of the Retirement System.

Please let us know if you have any questions or need any additional information.

Sincerely,

Todd B. Green, ASA, FCA, MAAA  
Principal and Consulting Actuary

Cathy Turcot  
Principal and Managing Director

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**CITY OF CHARLOTTE**  
**CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM ACT (LOCAL)**

AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREFIGHTERS'  
RETIREMENT SYSTEM

**SECTION 1.** Section 12 reads as rewritten:

~~“Section 12. Failure to Return From Active Military Duty. Should any Member of this Retirement System who entered the Armed Forces of the United States of America pursuant to the provisions of Section 6 of this act fail to return to employment with the Charlotte Fire Department within the period for which his reemployment rights are guaranteed by law, said Member shall thereupon cease membership and shall be entitled to a deferred benefit or reimbursement of his contributions in the same manner and in all respects as provided for in Section 10 or 11 of this act, whichever is applicable. Such former Member shall not receive Membership Service Credit for the period of active military duty or any period after discharge or release from active duty from the Armed Forces for which his reemployment rights had been guaranteed by law.~~

(a) Should any Member of the Retirement System who entered the Armed Forces of the United States of America pursuant to the provisions of Section 6 of this act fail to return to employment with the Charlotte Fire Department within the period for which his reemployment rights are guaranteed by law, said Member shall thereupon cease membership and shall be entitled to a deferred benefit or reimbursement of his contributions in the same manner and in all respects as provided for in Section 10 or 11 of this act, whichever is applicable. Such former Member shall not receive Membership Service Credit for the period of active military duty or any period after discharge or release from active duty from the Armed Forces for which his reemployment rights had been guaranteed by law.

(b) In the case of a death or disability occurring on or after January 1, 2007, if a Member dies while performing qualified military service (as defined in Section 414(u) of the Code), the survivors of the Member are entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the System as if the Member had resumed and then terminated employment on account of death.

(c) Benefit accrual. For benefit accrual purposes, the System treats an individual who, on or after January 12, 2007, dies or becomes disabled (as defined under the terms of the System) while performing qualified military service with respect to the Charlotte Fire Department as if the individual had resumed employment in accordance with the individual's reemployment rights under USERRA, on the day preceding death or disability (as the case may be) and terminated employment on the actual date of death or disability. The System will determine the amount of Member contributions of an individual treated as reemployed under this Section for purposes of applying Section 414(u)(8)(C) of the Code on the basis of the individual's average actual employee contributions for the lesser of: (i) the 12-month period of service with the Sponsor immediately prior to qualified military service; or (ii) if service with the Sponsor is less than such 12-month period, the actual length of continuous service with the Sponsor.

(d) Differential wage payments. For years beginning after December 31, 2008, (i) an individual receiving a differential wage payment, as defined by Section 3401(h)(2) of the Code, shall be treated as a Member of the Sponsor making the payment, (ii) the differential wage payment shall be treated as compensation, and (iii) the System shall not be treated as failing to meet the requirements of any provision described in Section 414(u)(1)(C) of the Code by reason of any contribution or benefit which is based on the differential wage payment.”

**SECTION 2.** Section 13.1 reads as rewritten:

**“Section 13.1. Direct Rollover of Eligible Rollover Distributions.**

(a) This Section applies to distributions made on or after January 1, 1993.

Notwithstanding any provision of the plan to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the plan administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

(b) Definitions.

~~(1) Eligible rollover distribution. An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more; any distribution to the extent such distribution is required under section 401(a)(9) of the Code; and any hardship distribution described in Section 401(k)(2)(B)(i)(IV). A portion of a distribution shall not fail to be an eligible rollover distribution merely because a portion consists of after tax employee contributions which are not includible in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.~~

(1) Eligible rollover distribution. An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more; any distribution to the extent such distribution is required under section 401(a)(9) of the Code; and any hardship distribution. A portion of a distribution shall not fail to be an eligible rollover distribution merely because a portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in section 408(a) or (b) of the Code; or to a qualified defined contribution plan described in section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(2) Eligible retirement plan. An eligible retirement plan is an individual retirement account described in section 408(a) of the Code, an individual retirement annuity described in section 408(b) of the Code, an annuity plan described in section 403(a) of the Code, or a qualified trust described in section 401(a) of the Code, that accepts the distributee's eligible rollover distribution. With respect to distributions made after December 31, 2001, an eligible retirement plan shall also mean (i) an annuity contract described in Section 403(b) of the Code and (ii) an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this plan. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse, or to a spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the Code.

