<table>
<thead>
<tr>
<th>Tab #</th>
<th>Action Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Assessment of impacts on schools through the rezoning process</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Schools zone traffic safety measures</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Neighborhood traffic calming policy</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Tractor-trailer parking</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Mobile/Modular/Manufactured Homes</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>NYC rideshare</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Solid Waste Interlocal Agreement</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Anti-displacement home purchasing strategy</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Locational Housing Policy</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg County property tax revaluation</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Crisis communication 2.0</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Taser use and training</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Legislative agenda process</td>
<td></td>
</tr>
<tr>
<td>Issue/Question</td>
<td>Focus Area</td>
<td>Council member</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>------------</td>
<td>----------------</td>
</tr>
<tr>
<td><strong>1</strong>  Assessment of impacts on schools through the rezoning process</td>
<td>TAP</td>
<td>Lyles</td>
</tr>
<tr>
<td>•  How do we handle rezonings when it comes to schools?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2</strong>  Schools zone traffic safety measures</td>
<td>TAP</td>
<td>Lyles</td>
</tr>
<tr>
<td>•  How do schools get in touch with CDOT when they have traffic safety issues?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>3</strong>  Neighborhood traffic calming policy</td>
<td>TAP</td>
<td>Mayfield/Eiselt</td>
</tr>
<tr>
<td>•  Will anything be included in the comp plan/udo for developers to build</td>
<td></td>
<td></td>
</tr>
<tr>
<td>speed humps?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>•  What are the current metrics that justify traffic calming measures?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>4</strong>  Tractor-trailer parking</td>
<td>TAP</td>
<td>Phipps</td>
</tr>
<tr>
<td>•  How do we address it?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>•  Do research to determine why the tractor trailers are parking there.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>5</strong>  Mobile/Modular/Manufactured Homes</td>
<td>TAP</td>
<td>Egleston</td>
</tr>
<tr>
<td>•  What is the difference between these?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>•  Which are regulated under state building codes?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>•  What can we regulate?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>6</strong>  NYC rideshare</td>
<td>TAP</td>
<td>Eiselt</td>
</tr>
<tr>
<td>•  Can we get some information on what NYC is doing re: rideshare policies?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>7</strong>  Solid Waste Interlocal Agreement</td>
<td>Environment</td>
<td>Ajmera</td>
</tr>
<tr>
<td>•  What are the details of our interlocal agreement with County (including the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>date)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>8</strong>  Anti-displacement home purchasing strategy</td>
<td>HAND</td>
<td>Mayfield</td>
</tr>
<tr>
<td>•  Can we buy homes, and work with current renters if there is a renter? If they</td>
<td></td>
<td></td>
</tr>
<tr>
<td>are vacant, can we purchase property and transfer property to a community</td>
<td></td>
<td></td>
</tr>
<tr>
<td>partner who can then sell with deed restrictions?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>•  What are our legal parameters?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>9</strong>  Locational Housing Policy</td>
<td>HAND</td>
<td>Bokhari</td>
</tr>
<tr>
<td>•  What are the incentives for developers in the housing locational policy?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(vs. punitive measures)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>10</strong> Mecklenburg County property tax revaluation</td>
<td>Budget</td>
<td>Driggs</td>
</tr>
<tr>
<td>•  What is the update?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Issue/Question</td>
<td>Focus Area</td>
<td>Council member</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>---------------------</td>
<td>----------------</td>
</tr>
</tbody>
</table>
| **11 Police Foundation Framework/21st Century Task Force update**  
  • How have we assessed if we have obtained improvement? Include all the 59 different recommendations, which are the most updated. What have we changed over the last 3-4 years? | Community Safety    | Driggs/Eiselt  | Kim            |
| **12 Crisis communication 2.0**  
  • What does Phase 2 of crisis communications look like? | Community Safety    | Bokhari        | Brent          |
| **13 Taser use and training**  
  • What is the update on the taser policy? | Community Safety    | Mayfield       | Kim            |
| **14 Legislative agenda process**  
  • What is the current process for adding things to the legislative agenda? | Intergovernmental Relations | Eiselt         | Jason          |
TAB 1
**ASSESSMENT OF IMPACTS ON SCHOOLS**  
**THROUGH THE REZONING PROCESS**

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Mayor Lyles</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff Resource:</strong></td>
<td>Debra Campbell</td>
</tr>
<tr>
<td><strong>Statement of Issue:</strong></td>
<td>The City Council votes on rezoning projects that may impact local school population.</td>
</tr>
</tbody>
</table>

**Deliverable:** Below is an explanation of how the impacts on schools are assessed through the rezoning process:
- As part of the rezoning process, CMS staff provides information on the impact of residential proposals on the assigned schools.
- The information provided is purely a quantitative assessment of impacts.
- This includes the estimated number of new students that will be generated by the proposed development.
- CMS also provides their estimate of school utilization (without mobile classrooms) taking into account the proposed development.
- For example, for petition 2018-005 by Meritage Homes of the Carolinas, Inc., CMS estimated:
  - that the development could add 213 students to the schools in the area
  - that school utilization (without mobile classrooms) would increase from 105% to 122% for Clear Creek elementary; from 72% to 78% for Northeast middle; and 90% to 93% for Rocky River High
- This information is provided to City Council on each residential rezoning petition as part of the staff analysis.

**Latest Development:**
- Planning staff will engage CMS in the development of the 2040 Comprehensive Plan so that they can provide input and that the impacts of growth are understood and they can incorporate into their facilities planning and budgeting processes.
- Staff will also discuss if the there is a need to modify the assessment of impacts methodology since it is currently a basic quantitative analysis.
TAB 2
### Requester:
Mayor Lyles

### Staff Resource:
Danny Pleasant

### Statement of Issue:
Charlotte Mecklenburg School System are in communication with CDOT when they have school zone traffic safety issues.

### Deliverable:
Describe how schools can get in contact with the City, specifically CDOT concerning traffic safety issues.

### Latest Development:
- CDOT’s Traffic Safety Section works closely with CMS on school zone safety concerns.
- Schools may contact Keven Earp, Charlotte-Mecklenburg School’s (CMS) Director of Safety, Environmental Health, & Risk Management, and/or Chip Gallup, CMS’s traffic safety representative.
- Residents also can call 311 with any concerns.
- CDOT and CMS work in concert to manage/resolve school zone related concerns.
### Requester:
Council Member Mayfield and Mayor Pro Tem Eiselt

### Staff Resource:
Danny Pleasant

### Statement of Issue:
There are questions related to how traffic calming interventions are determined.

### Deliverable:
- Answer whether the comprehensive plan will address traffic calming.
- Discuss how streets in new developments should be designed with “built in” traffic calming.
- Outline current Council adopted standards for traffic calming interventions.

### Latest Development:
- While the comprehensive plan and the subsequent UDO will not go into detail about traffic calming techniques, they will define street layouts appropriate to the land development type. A properly designed street network should naturally slow traffic to speeds that are compatible with the land use type. Well connected street networks will disperse traffic so that no single street becomes the “cut-through” route. On occasion, developers have agreed to install speed humps on streets connected to adjacent residential developments.
- Currently the City implements traffic calming measures such as speed humps, traffic circles, multiway stops, and other techniques on local neighborhood streets where speeds and traffic volumes over time have become incompatible with the residential character.
- Traffic calming metrics include crash data, traffic volume, speed, posted speed limit, street width, and emergency response times. Over time, City Council provided the guidance listed below for the required petition process and types of traffic calming:

#### The Petition Process
- Petitions require signatures of 60% of all property owners within the impact area.
- If a petition is requested, CDOT will define the impact area, and issue the petition.
- Any existing HOA or neighborhood association must be notified of potential installation by petitioner.
- The impact area for speed humps is defined as all of the parcels abutting the subject street.
- The impact area for multi-way stops is defined as all parcels within a 1200 ft. radius abutting the intersecting streets.

#### Traffic Calming Measures

**Speed Humps**
- Street must be classified as a two-lane local residential street.
- Street width must be less than or equal to 40 ft.
- Traffic volume must be at least 1,000 cars per day.
- The speed of 15% of the vehicles should be equal to or greater than 5 miles over the posted speed limit.
- Current speed limit should be posted as 25mph.
- Street should not be primary emergency services route.
### Speed limit reductions
- Most residential streets have speed limit reduction as a traffic calming option. This is usually a requirement for other traffic calming measures including speed humps and multi-way stops.
- An internal evaluation is conducted. If such a measure is deemed appropriate (street must be residential and must not be designed to be reasonably traveled in excess of 35mph) the director of transportation or designee can approve.

### Multi-way stop signs
- Intersections cannot include thoroughfare streets and can be three-way or four-way.
- “Through” streets must have a minimum volume of 600 vehicles per day.
- The speed of 15% of the vehicles should be equal to or greater than 5 miles over the posted speed limit.
- The “through” street must be posted at 25 or 30mph.