(3) Distributee. A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse.

(4) Direct rollover. A direct rollover is a payment by the plan to the eligible retirement plan specified by the distributee.

(5) Non-spouse beneficiary rollover right. For distributions after December 31, 2009, a non-spouse beneficiary who is a “designated beneficiary” under Section 401(a)(9)(E) of the Code and the regulations thereunder, by a direct trustee-to-trustee transfer (“direct rollover”), may roll over all or any portion of his or her distribution to an Individual Retirement Account (“IRA”) the beneficiary establishes for purposes of receiving the distribution. In order to be able to roll over the distribution, the distribution otherwise must satisfy the definition of an "eligible rollover distribution" under Code Section 401(a)(31). If a non-spouse beneficiary receives a distribution from the System, the distribution is not eligible for a 60-day (non-direct) rollover. If the Participant’s named beneficiary is a trust, the System may make a direct rollover to an IRA on behalf of the trust, provided the trust satisfies the requirements to be a designated beneficiary within the meaning of Code Section 401(a)(9)(E). A non-spouse beneficiary may not roll over an amount that is a required minimum distribution, as determined under applicable Regulations and other Internal Revenue Service guidance. If the Participant dies before his or her required beginning date and the non-spouse beneficiary rolls over to an IRA the maximum amount eligible for rollover, the beneficiary may elect to use either the 5-year rule or the life expectancy rule, pursuant to Regulations Section 1.401(a)(9)-3, A-4(c), in determining the required minimum distributions from the IRA that receives the non-spouse beneficiary’s distribution.

(6) Roth IRA rollover. For distributions made after December 31, 2007, a Participant or beneficiary may elect to roll over directly an “eligible rollover distribution” to a Roth IRA described in Code Section 408A(b).

(c) In the event of a mandatory distribution greater than one thousand dollars (\$1,000) that is made without the Member's consent and is made to the Member before the Member attains the later of age 62 or Normal Retirement Age, if the Member does not elect to have such distribution paid directly to an eligible retirement plan specified by the Member in a direct rollover or to receive the distribution from the Plan, the Administrator shall pay the distribution in a direct rollover to an individual retirement plan designated by the Administrator."

**SECTION 3.** New Section 23.1 is added as written:

**"Section 23.1 Retiree Health Insurance Premiums.** Effective January 1, 2007, a Member who is an "eligible retired public safety officer" as defined in Section 402(l)(4)(B) of the Code who retired pursuant to Section 15, Section 19, or Section 20 of the System may elect to receive a distribution from the System in an amount not to exceed the lesser of the following: (a) the amount paid by such Member for qualified health insurance premiums of the Member, his spouse, or dependents (as defined in Section 152 of the Code) for such taxable year; or (b) \$3,000 for the taxable year. Any distribution pursuant to this Section 23.1 shall reduce the benefit payable to the Member for the taxable year from the System. Such distribution shall be paid directly to the provider of the accident or health insurance. All distributions under this Section shall be made in compliance with Section 402(l) of the Code and any guidance issued thereunder." After December 31, 2012, no Member may elect to receive a distribution pursuant to this Section."

**SECTION 4.** This act applies only to the City of Charlotte

# Road Diets

## A LIVABILITY FACT SHEET

Most drivers base their travel speed on what feels comfortable given the street design. The wider the road, the faster people tend to drive and, the faster the car, the more severe the injuries resulting from a crash.<sup>1</sup> Research suggests that injuries from vehicle crashes rise as the width of a road increases.

To protect both pedestrians and drivers, many communities are putting their roads on “diets” by reducing street widths and vehicle lanes. The gained space is being reallocated toward other ways of getting around — such as walking, bicycling and public transit.