### Other traffic calming treatments
- The city works with neighborhoods to consider alternative traffic calming methods such as traffic circles, narrowing streets to create yield conditions, and street graphics as conditions warrant.
- The decision to use alternative treatment involves community engagement and could include using the petitioning process.
TRACTOR-TRAILER PARKING

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council Member Phipps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Danny Pleasant</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>The City of Charlotte has had ongoing issues with tractor-trailer parking in certain areas of Charlotte.</td>
</tr>
</tbody>
</table>
| Deliverable:             | • A Review of current regulations related to truck parking  
                          | • A review of truck parking issues along Mallard Creek Rd and the I-85/Statesville Avenue ramp  
                          | • Information from trucking industry about why parking issues occur |
| Latest Development:      | Commercial truck parking is prohibited on neighborhood streets according to Charlotte Code of Ordinances (Section 12.218.) Truck parking along non-residential streets is allowed except in designated no-parking zones. Both CMPD and ParkIt! can ticket and/or tow vehicles parked illegally. Truck parking along interstate highways and interchange ramps is illegal. Staff received specific complaints about truck parking along interstate highway ramps at Statesville Avenue and at Mallard Creek Rd near the intersection of Mallard Creek Church Rd. NCDOT is planning to close the Statesville Avenue ramp for reconstruction. They plan to install “no parking” signs before it reopens. N.C. Highway Patrol confirmed an issue with prostitution and drug activity associated with trucks parking in the area. The highway patrol enforces against these activities along state highways and interchanges. Mallard Creek Road is a state maintained road, which means NCDOT follows a formal process for installing “no parking” signs. The following steps are being taken:  
                          | • Staff will review with NCDOT truck parking conditions in the area.  
                          | • Staff will survey the area to identify commercial streets where truck parking might be more appropriate.  
                          | • If the locations are identified, staff can promote those locations to the industry.  
                          | Staff’s recent investigation of the site found that truck parking occurs outside the travel lane and neither blocks nor obstructs sight distances or create a safety issue. It is occurring on excess pavement marked off for future street widening and is not restricted. It is a safe place for on-street truck parking although staff recognizes it is considered undesirable by residents of the area. |
| Truck Parking Background | Truck parking is a statewide issue. NCDOT released a 2017 study on truck parking (See attachment.) The study points to reasons for illegal parking: |
The study acknowledges the demand for truck parking statewide exceeds supply. This condition likely will persist given the strong economy and rapid growth in freight traffic. It recommends creating additional truck parking so operators have legal places to park and rest, allowing them to adhere to the Federal Motor Carrier Safety Administration’s hours of service (HOS) regulations.

Parking on state highway ramps and shoulders is illegal. Nonetheless, when a driver stops to park in North Carolina, one out of 10 times it will occur on a highway ramp or shoulder. A trucking industry survey indicates the top reasons why truckers park:

### Top 5 Reasons for Seeking Truck Parking

<table>
<thead>
<tr>
<th>Rank</th>
<th>Parking Reason</th>
<th>Response</th>
<th>Overall Average Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>HOS 10-Hour Rest Break</td>
<td>76.8%</td>
<td>2.5</td>
</tr>
<tr>
<td>2</td>
<td>HOS 30-Minute Rest Break</td>
<td>46.5%</td>
<td>3.9</td>
</tr>
<tr>
<td>3</td>
<td>Awaiting Dispatch</td>
<td>20.5%</td>
<td>2.7</td>
</tr>
<tr>
<td>4</td>
<td>Showering/Restroom</td>
<td>16.8%</td>
<td>5.6</td>
</tr>
<tr>
<td>5</td>
<td>Restaurant/Eating</td>
<td>15.0%</td>
<td>6.1</td>
</tr>
</tbody>
</table>

Source: ATRI.

The state views parking along highway ramps and shoulders as unsafe and on occasion will ticket drivers or ask them to move. Survey respondents reported the following enforcement activities:

### Law Enforcement and Truck Parking on a Ramp or Shoulder

<table>
<thead>
<tr>
<th>Response</th>
<th>Asked me to move my truck</th>
<th>Ticketed me</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>41.2%</td>
<td>5.5%</td>
</tr>
<tr>
<td>No</td>
<td>58.8%</td>
<td>94.5%</td>
</tr>
</tbody>
</table>

Source: ATRI.

The study provided eight recommendations to NCDOT for mitigating truck parking issues.

- Partner with Truck Travel Centers seeking to expand facilities.
TRACTOR-TRAILER PARKING

- Employ smart phone technology to help truckers locate parking and availability.
- Explore trial truck parking at selected weigh stations.
- Explore retrofitting abandoned rest areas.
- Use weigh station technology to communicate truck parking availability.
- Conduct truck parking notification system pilot.
- Coordinate with Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs) to develop guidelines and mitigation strategies aimed at easing public opposition to private truck parking facilities.
- Convene a Standing Truck Parking Committee.

Some of the recommendations might apply at the local level. For example, the City could work with private truck stop operators to expand facilities or open new ones. Staff will explore quick interventions such as identifying and publicizing “truck friendly” streets near major highways, exploring whether big box stores might be willing to host truckers overnight in their parking lots, and identifying other locations that lend themselves to truck parking. CDOT will work with CMPD and NCDOT to identify streets where truck parking might be prohibited.

Charlotte is a key logistics and distribution hub for the southeastern U.S. It is an important part of the local economy. The city and state are challenged with regulating this growing industry in a way that ensures driver safety, fits into local development patterns, and avoids disrupting neighborhoods.
North Carolina Statewide Multimodal Freight Plan

Truck Parking Study

prepared for
North Carolina Department of Transportation

prepared by
Cambridge Systematics, Inc.

with
American Transportation Research Institute

January 2017
North Carolina Statewide Multimodal Freight Plan

Truck Parking Study

prepared for
North Carolina Department of Transportation

prepared by
Cambridge Systematics, Inc.

date
January 2017
Executive Summary

Truck parking has become an increasingly serious concern for truck drivers, motor carriers, truck facility operators and public officials throughout the United States. According to a recent report, “Critical Issues in the Trucking Industry” (ATRI, 2016), truck parking is the third highest ranked issue in 2016 among truck driver respondents. Commercial drivers seeking to comply with the Federal Motor Carrier Safety Administration’s Hours of Service (HOS) regulations may be forced to park illegally when legal parking is either not available, or the location of available parking is not known. Improving truck parking in strategic locations will help to make conditions safer for truck drivers and other travelers, reduce unnecessary fuel consumption, and improve the efficiency of commercial vehicle operations. In response to increasing concerns regarding unauthorized truck parking, the North Carolina Department of Transportation (NCDOT) undertook a statewide truck parking study.

The purpose of the study is to conduct an analysis of the adequacy of off-road truck parking in the State of North Carolina and provide truck parking solutions that better serve freight transportation providers and provide a safer environment for the traveling public in and through North Carolina. To accomplish this goal, the study’s key tasks include the following activities:

- Inventory truck parking facilities along the state’s key freight routes;
- Assess demand for truck parking;
- Analyze what actions will provide the greatest impact on traffic safety;
- Assess the best way to optimize public and private sector assets for truck parking;
- Identify public-private partnerships that may lead to increased truck parking;
- Identify technology enhancements and solutions to increase parking utilization; and
- Identify the costs and funding sources for increasing capacity of existing public truck parking facilities as well as converting existing rest areas, weigh stations and other assets to truck parking.

Major Trends Driving Truck Parking Demand

**Regulatory changes.** Strong support for highway construction and expansion across the country over the past 50 years coupled with deregulation of the trucking industry with the Federal Motor Carrier Act of 1980, has promoted the growth of trucking as the dominant mode of freight transport in the U.S. However, important safety regulations in effect today, including limitations on the number of daily and weekly hours that drivers can operate a truck, have had strong and widespread influences on when and where drivers choose to stop to rest.

**Population and economic growth.** Population growth and the accompanying increase in demand for goods and services in North Carolina have contributed to the number of trucks driving to, from, and within the state.

**Changes in the way goods move through the region.** In response to structural changes in the North Carolina economy as well as that of the nation and the rest of the world, manufacturers and retailers today rely less on inventory and more on efficient supply chains to run lean, “just-in-time” production and distribution operations.
Existing and Future Capacity

Today, the demand for truck parking in North Carolina exceeds capacity, which will likely persist for the next 5 to 10 years given future freight flows projected by the U.S. Department of Transportation (US DOT). The inventory of truck parking facilities in North Carolina, displayed in Figure E.1, consists of 167 parking facilities supplying nearly 4,800 parking spaces throughout the state. Approximately 59 percent of these facilities are private and 41 percent are public; however, about 85 percent of the truck parking spaces are private. The demand for truck parking was derived from three sources: stakeholder input, truck GPS data and utilization surveys. Figure E.2 displays truck parking utilization in North Carolina. The data indicate that parking facilities along I-26, I-77, I-85 and most of I-95 are at capacity for truck parking, and should be targeted for additional parking facilities or expansion of existing facilities. Additionally, truck driver survey respondents noted that parking demand is high statewide, not just in one geographical area or corridor.

Figure E.1  Public and Private Truck Parking Locations by NCDOT Division

Source: NCDOT and Consultant analysis
Legislation Affecting Truck Parking

The Federal-Aid Highway Act of 1956, also known as the National Interstate and Defense Highways Act, established the interstate highway system and was the largest public works project in U.S. history. The Act also defined rest areas as places for driver safety and convenience, acknowledging that opportunities to exit the highway would be infrequent in rural parts of the country. A 1958 policy by the American Association of State Highway Officials (AASHTO) specified that drivers should encounter rest areas approximately every half hour while driving. This policy also outlined detailed standards for the design and placement of rest areas throughout the national interstate highway system. Since that time, private parking facilities, hotels, restaurants and other roadside amenities have been developed throughout the United States.1

Today, several major federal and state policies affect truck parking in North Carolina. At the federal level, the requirements of Jason’s Law include an evaluation of each state’s capability to provide adequate parking and rest facilities for commercial motor vehicles (CMVs), address the volume of CMV traffic in each state and develop a method to measure the adequacy of CMV parking in each state. This study address several components of Jason’s Law by identifying truck routes and volumes in North Carolina.