The most common road diet involves converting an undivided four-lane road into three vehicle lanes (one lane in each direction and a center two-way left-turn lane).<sup>2</sup> The remaining fourth lane space can be used to create such features as bicycle lanes, pedestrian crossing islands, bus stops, sidewalks and on-street parking.<sup>3</sup>

Road diets work best on streets that have daily traffic

volumes of 8,000 to 20,000 vehicles. When done properly, a road diet improves the performance and efficiency of the street and makes it safer for all users.

For instance, by having pedestrians walk across only one lane of traffic at a time — rather than up to four or more — a road diet reduces the risk of crashes and serious injuries. At the same time, motorists experience a shorter delay while waiting at traffic lights and other crossings.<sup>4</sup>

A road diet can help a neighborhood become a more desirable place to live, work and shop, which in turn can be a boost to businesses and property values.

Wider sidewalks lined by trees and dotted with benches, bicycle racks, streetlights and other useful additions help create a lively, attractive streetscape. Bike lanes, on-street vehicle parking, curb extensions and “parklets” (tiny parks created from former parking spots) can be used to provide a buffer between people who are walking and motor vehicles on the move.

1. Federal Highway Administration, *Proven Safety Countermeasures*. Retrieved March 4, 2014, [http://safety.fhwa.dot.gov/provencountermeasures/fhwa\\_sa\\_12\\_013.pdf](http://safety.fhwa.dot.gov/provencountermeasures/fhwa_sa_12_013.pdf)
2. Safe Routes to School National Center (November 2013), “Safe Routes to School Online Guide.” [http://guide.saferoutesinfo.org/engineering/tools\\_to\\_reduce\\_crossing\\_distances\\_for\\_pedestrians.cfm#diet](http://guide.saferoutesinfo.org/engineering/tools_to_reduce_crossing_distances_for_pedestrians.cfm#diet)
3. Tan, C.H. Federal Highway Administration, FHWA-HRT-11-006. Vol. 75, No. 2. (September/October 2011), “Going on a Road Diet.” *Public Roads*, <http://www.fhwa.dot.gov/publications/publicroads/11septoct/05.cfm>



A road diet on East Boulevard in Charlotte, N.C., reduced travel speeds, bicycle and pedestrian injury rates and the number of rear-end and left-turn collisions. (Photo courtesy city of Charlotte)

## MYTH-BUSTING!

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### ■ “Road diets divert traffic.”

Drivers tend to use primary roads that provide the most direct and efficient route to a destination. Well-designed road diets do not divert drivers onto other roads. While traffic often drops during construction, it typically returns to normal or increases within six months of completion. Many roads actually experience an increase in vehicle traffic after a successful diet.<sup>5</sup>

### ■ “Road diets increase congestion.”

On roads used by fewer than 20,000 vehicles per day, road diets have a minimal or positive impact on vehicle capacity. Left-turning vehicles, delivery trucks, police enforcement and stranded vehicles can move into a center lane or bike lane, which eliminates double-parking and reduces crash risks.<sup>6</sup>

### ■ “Road diets increase crashes.”

Road diets actually reduce rear-end collisions and sideswipe crashes by slowing vehicle speeds by 3 to 5 mph. Road diets decrease by 70 percent the frequency of people driving more than 5 mph over the speed limit. Data collected on road diets in two very different settings (several small towns in Iowa and a

group of larger cities and suburbs in California and Washington state) confirmed that road diets improve safety. The research showed a 47 percent reduction in crashes in the Iowa towns and a 19 percent drop in crashes in the more heavily traveled corridors of California and Washington.<sup>7</sup>

### ■ “Road diets aren’t good for public transit.”

Transit conflicts can be avoided with good planning, such as incorporating a center lane so motorists can move around stopped buses and adding side pull-out bays for buses.<sup>8,9</sup>

### ■ “Road diets are bad for business.”

Road diets increase and enhance business activity by reducing traffic speeds (which helps motorists notice the shops, eateries and businesses they’re driving alongside) and by accommodating pedestrians and bicyclists (who, by the way, tend to spend more money at local businesses than drivers do).<sup>10</sup> Road diets often create more street parking spaces, which is helpful to businesses. In addition, the slower speeds, better sight lines and narrower lanes are safer for both drivers and non-drivers (aka

customers), and center-turn lanes provide motorists with an easier and safer way to make right and left turns, including for entering and exiting driveways.<sup>11</sup>

### ■ “Road diets are being reversed.”

With thousands of road diets completed nationwide, there are few reports of any being reversed. On the contrary, road diets are proving to be effective, safe and popular. Interest among transportation engineers and planners is booming as handbooks, guidelines and other resources become available.<sup>12</sup>

### ■ “Road diets slow down emergency responders.”

By not using short speed humps and stop signs, a road diet can accommodate emergency vehicles without increasing response times.<sup>12</sup> Drivers can pull into bicycle lanes to move out of the way, and a center-turn lane can be used by responders needing to pass other vehicles.<sup>13</sup>

### ■ “People don’t like road diets.”

The Electric Avenue road diet in Lewistown, Pa., was opposed by 95 percent of residents when it was first proposed; after completion, nearly 95 percent of residents are supportive of the changes.<sup>14</sup>

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4. Burden, D., Lagerway, P., Walkable Communities, Inc. (March 1999), *Road Diets: Fixing the Big Roads*, <http://www.walkable.org/assets/downloads/roaddiets.pdf>

5. Tan, C.H. Federal Highway Administration, FHWA-HRT-11-006, Vol. 75, No. 2 (September/October 2011), “Going on a Road Diet”. *Public Roads*. <http://www.fhwa.dot.gov/publications/publicroads/11septoct/05.cfm>

6. Burden, D., Lagerway, P., Walkable Communities, Inc. (March 1999), *Road Diets: Fixing the Big Roads*. <http://www.walkable.org/assets/downloads/roaddiets.pdf>

7. Highway Safety Information System (August 2010), *Evaluation of Lane Reduction “Road Diet” Measures on Crashes*, <http://www.fhwa.dot.gov/publications/research/safety/10053/10053.pdf>

8. Federal Highway Administration, *Proven Safety Countermeasures*. Retrieved March 4, 2014 from [http://safety.fhwa.dot.gov/provencountermeasures/fhwa\\_sa\\_12\\_013.pdf](http://safety.fhwa.dot.gov/provencountermeasures/fhwa_sa_12_013.pdf)

9. Smith, G. et al. Knoxville Regional Transportation Planning Organization (July 2009), *Complete Streets Design Guidelines*, [http://www.knoxtrans.org/plans/complete\\_streets/guidelines.pdf](http://www.knoxtrans.org/plans/complete_streets/guidelines.pdf)

10. Krag, T. Aalborg University, Denmark, paper (2002), *Commerce and Bicycles*

11. Tan, C.H. Federal Highway Administration, FHWA-HRT-11-006. Vol. 75, No. 2. (September/October 2011), “Going on a Road Diet”. *Public Roads*, <http://www.fhwa.dot.gov/publications/publicroads/11septoct/05.cfm>

## HOW TO GET IT RIGHT



This four-lane road in Redondo Beach, Calif., is not pedestrian or bicycle friendly and the road's traffic volumes doesn't justify having four vehicle lanes.



A transformation like the one seen here increases safety, parking, pedestrian and bicycle access and helps to create a people-friendly sense of place.

The success of any tool lies in getting it right, and this is certainly true of road diets. Try the following:

### ■ Engage the public

Road diets are a new concept in many communities. Involve the public as soon as possible during the discussions and planning to minimize any anxiety about the unknowns and to give residents ownership of the road diet goals.

### ■ Embrace a public process and build support

Develop an education and awareness campaign prior to implementation, and reach out broadly to community members, elected officials and municipal leaders. Government officials may need to see public support before acting. Toward that end, advocates can share this fact sheet, talk to neighbors, build community support and then meet with decision makers, the media, experts and others to discuss the benefits of road diets. Agency staff can engage the public by hosting workshops to build public acceptance and understanding.

### ■ Start with a pilot project

Consider launching a pilot road diet in an area that has light traffic. This will give drivers a chance to get comfortable with the concept and allow municipal staff to document what works and what doesn't.