Source: NCDOT and CS analysis based on stakeholder interviews

---

Hours of service (HOS) regulations include strict provisions on driving limits, rest breaks, sleep berths and “restart” timing. A summary of key provisions is shown in Table E.1. HOS regulations are enforced by state highway patrols on interstate highways as well as local law enforcement in local jurisdictions, and penalties can be high for drivers and trucking companies. Finally, FMCSA introduced an electronic logging device (ELD) requirement to increase commercial truck and bus drivers’ compliance with HOS regulations. Although FMCSA foresees an annual net benefit of over $1 billion because of paperwork reductions, it is currently the top issue for the trucking industry, as drivers have concerns with productivity impacts and additional regulatory burdens.

### Table E.1 Summary of Federal HOS Regulations

<table>
<thead>
<tr>
<th>HOS Provision</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-Hour Driving Limit</td>
<td>Drivers may drive a maximum of 11 hours after 10 consecutive hours off duty. All time spent at the driving controls of a CMV in operation is considered driving time.</td>
</tr>
<tr>
<td>14-Hour Driving Limit</td>
<td>Property-carrying drivers may not drive beyond the 14th consecutive hour after coming on duty, following 10 consecutive hours off duty.</td>
</tr>
<tr>
<td>Rest breaks</td>
<td>Drivers may drive only if eight hours or less have passed since the end of the driver’s last off-duty or sleeper berth period of at least 30 minutes.</td>
</tr>
<tr>
<td>60/70-Hour Limit</td>
<td>Drivers may not drive after 60/70 hours on duty in 7/8 consecutive dates. A driver may restate a 7/8 consecutive day period after taking 34 or more consecutive hours off duty.</td>
</tr>
<tr>
<td>Sleep Berth Provision</td>
<td>Drivers using the sleeper berth provision must take at least eight consecutive hours in the sleeper berth, plus a separate two consecutive hours either in the sleeper berth or off duty.</td>
</tr>
<tr>
<td>34-Hour Restart</td>
<td>A driver of a property-carrying vehicle may “restart” a 7/8-consecutive-day period after taking 34 or more consecutive hours off duty.</td>
</tr>
</tbody>
</table>

Source: Federal Motor Carrier Safety Administration.

There are also several state regulations in North Carolina that affect truck parking. For example, parking is prohibited on any interstate, controlled-access highway, or other controlled access facility. Parking on public road or highway shoulders is also prohibited, unless the vehicle is visible for 200 feet in either direction and does not obstruct traffic. Additionally, oversize and overweight (OS/OW) vehicles are required to obtain a permit prior to transport if the truck exceeds certain size or weight specifications. OS/OW vehicles are also not allowed to operate on Sundays or between sunset and sunrise in North Carolina. This affects capacity at parking facilities along North Carolina borders with neighboring states. When combined with HOS regulations, as well as with challenges that longer or heavier vehicles have in finding adequate parking spaces, scheduling parking as part of a longer OS/OW trip can prove challenging.

### Primary Truck Parking Issues in North Carolina

There are seven primary truck parking issues in North Carolina:

- **Parking capacity limitations.** Truck parking shortfalls highlight the capacity constraints at most public facilities and many private facilities. While some existing parking facilities could be redesigned to increase truck parking capacity, other challenges include cost, local opposition and available real estate.

- **Safety.** Truck parking shortages present highway safety concerns when trucks are forced to park illegally on highway shoulders and ramps. Drivers reported parking on a road shoulder or ramp for 10 percent of stops in North Carolina. The lack of safe, convenient, and easy-to-find parking in the corridor
forces truck drivers to make difficult choices, with dangerous consequences. When truck drivers reach their HOS limits without having found an appropriate parking location, they must choose whether to park illegally or drive illegally. Truck drivers face these decisions on a regular basis.

- **Communicating parking information.** More truck drivers would use available parking facilities if they were better informed about parking availability. This lack of information results in some truckers driving longer than is safe while they search for a place to stop for the night. Some states are implementing electronic communication and detection systems, which provides better traveler information.

- **Lost productivity.** Almost 90 percent of drivers surveyed spent more than 30 minutes on average searching for truck parking in North Carolina, which is a potential drain on driver productivity.

- **Shipper/receiver practices.** Almost 75 percent of drivers surveyed experienced loading/unloading delays of over an hour. In addition, many distribution facilities only operate on weekdays, and do not allow for on-site parking before or after deliveries.

- **Public opposition.** There is a negative perception of trucks and truck stops among the general public, which limits the ability to expand existing facilities or build new facilities in some areas. As land is developed, it is increasingly difficult to find land available for additional truck parking. In addition, most parking demand occurs in metropolitan areas, where real estate prices are higher compared to areas that are more rural.

- **Maintaining parking facilities.** Most state DOTs in fast-growing locations like North Carolina cannot keep up with the growing backlog of maintenance needs. DOT leaders typically prioritize maintenance of deteriorating pavement and bridge structures ahead of constructing new or expanding existing rest areas with truck parking.

**Opportunities and Recommendations for Mitigating Truck Parking Issues**

Providing adequate, safe parking for trucks requires both public and private sector efforts and there is no single solution. Following is a summary of the opportunities and recommendations for ensuring adequate and safe truck parking in North Carolina.

- **Partner with Truck Travel Centers seeking to expand facilities.** Since the private sector controls 85 percent of the truck parking supply in the state, the private sector should be part of the truck parking solution. This is already occurring as private travel centers expand existing operations, build new facilities, and retrofit older facilities. It would be beneficial to establish a formal relationship between NCDOT and travel centers. For example, the facility operator Pilot has acquired WilcoHess and Speedy Stores in North Carolina, most of which have existing truck parking. They are retrofitting one facility on I-95 at exit 77 (Hodges Chapel Rd in Harnett County) and are considering several new locations along I-77 and I-85, both of which are high-volume truck corridors with parking limitations. NCDOT and the area MPOs/RPOs could coordinate with Pilot while it considers locations for new facilities to better understand the site plan considerations and possibly help mitigate any opposition to new truck parking facilities by communicating the benefits of increased economic development. The facility operator Loves is also retrofitting sites and several new facilities are under construction in the state. In addition to coordinating site plan considerations, there may be opportunities to coordinate truck parking signage and availability across public and private facilities, since improved parking information would benefit truck drivers.
• **Employ technology solutions.** Technology has the potential to significantly improve the truck parking situation in North Carolina. One of the biggest challenges is to ensure that truck drivers are aware of the location of truck facilities and parking availability, and can easily plan rest periods ahead of time and while in transit. Technology solutions to this issue come in two parts: communication and detection. Communication systems include signage (both fixed and variable), smartphones and web-based applications. This technology is advancing rapidly, and smartphones are now being used for crowd-sourcing information through social media. Detection systems improve the way in which parking spaces are monitored, tracked and counted.

• **Explore trial truck parking at selected weigh stations.** The Hillsborough Weigh Stations on I-40/I-85 and the new Gaston County Weigh Station on I-85 have room for overnight truck parking. These locations have back lots for queuing that could be striped for tractor-trailer truck parking. Funding would be required for striping, signage, new technology and expanded trash collection. Daytime restroom access is available at these sites. Technology options can be scaled proportionately to the amount of time the site is at capacity. The advantages to this option would be the relatively low cost of implementation to provide some additional truck parking. Disadvantages include disrupting weigh station activities with entering and exiting trucks, increased maintenance and potential confusion over where trucks should park.

• **Explore retrofitting selected abandoned rest areas.** Of the four abandoned rest areas evaluated in this study, one site measuring approximately 12 acres along I-85 in Cleveland County has the best potential for redevelopment.

• **Use weigh station technology to communicate truck parking.** Should weigh stations be established as acceptable for overnight truck parking, technology could play a role in communicating truck parking availability and in expanding weigh stations for truck parking. Technology retrofits could be cost-effective since weigh stations already have electronic communication capabilities. One example of a pilot program would be to consider installing dynamic message signs (DMS) displaying available spaces in advance of the Hillsborough Weigh Stations and/or the Gaston County Weigh Station to communicate and manage truck parking at those sites. These are the only sites identified where there is currently room for overnight truck parking. The utilization information could be collected using either in-pavement sensors or remote cameras. At these locations, the DMS signs could also serve the dual purpose of communicating whether or not the weigh station is open for commercial vehicle inspections.

• **Conduct truck parking notification system pilot.** Many states are exploring truck parking communication and detection systems, and some states have implemented pilot programs. The I-95 Corridor Coalition is testing an electronic truck parking detection system at the Ladysmith Rest Area in Caroline County, Virginia and the Welcome Center in Laurel, Maryland. Public and private facilities along I-95 in North Carolina could become engaged in an expansion of this program. Other states exploring this technology include Florida, Virginia, Wisconsin and Kansas. Private facilities are also participating in programs sponsored by the USDOT and other partners such as “Park My Truck,” which estimates truck parking availability based on a survey of demand at participating truck parking locations.
Many of these efforts have been funded via Federal grants. NCDOT should consider apply for a FASTLANE grant in cooperation with the private sector.

- **Coordinate with Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs) to develop guidelines and mitigation strategies aimed at easing public opposition to private truck parking facilities.** MPOs and RPOs can help to mitigate public opposition to truck parking. They can also assist with truck parking implementation because they are familiar with the impacts of truck parking on surrounding communities. As businesses locate new facilities, MPOs and RPOs can help to ensure that adequate truck parking is part of the development design process. MPOs and RPOs could convene truck parking subcommittees as part of the MPO and RPO Technical Committees, conduct local truck parking studies and add truck parking to the issues discussed with the private sector representatives of the MPO and RPO freight advisory committees.

- **Convene a Standing Truck Parking Committee.** A standing statewide Truck Parking Committee, similar to the steering committee for the current study effort, could help oversee the implementation of study recommendations and provide regular updates to the NCDOT Board of Transportation on progress. The committee could develop an implementation plan to detail the actions, resources, and roles and responsibilities for each of the recommendations.
TAB 5
<table>
<thead>
<tr>
<th>Requester:</th>
<th>Councilmember Egleston</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Debra Campbell</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>Mobile, modular, and manufactured homes are being located in neighborhoods with differing existing home types.</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>Define modular, manufactured, and mobile homes and identify options to ensure these units are compatible with the character of established neighborhoods.</td>
</tr>
</tbody>
</table>
| Latest Development: |bullet Modular homes are regulated under the State building code. Although they are built off site, they are treated the same as site built homes and considered to be dwellings for zoning purposes.  
bullet Per state law, modular homes must meet certain minimum building standards:  
   o 143-139.1(b) Minimum Standards for Modular Homes.  
   o To qualify for a label or seal under subsection (a) of this section, a single-family modular home must meet or exceed the following construction and design standards:  
      (1) **Roof pitch.** - For homes with a single predominant roofline, the pitch of the roof shall be no less than five feet rise for every 12 feet of run.  
      (2) **Eave projection.** - The eave projections of the roof shall be no less than 10 inches, which may not include a gutter around the perimeter of the home, unless the roof pitch is 8/12 or greater.  
      (3) **Exterior wall.** - The minimum height of the exterior wall shall be at least seven feet six inches for the first story.  
      (4) **Siding and roofing materials.** - The materials and texture for the exterior materials shall be compatible in composition, appearance, and durability to the exterior materials commonly used in standard residential construction.  
      (5) **Foundations.** - The home shall be designed to require foundation supports around the perimeter. The supports may be in the form of piers, pier and curtain wall, piling foundations, a perimeter wall, or other approved perimeter supports."  
bullet Modular homes are allowed in all of Charlotte's single-family zoning districts as they are defined as a single-family dwelling.  
bullet Mobile homes are manufactured structures built before 1976.  
bullet Manufactured homes built after 1976 are subject to stricter federal HUD regulations.  
bullet In 1987, the State passed legislation to prevent local governments from restricting manufactured housing so that these homes could be used to provide affordable housing to low and moderate-income residents. NCGS 160A-383.1 prohibits cities from adopting zoning regulations that have the effect of excluding manufactured homes from the entire zoning jurisdiction. **Manufactured homes or mobile homes are not allowed in any of Charlotte’s single-family districts.** They are, however, allowed in the R-MH (Residential Mobile Home) district.  
bullet State law limits Charlotte from regulating the aesthetic design of single family and two-family/duplex homes, except in limited circumstances such as local historic districts.  
   o As a result, the City cannot regulate the architectural design, door location,
<table>
<thead>
<tr>
<th>MOBILE/MODULAR/MANUFACTURED HOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>minimum number of windows, roof design, or garage location for single family or two-family home.</td>
</tr>
<tr>
<td>o The City is allowed to regulate heights, setbacks and yards, and residential density.</td>
</tr>
</tbody>
</table>
TAB 6
NYC RIDE SHARE

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Mayor Pro Tem Eiselt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Danny Pleasant</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>What are the elements of NYC’s rideshare policy?</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>Summarize recent regulations imposed by New York City on the rideshare industry (also Transportation Network Companies or TNC).</td>
</tr>
</tbody>
</table>

**Latest Development:**

- Companies such as Uber and Lyft provide ride-hailing services through smart phone apps. They operate much like taxicab services but with individual drivers using their private vehicles. These types of companies also are known as rideshare or transportation network companies (TNCs).
- New York City grants licenses to TNC vehicles.
- The New York City Council recently capped for one year the number of vehicles permitted to operate in the city at current levels, with the Mayor’s concurrence.
- The city’s regulation allows exceptions for adding wheelchair accessible vehicles and for areas of the city where ride-hail vehicles are sparse.
- The new regulation requires companies to pay drivers a minimum wage of $17/hour.
- Companies are required to provide usage data to the City.
- NYC currently has 100,000 for-hire vehicles, 80,000 of which are TNC services (Uber, Lyft, Juno, Via, Gett.) Ride share vehicles outnumber taxis 4 to 1.
- In 2015, New York City had 12,500 TNC vehicles.
- Fun fact: Uber is now the largest private employer in NYC.
- NYC imposed the cap because of increased traffic congestion due to the growth in number of TNC vehicles and to level the playing field for taxi operators.

**Charlotte**

- Charlotte does not regulate TNC vehicles operating within the city. The NC General Assembly in 2015 preempted local governments from regulating TNC companies except for enforcing normal traffic and parking laws.
TAB 7
City Manager Update

SOLID WASTE INTERLOCAL AGREEMENT

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Councilmember Ajmera</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Jason Kay</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>The City’s Solid Waste Interlocal Agreement with the County (including the commencement and termination dates) lay out the framework by which the City, County, and third-party contractors handle the City’s solid waste collection and disposal.</td>
</tr>
</tbody>
</table>
| Deliverable:     | • Identify the policy roles, responsibilities, and key terms included in the Solid Waste Interlocal Agreement between the City and Mecklenburg County.  
• Identify the key legal provisions of the Solid Waste Interlocal Agreement.  
• Copy of the Solid Waste Interlocal Agreement. |
| Update on Deliverables: | See attached two memoranda laying out the roles and responsibilities in the Solid Waste Interlocal Agreement from a both a policy and legal perspective.  
• The policy framework described in the Solid Waste Interlocal Agreement includes City collection and County disposal.  
• The agreement began in 2008 and terminates in 2028 unless otherwise agreed by the parties.  
• The agreement provides important limitations on the City’s ability to innovate and reduce the stream of solid waste headed for the landfill.  
• Attached is a copy of the Solid Waste Interlocal Agreement. |
CITY OF CHARLOTTE
OFFICE OF THE CITY ATTORNEY

Memorandum

TO: Jason Kay, Special Assistant to the City Manager
FROM: Robert E. Hagemann, City Attorney
       Thomas E. Powers III, Senior Assistant City Attorney
DATE: August 29, 2018
RE: Solid Waste Services Interlocal Agreement

The City Attorney’s Office has reviewed the SWS interlocal agreement ("Interlocal") dated July 1, 2008. This memo outlines the key provisions in it and references the corresponding section of the Interlocal.

The City of Charlotte and Mecklenburg County are the only parties to the Interlocal. The Interlocal is valid for twenty years with a scheduled expiration date of June 30, 2018. See Section 2.

Mecklenburg County is responsible for providing facilities for recycling, yard waste, and solid waste management. These facilities may be provided by Mecklenburg County or through a third-party. See Section 4.

The City is responsible for providing collection services to Charlotte residents and is required to dispose all of the materials at facilities designated by Mecklenburg County. See Section 5.

The Interlocal may not be modified or amended except by subsequent written agreement authorized by the Charlotte City Council and the Mecklenburg County Board of Commissioners. See Section 12. However, the Interlocal may be terminated upon mutual consent of the parties, or if a court order finds a substantial breach of the Interlocal, thereby alleviating the non-breaching party of its obligations. See Section 13.

To summarize, the City could either amend the Interlocal with Mecklenburg County’s agreement or terminate it with Mecklenburg County’s agreement. In addition, if a party were to breach the Interlocal, the non-breaching party would have the right to either terminate or sue the breaching party seeking a court order requiring compliance. See Section 14.
The City of Charlotte and Mecklenburg County entered into an Interlocal Agreement in 1984 that placed solid waste disposal facilities under County control. The Agreement was amended in 1986, 1987 and 2008 with the current contract in effect through June 30, 2028. The intent of the current Agreement was for the City and County to establish long-term solutions for the cooperative management of solid waste as reflected in the Mecklenburg County Solid Waste Management Plan (Plan). See accompanying legal memo for legal details of the contract terms.

Purpose

The purpose of the Agreement, and similar agreements between the County and other municipalities in Mecklenburg County, was to establish a comprehensive system for managing recyclables, yard waste, and solid waste generated by residents of Mecklenburg County, including those residents living within the City. The Agreement established organizational responsibilities between the City and the County. The City is responsible for the collection and the County is responsible for the disposal of waste collected within the City’s corporate limits. The Agreement identifies the County designated disposal facilities for all materials collected, lists acceptable recyclable materials, and details the revenue share for old corrugated cardboard.

City Role

The City is responsible for providing, operating, and assuming costs for the separate collection of solid waste, recyclables and yard waste for the residents of Charlotte. The City’s obligation may be met through its own employees or through the use of contractors. City personnel and equipment collect weekly curbside residential garbage, bulky waste, and yard waste. Currently, the City contracts with Waste Management for the bi-weekly collection of curbside recyclables and with Waste Pro for the weekly collection of garbage, recyclables, and bulky waste from multifamily residences. All solid waste collected by the City of Charlotte and its contractors is delivered to the County-designated facilities according to the terms of the Interlocal Agreement.

County Role
The County is responsible for providing, operating and assuming the cost for the disposal facilities and full-service convenience centers. The County’s obligation may be met through County-owned facilities or through suitable third-party owned and operated facilities.