### ■ Target areas that are ripe for reinvestment

Locate a pilot project on a road that carries no more than 15,000 vehicles a day and that ideally serves a downtown neighborhood or historic district with potential for reinvestment and/or economic development.

### ■ Document the change

Before, during and after the project is built, observe and record what's happening. The information can make it easier to conduct future road diets at higher traffic counts. In addition to traffic flow monitoring, document any increases in walking, bicycling, transit use and retail activity.

### ■ Utilize clear signage

During and even after completing a road diet project continue to use signage and markings to highlight and explain any features that might be unfamiliar.

### ■ Design it well

There is no one-size-fits-all design for a road diet. Make sure what you create fits the traffic volume, the road's physical location and the community's shared goals.

12. Rosales, J. Parsons Brinckerhoff (July 2009), *Road Diet Handbook: Setting Trends for Livable Streets*, <http://www.ite.org/emodules/scriptcontent/Orders/ProductDetail.cfm?pc=LP-670>; and Walkable Streets (August 2003), *Economic Merits of Road Diets and Traffic Calming*, <http://walkablestreets.wordpress.com/2003/08/17/economic-merits-of-road-diets-and-traffic-calming/>

13. Qlkable Streets (August 2003), *Economic Merits of Road Diets and Traffic Calming*, <http://walkablestreets.wordpress.com/2003/08/17/economic-merits-of-road-diets-and-traffic-calming>

14. Burden, D., Lagerway, P., Walkable Communities, Inc. (March 1999), *Road Diets: Fixing the Big Roads*. <http://www.walkable.org/assets/downloads/roaddiets.pdf>

## SUCCESS STORIES

### ■ Orlando, Florida: Edgewater Drive

A 1.5-mile section of Edgewater Drive in the College Park neighborhood of Orlando was put on a road diet in 2000, converting four lanes to two. The results: 34 percent fewer crashes and 68 percent fewer injuries. Speeds decreased by up to 10 percent. Property values increased 8 to 10 percent in residential areas and 1 to 2 percent for commercial areas. Travel times through the corridor sped up by 25 seconds even with an increase in traffic volume. There was a nearly 40 percent increase of on-street parking, and walking and bicycling rates rose by 56 and 48 percent, respectively.

### ■ Seattle, Washington: Stone Way North

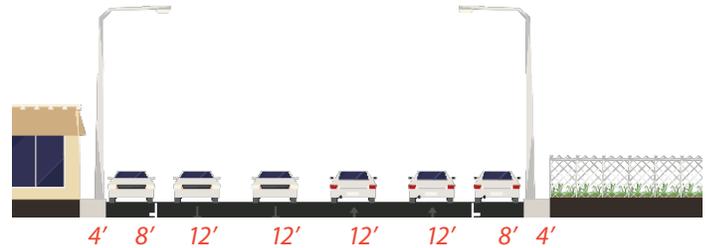
In 2008, a road diet was completed on a 1.2-mile section of Seattle's Stone Way North. The four-lane roadway carrying 13,000 vehicles per day was turned into a two-lane roadway with a center-turn lane, bicycle lanes and parking on both sides. Speeds on the road decreased, but drivers did not divert to other areas in search of alternate routes. Two years of crash data showed an overall decrease of 14 percent, injury crashes dropped by 33 percent and angle crashes dropped by 56 percent. Bicycle volume increased 35 percent (to almost 15 percent of the peak hour traffic volume), yet the bicycle collision rate showed no increase. Pedestrian collisions decreased 80 percent.

### ■ Athens, Georgia: Baxter Street

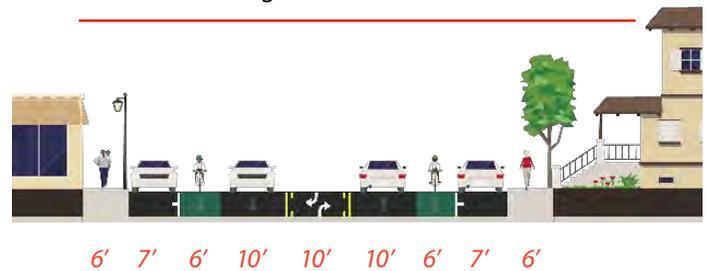
A road diet conversion on an arterial with 20,000 vehicles daily resulted in crashes dropping 53 percent in general and 60 percent at unsignalized locations. Traffic diversion was less than 4 percent, and 47 percent of the road's users perceived the number of lanes and street width as being "just right." (One-third were unsure and 20 percent were unhappy.) Baxter Street was converted from four lanes to two with a center lane and bicycle lanes on both sides.