Currently, the County owns and operates four full-service convenience centers available for use by all City of Charlotte and Mecklenburg County residents. The convenience centers receive household hazardous waste and used motor oil, as well as other residential solid waste. Second, the County owns and operates the Compost Central Facility, where yard waste is disposed and processed for resale and the Metals Recovery Facility, where appliances, electronics and tires are disposed. Third, the County owns the Materials Recovery Facility (MRF) and contracts with Republic Services (contract ends June 30, 2019) for the operations of the recycling facility.

In addition to the County owned disposal facilities, the County contracts with third parties to provide several sites for the disposal of municipal solid waste (MSW). First, the County contracts with Republic Services (contract ends June 30, 2020) for the use of the Speedway Landfill for the disposal of MSW. The County provides temporary storage and permanent storm debris management sites for use by the City. Second, the County owns and operates the Foxhole landfill where construction and demolition material is accepted.

Fees & Miscellaneous

The City pays tip fees for yard waste directly to the County at a rate of $25.00/ton. The City pays a landfill tip fee, currently $33.00/ton, to the County’s contractor, Republic. This rate is set based upon the County’s contract with Republic. The fees are contractually capped at 110% of the County’s cost. Currently, the City pays no tip fee to dispose of recyclable materials, including white goods and tires. The City and County share the revenue from the sale of cardboard collected by the City and delivered to the MRF.

The County is also responsible for preparing the Solid Waste Management Plan and submitting to the North Carolina Department of Environmental Quality. The County indemnifies the City if the City is sued over the Plan or enacting ordinance to implement the Plan.

Summary

The adoption of the Interlocal Agreement in 2008 for a term of twenty years has set current practice regarding the City’s and County’s roles for solid waste collection and disposal. The City collects waste; the county disposes of waste. The Interlocal Agreement allows the County to negotiate disposal contracts with third parties based on the larger volume of tons collected throughout Mecklenburg County to include the City of Charlotte and the other six cities and towns within the county. The Interlocal Agreement, however, places some contractual limits on the City’s flexibility to implement new solid waste programs. The City is exploring opportunities to partner with the County to offer greater flexibility in the Interlocal Agreement to allow the City to be innovative in the way the City handles the waste of its residents.
STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

REVISED AND RESTATED
SOLID WASTE
INTERLOCAL AGREEMENT

THIS AGREEMENT is made as of the 15th day of July, 2008, by and between the CITY OF CHARLOTTE, a municipal corporation organized under the laws of the State of North Carolina ("City"), and MECKLENBURG COUNTY, a political subdivision of the State of North Carolina ("County").

WITNESSETH:

WHEREAS, the City and the County have the power pursuant to General Statute §153A-445(a)(1) and Article 20 of Chapter 160A of the North Carolina General Statutes to contract with each other for the exercise of any governmental function which they have been granted the power to exercise and to enter into interlocal cooperation agreements to specify the details of these undertakings; and

WHEREAS, the City and the County first entered into a Solid Waste Disposal Facilities Interlocal Agreement in 1984 for the purpose of combining their solid waste disposal assets under County control; and

WHEREAS, the City and the County twice amended the Solid Waste Disposal Facilities Interlocal Agreement, first in 1986 and then in 1987 for among other purposes, to approve the Mecklenburg County Solid Waste Management Plan dated November 1987, and extend the term of the Agreement until June 30, 2008; and

WHEREAS, the City and the County mutually agree to Revise and Restate that Agreement under the terms and conditions set forth herein; and

WHEREAS, the City and the County intend to establish long-term solutions for the cooperative management of solid waste as reflected in the Mecklenburg County Solid Waste Management Plan 2006-2016; and

WHEREAS, the Mecklenburg County Board of Commissioners and the Charlotte City Council have adopted resolutions authorizing execution of this Agreement concerning solid waste and recycling services;

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants of the parties as set forth herein, the City and the County agree that the Agreement is revised and restated in its entirety as follows:

1. **Purpose of Agreement.** The purpose of this Agreement, and similar agreements between the County and other municipalities in Mecklenburg County, is to establish a comprehensive system for the management of the recyclables, yard waste and solid waste generated by the residents of Mecklenburg County including those living within the City.
2. **Duration of Agreement.** This Agreement shall remain in force until June 30, 2028.

3. **Personnel Necessary to the Execution of the Undertaking.** City and its personnel or independent contractors shall be responsible for the collection of recyclables, yard waste and solid waste within City. County shall have no responsibility with respect to the collection of recyclables, yard waste or solid waste within City. County, its employees, or independent contractors, shall be responsible for operating all recycling, yard waste, and solid waste management facilities which may be designated by the County as facilities to which City is required to deliver or cause to be delivered recyclables, yard waste and solid waste collected within City’s corporate limits. City shall not be responsible for supplying personnel to handle the disposal of the recyclables, yard waste or solid waste.

4. **Responsibilities of the County.** The County shall be responsible for providing and operating all recycling, yard waste and solid waste management facilities required to receive these materials as collected by the City in the City’s corporate limits. The County’s obligation herein may be met through County-owned or suitable designated third party owned and operated facilities. Provided, however, that City must consent to the designation of any third party owned and operated facility located outside of a circle with its center at the Charlotte Mecklenburg Government Center, and having a radius of forty miles. These designated facilities and their respective hours of operation are set forth in Exhibit A, which Exhibit may be amended from time to time by the County so long as such amendment does not substantially hinder the City’s collection processes and is not inconsistent with other portions of this Agreement or with the then current Solid Waste Management Plan referenced in paragraph 6 of this Agreement.

On or before June 30, 2010, the County shall modify the facility designated to receive and process the recyclables, the Metrolina Recycling Center, to receive both dual stream and single stream recyclables collected by the City. Prior to that date only dual stream recyclables will be received and processed. The recyclable materials to be accepted, and their method of delivery to this facility, are set forth in Exhibit B, which Exhibit may be amended from time to time by the County so long as such amendment does not substantially hinder the City’s collection processes and is not inconsistent with other portions of this Agreement or with the then current Solid Waste Management Plan referenced in paragraph 6 of this Agreement.

In addition to the preceding, the County shall operate full-service convenience centers that among other functions receive recyclables, household hazardous waste, discarded electronic waste and used motor oil delivered by residents of the City. The County shall also provide temporary storage and permanent storm debris management sites for use by the City pursuant to the City/County All Hazards Plan.

Additionally, the County shall exercise its best efforts, where feasible, in promoting the use of efficient processing and handling technologies in order to decrease costs, improve productivity, and enhance data collection in the City and County’s collection and disposal programs.
5. **Responsibilities of the City.** The City shall be responsible for the separate collection of recyclables, yard waste and solid waste within the City’s corporate limits and the delivery of all of those materials to the facilities designated in Exhibit A. The City’s obligation herein may be met through its own employees or through independent contractors employed by the City. Additionally, the City shall exercise its best efforts to promote residential recycling in order to increase residential participation and to minimize the contamination of recyclables with solid waste. The City, its employees and contractors shall comply with any safety policies of the County, or contractors for the County, in delivering materials to the recycling, yard waste, and solid waste management facilities designated in Exhibit A.

On July 1, 2010, the City shall convert at least fifty percent of its residential curbside recyclable collection routes from dual stream collection to single stream collection. The remaining residential curbside collection routes shall be converted from dual stream collection to single stream collection not later than July 1, 2011. The City agrees to separately collect those recyclables set forth in Exhibit B.

6. **Solid Waste Plan.** The County shall prepare and submit the Solid Waste Management Plan(s) required by the North Carolina Department of Environment and Natural Resources at the frequency required. This Plan shall be comprehensive, delineating the waste reduction, recycling strategies and programs necessary to achieve the stated goals. This Plan shall also establish the recycling, yard waste and solid waste facility requirements to meet the future needs of the City and County solid waste systems. Any such Solid Waste Management Plans shall be approved by the governing bodies of both the County and the City. The parties agree that should any dispute arise in connection with the provisions to be included in future Solid Waste Management Plans to be approved by the governing bodies of the City and County and submitted in the future to the State, that such disputes shall be resolved through negotiation, including the use of a mediator or mediators as deemed necessary by the parties, and failing resolution through such means, through arbitration conducted through the American Arbitration Association or through such other arbitration program as may be acceptable to the parties. Both the County and the City shall carry out those responsibilities and duties set forth in the then current Solid Waste Management Plan, including the adoption of local ordinances governing solid waste and recyclable management consistent with the Plan.

7. **Method of Financing.** County shall not have any responsibility with respect to the financing of or costs associated with the collection of recyclables, yard waste or solid waste within the corporate limits of City. Except for the payment of Tipping Fees as set forth below, City shall not have any responsibility for the financing of, or costs associated with the County administered recycling, yard waste or solid waste disposal facilities or to such facilities licensed by or under contractual agreement with the County. The County may set and collect Tipping Fees for the receipt of materials, excluding recyclables and white goods, in the County owned or administered facilities under the Mecklenburg County Solid Waste Fee Ordinance.

The Tipping Fee for disposal of solid waste at any third party owned and operated disposal facility contracted for use by the County and City shall not exceed 110% of the cost to the County for using that third party owned and operated facility. The Tipping Fee for disposal of solid waste at a County-owned and operated disposal facility shall not exceed 110% of the total
per ton cost to the County for that facility. This total cost is to include the direct cost of facility operation, contributions to capital reserve, closure and post-closure accounts, and any taxes or fees imposed on the operation of the facility. The County and the City shall equally share in the disposal tipping fee costs of any excess non-recyclable residual materials delivered to the Metrolina Recycling Center received from City collections. Excess residual materials are quantities exceeding ten percent (10%) by weight of City recyclable deliveries.

Except as stated in Section 8 below, the County agrees that in the event that revenues from Tipping Fees, from the sale of recyclables and from any other disposal revenues in any fiscal year, exceed the expenses incurred by County in that fiscal year in providing and operating the facilities and programs in the County’s solid waste system, that the County shall use said excess funds in subsequent fiscal years to provide or operate such facilities or programs. The City agrees to pay or cause to be paid Tipping Fees as set by the County on all materials delivered by City or its contract haulers to County owned or administered waste management facilities. The Tipping Fees charged to the City shall not, in any event, exceed those being charged any other municipality entering into similar Solid Waste Interlocal Agreements for equivalent services.

8. **Old Corrugated Cardboard.** The City agrees to collect, either directly or through independent contractors employed by the City, Old Corrugated Cardboard (OCC) in designated quadrants as a recyclable material and deliver these materials to the recycling facility designated in Exhibit A. For each ton of OCC delivered to the County’s recycling facility by the City or its contractors, the County shall pay to the City a revenue share in accordance with the OCC revenue share formula contained in Exhibit C. The County will pay the City any amounts owed to the City as determined pursuant to such formula on a calendar basis, and will make all reasonable efforts to make payment to the City within thirty (30) calendar days after the end of each month. Payment shall be made by a bank wire transfer to a bank account designated by the City. The County will submit a report to the Key Business Executive for the Solid Waste Services Department for each such monthly wire transfer.

Sections 1.(C)(2) and 5.(C)(2) of the Restated Consolidated Shared Programs Joint Undertaking Agreement between the City and the County dated July 1, 2001, including Exhibits B and C referenced in Section 5.(C)(2), are hereby terminated as of the effective date of this Agreement in accordance with subsection (d) of Section 5 (C)(2).

9. **Ownership of Real Property Involved in Undertaking.** City shall have no ownership in any real property owned or acquired by County for recycling, yard waste, and solid waste management facilities, and County shall be free to dispose of such real property to the extent and under procedures allowed by State law.

10. **Indemnity of City.** County agrees to indemnify and hold City harmless from and against any lawsuits, and expenses arising therefrom, resulting from City’s participation in County’s Solid Waste Management Plan or resulting from City’s enacting any ordinances or regulations it is required by the County’s Solid Waste Management Plan to enact. Such indemnity shall not apply to any claims or liabilities arising from City’s collection of recyclables, yard waste and solid waste.
11. **Uncontrollable Circumstance.** Any act or event that has had a materially adverse effect on a party to this Agreement or substantially precludes performance of a material obligation under this Agreement if such act, event, or condition is beyond the reasonable control of and is not the result of willful or negligent action or inaction by the party, relying thereon as justification for not performing an obligation or complying with any condition required of such party under this Agreement, shall excuse performance during the time performance is affected by such act or event. Such acts or events may include, but shall not be limited to, the following: default of any contractor hired by the City or County to perform functions required by this Agreement; an act of God; epidemic; landslide; lightning; earthquake; fire; war; blockade; insurrection; riot; general arrest; or restraint of government and people; and civil disobedience, adoption; promulgation, modification, or change in interpretation of any federal, state or local law, regulation, ordinance or court order excluding changes in tax law, after the date of execution of this Agreement.

12. **Amendment of Agreement.** Except as provided herein for the amendment by the County of Exhibits A and B this Agreement may not be modified or amended except by subsequent written agreement authorized by the governing bodies of each party and signed by the authorized representative.

13. **Termination of Agreement.** This Agreement may be terminated upon mutual consent of the parties, or by court order upon the finding that there has been such a substantial breach of this Agreement by the non-complaining party so as to entitle the complaining party to be relieved of its obligations under this Agreement.

14. **Enforcement of Agreement.** The parties agree that the remedy of specific performance would be an appropriate remedy, among others, for the enforcement of this Agreement.

15. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties with respect to its subject matter, and there are no other representations, understandings, or agreements between the parties with respect to such subject matter. This Agreement supersedes all prior agreements, negotiations, representations and proposals, written or oral.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written by the authority duly granted by their respective governing bodies.

[signatures appear on following pages]
Attest:

[SEAL]

CITY OF CHARLOTTE

By:

[SEAL]

City Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Signature not required

Director of Finance, City of Charlotte
Attest:

Clerk to Board of Commissioners

[SEAL]

MECKLENBURG COUNTY

By: County Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Mecklenburg County Director of Finance

NO PRE-AUDIT REQUIRED

BY: DIRECTOR OF FINANCE

Approved as to form:

County Attorney
Solid Waste Interlocal Agreement

Exhibit A
Designated Facilities

Solid Waste

Charlotte Motor Speedway Landfill
5105 Morehead Road
Concord, NC 28027

Hours of Operation:  Monday to Friday – 7:00 AM to 4:00 PM
                 Saturday – 7:00 AM to 12:00 Noon

CCC Transfer Facility
3358 Highway 51 North
Fort Mill, SC 29715

Hours of Operation:  Monday to Friday – 7:00 AM to 4:00 PM
                 Saturday – 7:00 AM to 12:00 Noon

Recyclables

Metrolina Recycling Center
1007 Amble Drive
Charlotte, NC

Hours of Operation:  Monday to Friday – 7:00 AM to 4:00 PM

Yard Waste

Compost Central
5631 West Boulevard
Charlotte, NC

Hours of Operation:  Monday to Friday – 7:00 AM to 4:00 PM
                 Saturday – 7:00 AM to 3:00 PM
Solid Waste Interlocal Agreement

Exhibit A
Designated Facilities

Discarded White Goods and Scrap Tires

Metal & Tire Recycling Facility
5740 Rozzelle's Ferry Road
Charlotte, NC

Hours of Operation: Monday to Friday – 7:00 AM to 3:00 PM

All Facility Extended Hours of Operation

Should the City require extended hours of operation for any of the above facilities on any regularly scheduled operating day in order to complete residential collection or due to unusual operating conditions (severe weather, equipment breakdown, etc.), the City shall inform the County at least four (4) hours before the scheduled closing of the required facility. The County shall comply so long as such request can be reasonably accommodated as determined by the County.

Should the City require Saturday operation for any facility not normally open on Saturday, or extended operation for those with reduced Saturday operating hours, either as the result of a scheduled holiday or as the result unusual operating conditions, the City shall inform the County no later than 5:00 PM on the preceding Thursday. The County shall comply so long as such request can be reasonably accommodated as determined by the County.
Solid Waste Interlocal Agreement

Exhibit B
Acceptable Recyclable Materials

The following materials are acceptable for delivery to the Metrolina Recycling Center. Any materials not specifically included below are unacceptable and may be rejected for delivery. The acceptable materials shall be collected and deposited at the Metrolina Recycling Center in two (2) separate groupings (dual stream), Commingled Containers and Fiber, as described below:

Commingled Containers

#1 Plastic Bottles (PET)
#2 Plastic Bottles (HDPE)
Glass Bottles and Jars (all colors)
Aluminum Cans
Steel/tin Cans

Fiber

Newspaper
Newspaper Advertisements
Magazines
Catalogs
Junk Mail
Telephone Books
Office Paper
Flattened Corrugated Cardboard
Dry Cardboard Boxes (food, beverage, gift)
Spiral Cardboard Cans
Gift Wrap
Solid Waste Interlocal Agreement

Exhibit C
Old Corrugated Cardboard Revenue Share

The County shall pay to the City 75% of all revenue, after the contractor’s service fee has been subtracted, from the sale of old corrugated-cardboard collected by the City as part of its residential curbside recycling program. The County shall pay the remaining 25% of the revenue to its Contractor.

The formula for the City’s revenue share is: \((X-Y) \times Z \times .75\)

\(X = \) sales price of OCC per ton

\(Y = \) service fee paid by Mecklenburg County to Contractor. The service fee is, as of the date of the contract, equal to $36/ton for the first 30,000 tons delivered during the County’s fiscal year and $28/ton for any ton over 30,000 tons delivered during the County’s fiscal year.

\(Z = \) tons of OCC collected by City from its residential curbside recycling program and delivered to the MRF.

\(Z\) is calculated as follows: \(S \times T \times U \times [1 - (V/W)]\)

\(S = \) tons of residential Recyclable Waste and non-Recyclable Waste delivered to the MRF in a given month by the City from quadrants collecting OCC

\(T = \) percent of “S” that constitutes Fiber

\(U = \) percent of “T” that constitutes OCC

\(V = \) tons of residential non-Recyclable Waste \((i.e.,\) residuals\) delivered to MRF in a given month

\(W = \) tons of residential Recyclable Waste and non-Recyclable Waste delivered to MRF in a given month

\([1 - V/W] = \) percent of residential Recyclable Waste delivered to the MRF in a given month

.75 = City’s revenue share percentage

A representative from the County and the Key Business Executive for Solid Waste Services shall agree to the percentages represented by the variables “T” and “U.” Such agreement shall be made at the beginning of each fiscal year and in January of each year. Should the parties not be able to reach an agreement, the County will unload two trucks from two separate routes from each City quadrant collecting OCC. The routes shall be selected by the Solid Waste Services Key Business and agreed to by the County. The parties acknowledge that different routes within a quadrant produce different quantities of OCC and therefore agree that one route selected from each quadrant shall be a route typically producing high quantities of OCC and the other route shall be a route typically producing low quantities of OCC. The average OCC from the trucks unloaded shall serve as the basis for calculating the variables “T” and “U.”
Solid Waste Interlocal Agreement

Exhibit C
Old Corrugated Cardboard Revenue Share

Example:

During the month of September, a total of 3,775.19 tons of residential Recyclable Waste and non-Recyclable Waste are delivered to the MRF. Of these 3,775.19 tons, 96.93 tons are non-Recyclable Waste. The sales price for OCC for the month of September is $74.25 per ton. As of the end of September, less than 30,000 tons of Recyclable Waste and non-Recyclable Waste had been delivered to the MRF during the County's then current fiscal year.