## HOW IT WORKS

The most common type of road diet converts four lanes of traffic into three lanes consisting of two travel lanes and a center left-turn lane. The configuration opens up space for adding such features as bicycle lanes, on-street parking, pedestrian buffers and sidewalks.



**BEFORE:** This roadway is designed primarily for motor vehicles. Wide, multiple travel lanes encourage faster speeds. The likelihood of lane changes increases the risk of crashes.



**AFTER:** A road diet opens up space for bike lanes, wider sidewalks, landscaping and pedestrian-scale lighting, all of which increase a community's ability to attract new development along the roadway. Narrower, single travel lanes encourage moderate and slower speeds that reduce crash risks.

## RESOURCES

1. **Los Angeles County Model Design Manual for Living Streets.** (2011) <http://www.modelstreetdesignmanual.com/>
2. **Road Diet Handbook: Setting Trends for Livable Streets.** Available for purchase from Institute for Transportation Engineers, <http://bit.ly/RCo4sw>
3. **"Rightsizing Streets."** Project for Public Spaces, <http://www.pps.org/reference/rightsizing/>
4. **The Safety and Operational Effects of Road Diet Conversion in Minnesota.** [http://www.cmfclearinghouse.org/study\\_detail.cfm?stid=68](http://www.cmfclearinghouse.org/study_detail.cfm?stid=68)
5. **Proven Safety Countermeasures.** [http://safety.fhwa.dot.gov/provencountermeasures/fhwa\\_sa\\_12\\_013.pdf](http://safety.fhwa.dot.gov/provencountermeasures/fhwa_sa_12_013.pdf)
6. **Evaluation of Lane Reduction "Road Diet" Measures on Crashes.** Highway Safety Information System, <http://www.fhwa.dot.gov/publications/research/safety/10053/10053.pdf>
7. **"Moving Beyond the Automobile."** Streetfilms, road diet video featuring Dan Burden on Vimeo: <http://vimeo.com/21903160>



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**CHARLOTTE**<sup>SM</sup>

**City Council  
Follow-Up Report**

**December 12, 2014**

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**November 3, 2014 – City Council Workshop**

**Body Worn Cameras for Police**

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At its December 8 Dinner Briefing, Council requested additional information on the timetable for implementation of body worn cameras for police.

In August, CMPD and Shared Services' Procurement Management released a Request for Proposals for the purchase of body worn cameras to outfit at least two patrol divisions. Five vendors submitted proposals which, after evaluation, were narrowed to two vendors. A group of CMPD patrol officers and supervisors were then selected to field test the two selected devices for ten days each to determine which camera and software best met the department's requirements. The evaluation also resulted in a decision to move forward with equipping all patrol officers and supervisors with body worn cameras.

Police have selected a vendor and have begun negotiations to determine the best pricing options for equipment, licensing, video storage, etc. These negotiations are still in the early stages and accurate cost figures are not yet available.

Police have established an ambitious timeline for camera implementation. Assuming that the contract negotiations and other aspects of the planning process, including finalization of funding sources, go as anticipated, police hope to request approval of the purchase of the cameras on the January 26 Council Agenda.

Within 45 days of Council approval, Police hope to sign the contract, start procurement and begin training officers on the use of the cameras and the policies and procedures that will be associated with their use. These policies and procedures are being developed internally and are based on a model policy developed by the Police Executive Research Forum and information provided by the International Association of Chiefs of Police Law Enforcement Policy Center. Police are also identifying needed staff to oversee the implementation, auditing, and compliance of the body worn camera program to ensure its success and to protect the investment the City will be making in the cameras and related equipment.

CMPD expects to issue body worn cameras in at least two patrol divisions per month until implementation in all thirteen patrol divisions has been completed. Assuming that implementation begins in early March, full deployment will be complete by September 2015.