During the month of September, the City delivered 438.67 tons of Recyclable and non-Recyclable Waste to the MRF from the quadrants collecting OCC. 68.9% of these 438.67 tons of waste constitutes fiber. 10% of the fiber constitutes OCC. The City's revenue share for the month of September is $844.85 and is calculated as follows:

\[
X = \$74.25
\]
\[
Y = \$36/\text{ton}
\]
\[
Z = (438.67 \text{ tons}) \times .689 \times .10 \times (1 - 96.93 \text{ tons} / 3775.19 \text{ tons})
\]
\[
Z = 29.45 \text{ tons}
\]

OCC Revenue Share = \[(X-Y) \times Z \times .75\]

\[(\$74.25 - \$36) \times 29.45 \text{ tons} \times .75 = $844.85\]
THIS PAGE IN INTENTIONALLY LEFT BLANK
**Requester:** Councilmember Mayfield  

**Staff Resource:** Debra Campbell  

**Statement of Issue:** Tenants who currently live in single-family homes that are being purchased by investors solely to resale to a buyer at a higher price, are vulnerable to displacement.  

**Deliverable:** Explore how the City can work with partners to purchase occupied and unoccupied units to preserve for affordable housing.  

**Latest Development:**  
- There are no legal obstacles to purchasing multi-family or single-family housing units to be preserved as affordable housing.  
- As such, the home purchasing strategy is supported by two pillars of the adopted Housing Charlotte Framework (Preservation and Family Self-Sufficiency).  
- Housing & Neighborhood Services staff has had an initial discussion with Habitat for Humanity to determine their interest in partnering to develop an anti-displacement program.  
- The proposed program would support the purchase of vacant single-family homes that would be transferred to a willing affordable housing Community Development Corporation, or another affordable housing partner, who would become the owner and in most cases partner with the City to obtain federal (Community Development Block Grant), state or local housing funding to assist with rehabilitation of the house, where needed, in exchange for long-term deed restrictions.  
- Staff needs to do additional research to determine the viability of purchasing homes that are renter-occupied, which could be more complex, to determine if a Community Development Corporation is willing to maintain and work with the current tenants and if not what assistance could be provided to tenants facing displacement.  
- Staff anticipates completing the research for both unoccupied and occupied units over the next 60 days and will bring a proposal forth for Council’s review and consideration.
TAB 9
**Committee Brief: Initiation**

**Requester:** Councilmember Bokhari

**Staff Resource:** Debra Campbell

**Statement of Issue:** The Housing Location Policy guides the location of new affordable multi-family housing developments throughout the city. The goal of the revised policy is to reflect Charlotte's current housing landscape, needs, and priorities better, and to do so in a way that is framed positively and is not punitive in nature.

**Deliverable:** Discuss and review how the locational policy accomplishes objectives for locating affordable housing in a way that doesn’t appear to be punitive or too restrictive.

**Latest Development:**
- The Housing Locational Policy serves as a guide for the location of affordable housing throughout the city.
- Housing & Neighborhood Services staff is hosting six community engagement sessions on the revised Housing Locational Policy.
- The revised policy will be drafted in such a way that it is a guide that encourages the development of affordable, new, multi-family, rental housing to be located in areas of high opportunity throughout the City.
- The draft policy includes a scoring matrix that considers the placement of new, multi-family, rental housing in neighborhoods that are:
  - Experiencing or likely to experience gentrification,
  - In close proximity to:
    - job centers
    - high performing schools and daycares
    - retail and neighborhood amenities like libraries, parks and healthcare facilities and
    - multiple modes of public transportation
- After hearing more from the community, it is likely that the policy will have no references to permissible and non-permissible areas, but rather score developments based on the newly developing and proposed scoring matrix.
- Although the policy doesn’t directly provide incentives it could work in concert with other financial or non-monetary incentives that are prosed as part of the Housing Charlotte Framework such as:
  - Gap financing through the Housing Trust Fund or other private dollars through LISC and the Foundation for the Carolinas,
  - The donation or significant reduction in cost of publicly-owned land,
  - Through the rezoning process by reducing rezoning fees or through an expedited rezoning process.

**Next Steps:**
The policy plan is scheduled to come back to the HAND Committee in October and to Council in October/November 2018 for action.
TAB 10
<table>
<thead>
<tr>
<th>Requester:</th>
<th>Councilmember Driggs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Sabrina Joy-Hogg</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>In 2019, the Mecklenburg County real estate revaluation will be complete.</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>Outline what actions have been taken so far and the next steps in the Mecklenburg County property revaluation.</td>
</tr>
</tbody>
</table>
| Latest Development: | • So far, as of July 28, 2018 using county-wide data,  
  o 247,299 of the 364,610 parcels have been completed (that's approximately 68 percent completed)  
  o 1,197 of the 1,854 neighborhoods have been completed (that’s 65 percent completed)  
  • The County Tax Assessor anticipates all neighborhoods will be completed by mid October 2018.  
  • The County Tax Assessor is scheduled to present a revaluation update at the October 1, 2018 meeting. |
TAB 11
<table>
<thead>
<tr>
<th>Requester:</th>
<th>Councilmember Driggs and Mayor Pro Tem Eiselt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>CMPD has addressed the status of recommendations from the Police Foundation Report, and has continued to update them over time.</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>A document with the status of improvements for the recommendations from the Police Foundation Report, which are framed under the pillars of the President’s Task Force on 21st Century Policing.</td>
</tr>
</tbody>
</table>
| Latest Development: | • Please see the attached matrix that provides the recommendations from the Police Foundation Report, including recommendations that have been implemented as well as items that are still under review.  
• The recommendations for the Police Foundation Report were developed under the same language and guidance as the President’s Task Force on 21st Century Policing. |
## Police Foundation Report Recommendations

### Pillar One – Policies, Protocols, and Strategies

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Complete</th>
<th>Outstanding</th>
<th>Not Implementing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation 1.1: The CMPD should identify and engage in continued opportunities and strategies that promote effective dialogue between the department and the community around race and policing.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 1.2: The CMPD should continue to build on its tradition of community policing to identify opportunities for the community to participate in the development of the department’s policies, procedures, and practices.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 1.3: The City of Charlotte administration, the City Manager, and the CMPD should ensure that a city-wide plan, consistent with the National Incident Management System (NIMS), is used to manage all demonstrations and protests and that all City agencies understand, and participate in, the implementation of the plan.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 1.4: The CMPD should continue to review its mobilization plans for personnel and resources to make them more agile in response to critical incidents.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 1.5: The CMPD should review its CEU SOPs to account for the evolving nature of demonstrations and protests.</td>
<td>✓**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 1.6: The CMPD should involve the community in the development of robust communication and community engagement directives and strategies for engaging in respectful and constructive conversations and de-escalation during response to mass demonstrations.</td>
<td>✓</td>
<td></td>
<td>Requires collaboration with Charlotte Communications &amp; Marketing*</td>
</tr>
<tr>
<td>Recommendation 1.7: The CMPD should develop and implement policies and procedures that increase situational awareness in anticipation of and during demonstrations and acts of civil disobedience with a specific emphasis on social media.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 1.8: The CMPD should develop policies and procedures that use social media to “push” information to the community and quickly disseminate accurate information in response to rumors and false accusations.</td>
<td>✓</td>
<td></td>
<td>Requires collaboration with Charlotte Communications &amp; Marketing*</td>
</tr>
</tbody>
</table>

*The collaborative portion of implementing this recommendation is ongoing and not fully complete. The remainder of the recommendation is complete.*

**This recommendation includes the incorporation of community members into tactical training. This will not be implemented due to various factors including risk management and the need to keep certain training confidential for officer safety reasons. The remainder of this recommendation is complete.*
## Pillar Two – Training and De-Escalation

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Complete</th>
<th>Outstanding</th>
<th>Not Implementing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation 2.1: The CMPD should conduct a thorough review of its academy courses and hours, and its additions to the required BLET courses, to emphasize empathetic dialogue and non-confrontational conversations with community members.</td>
<td>✓*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 2.2: The CMPD should continue engaging community members in the training process.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 2.3: The CMPD should continue to support and expand the Constructive Conversation Team program, expanding it internally and further engaging the community.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 2.4: Curricula to train all CMPD personnel on crowd management strategies and tactics should be developed from and/or revised based on current best practices, policy recommendations, and lessons learned from after-action reviews of similar events.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 2.5: The City of Charlotte administration, the City Manager, and the CMPD should lead all relevant City personnel, elected officials, mutual aid agencies and other stakeholders in NIMS/ICS training and practical exercises.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Review complete. CMPD reviewing past implicit bias training to determine where it may be placed into current curriculum.
### Pillar Three – Equipment and Technology

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Complete</th>
<th>Outstanding</th>
<th>Not Implementing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation 3.1: The CMPD should continue the practice of deploying bicycle officers during demonstrations and mass gatherings.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 3.2: The CMPD should conduct a regional inventory of assets, or create a regional Council of Governments (COG), to assist incident commanders in identifying potential resources at their disposal that may assist them in their efforts.</td>
<td></td>
<td>✓*</td>
<td></td>
</tr>
<tr>
<td>Recommendation 3.3: The City of Charlotte administration, the City Manager, and the CMPD should establish a committee to create a protocol for determining the appropriate process for releasing BWC footage in critical incidents. The committee should include representatives from the City Attorney’s Office; relevant City, Town, and County stakeholders; and, community members.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 3.4: The CMPD should equip officers with body worn cameras, especially officers assigned to its Civil Emergency Unit (CEU).</td>
<td></td>
<td>✓**</td>
<td></td>
</tr>
</tbody>
</table>

* The City of Charlotte and Mecklenburg County are two of the 47 City and Counties that have signed into the “Law Enforcement Mutual Aid Agreement” for equipment and personnel to be shared at request under NC General Statutes.

** Current CEU PPE is not compatible with CMPD’s BWC mounts, but CMPD continues to explore available options.
## Pillar Four – Social Media and Communication

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Complete</th>
<th>Outstanding</th>
<th>Not Implementing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation 4.1: The City of Charlotte administration and the City Manager should develop and implement an effective means for parsing political and operational challenges, and for facilitating effective and useful interactions between political decision makers and operational commanders.</td>
<td>✓</td>
<td>Requires collaboration with Charlotte Communications &amp; Marketing*</td>
<td></td>
</tr>
<tr>
<td>Recommendation 4.2: The City of Charlotte administration, the Corporate Communications and Marketing group, the City Manager, and the CMPD should coordinate messaging and talking points prior to making public comments to ensure unity of message and focus on the overall mission of safe and effective resolution of critical incidents.</td>
<td>✓</td>
<td>Requires collaboration with Charlotte Communications &amp; Marketing*</td>
<td></td>
</tr>
<tr>
<td>Recommendation 4.3: The CMPD should create a clear and detailed media strategy or policy to guide the department’s use of traditional news media and social media, particularly during critical incidents.</td>
<td>✓</td>
<td>Requires collaboration with Charlotte Communications &amp; Marketing*</td>
<td></td>
</tr>
<tr>
<td>Recommendation 4.4: The CMPD should continue to prioritize local media outlets covering critical incident by providing them additional interviews and exclusive information.</td>
<td>✓</td>
<td>Requires collaboration with Charlotte Communications &amp; Marketing*</td>
<td></td>
</tr>
<tr>
<td>Recommendation 4.5: The CMPD should enhance its use of social media to engage community members and demonstrators before, during, and after mass gatherings and demonstrations to disseminate accurate information and correct erroneous information.</td>
<td>✓</td>
<td>Requires collaboration with Charlotte Communications &amp; Marketing*</td>
<td></td>
</tr>
</tbody>
</table>

*The collaborative portion of implementing this recommendation is ongoing and not fully complete. The remainder of the recommendation is complete.
### Pillar Five – Transparency and Accountability

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Complete</th>
<th>Outstanding</th>
<th>Not Implementing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation 5.1: The CMPD should work with the community to develop and publicize policy and directives regarding body-worn camera (BWC), particularly regarding the release of BWC footage and officer-involved shooting (OIS) investigations to improve transparency.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 5.2: The CMPD should consider redeveloping and re-executing standardized process(es) from which to collect and analyze input from the community regarding their expectations and satisfaction of police services.</td>
<td>✓*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 5.3: The CMPD should work together with the City of Charlotte administration and the City Manager to develop strategies that educate the community on transparency and oversight efforts, as well as other relevant strategies ongoing city-wide.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 5.4: The CMPD should develop a specific strategy and policy to keep the community apprised their efforts in response to significant/critical incidents to demonstrate transparency and community engagement, as well as highlight their outreach and partnership efforts.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 5.5: CMPD should ensure that all data provided is accurate, easy to access and co-located.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Portions of implementing this recommendation are ongoing and not fully complete. Work has begun.*
### Pillar Six – Police-Community Relationships

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Complete</th>
<th>Outstanding</th>
<th>Not Implementing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation 6.1: The CMPD should continue to invest in community policing efforts, particularly in diverse communities, to include acknowledging the history of race relations in the community and developing a process and programs towards reconciliation.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 6.2: The CMPD should engage in one-on-one or small-group engagement and relationship-building programs in the specific communities most affected by violence and negative perceptions of the police.</td>
<td>✓*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 6.3: The CMPD should expand its foot patrol pilot program to the communities most affected by violence and negative perceptions of the police.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 6.4: The CMPD should augment its increased focus on building relationships through social media with increased opportunities to provide feedback in person.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 6.5: The CMPD should identify and work closely with emerging and traditional community leaders to ensure inclusion and representation from all members of the community.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 6.6: The CMPD should more fully engage community members in strategic hiring and promotions, training, policy development and other activities to improve community-police relations and provide the community a voice and meaningful involvement in how its police department operates.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation 6.7: The CMPD should leverage its chaplains to work with faith leaders in the community to enhance police-community relations.</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*New partnership almost finalized with Urban League and Turning Point Academy where the Urban League is proposing to provide career readiness training for students at the school.*
TAB 12
# Crisis Communication 2.0

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Councilmember Bokhari</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Brent Kelly</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>The City of Charlotte has built a crisis communication strategy based on ongoing work with City Council.</td>
</tr>
</tbody>
</table>
| Deliverable: | - Ensure the City of Charlotte has an effective crisis communication plan in place to quickly and effectively inform Mayor, City Council and the community of emergency situations.  
- Provide an overview of the plan to Mayor and City Council.  
- Provide an opportunity for City Council to ask questions and determine if they would like an additional crisis communication tabletop exercise. |
| Update on Deliverables: | - City Council participated in a crisis communications overview and discussion during the 2018 Council annual Strategy Meeting.  
- Three City senior leadership crisis communications workshops held between April and June  
  - Operations plans in place  
  - Safety of public and employees is focus  
  - Identified opportunities to further enhance communications protocols  
- City Council held a crisis communications tabletop exercise with Mark Weaver of Communications Counsel, LLC.  
  - Participating Council members acknowledged the tabletop was a good first step in crisis communication preparations  
  - Council members expressed an interest in being fully engaged, fully informed and actively helping  
- Staff revised City Crisis Communications strategy to prioritize a citywide approach to incident and crisis communication, with additional emphasis on departments working together.  
  - The City Crisis Communication strategy has been thoroughly updated with substantially more information and tools, including  
    ✓ Developed threat level indicator  
    ✓ Clarified role of city staff, Mayor, City Council  
    ✓ Identified the type and method of communication based on threat level  
    ✓ Identified potential actions for city council members  
    ✓ Developed Internal communication escalation process  
    ✓ Identified the need to balance speed, accuracy and completeness of information  
    ✓ Added extensive list of potential incidents and potential threats with definitions  
  - The Crisis Communications Strategy has been formatted into a user-friendly, easily readable booklet.  
  - Staff created a two-sided “cheat sheet pocket guide” for City Council members to use during a crisis. |
| Next Steps: | - An overview of crisis communication to City Council has been provided; including a discussion regarding a possible tabletop exercise II.  
  - Staff will share a copy of the new crisis communications strategy with City Council; including the pocket guide next week. |
TAB 13
Committee Brief: Initiation
Page 1 of 2

**Requester:** Councilmember Mayfield

**Staff Resource:** Kim Eagle

**Statement of Issue:** CMPD has policies and procedures governing the use of tasers, as well as how training is conducted.

**Deliverable:** Outline information on current policies and procedures including recent adjustments.

**Latest Development:**
- TASER or Conducted Electrical Weapon (CEW) falls under the category of less lethal response to resistance
- A CEW will be deployed only in response to a situation in which a reasonable officer would perceive some immediate danger that could be mitigated by using a CEW.
- The primary purpose of the CEW is to save human lives and prevent injuries. The use of the CEW is authorized as an alternative to employing lethal response to resistance in situations where time and circumstances permit.
- The CEW should be used to restrain actively aggressive individuals where alternative restraint tactics fail or are reasonably likely to fail. It is not intended to be a substitute for other less lethal response to resistance options.
- The department has adjusted policy and training with the intent to minimize the number of response to resistance incidents which includes TASER. (CEW) incidents have been on the decline for the past three years.

<table>
<thead>
<tr>
<th>Year</th>
<th>TASER (CEW) Deployments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>54</td>
</tr>
<tr>
<td>2016</td>
<td>50</td>
</tr>
<tr>
<td>2017</td>
<td>40</td>
</tr>
</tbody>
</table>

**Policy and training adjustments include in part:**
- Beginning in 2016, all CMPD officers receive 2 hours of de-escalation training in addition to state mandated training
- Recruits receive 4 hours of skills based communication training in addition to 2 hours of de-escalation training
- The department recently began coordinating focused scenario based training that specifically addresses de-escalation of incidents involving edged weapons.
- In May, 2016, CMPD recognized that in some instances force may be legally justified at the moment the force is administered, but the officer’s actions leading up to the use of force may be in violation of the department’s training or other policies. CMPD further prohibited officers from intentionally and unnecessarily instigating a use of force.
- All CMPD officers are re-trained on use of CEW every other year.
- CMPD continually reviews policies and training in the area of response to resistance.
- In March, 2018, CMPD began tracking the body worn camera system anytime an officer
draws or points a firearm. The system also documents the justification or factors leading to the drawing/pointing a weapon at a person, including a taser.

- CMPD will have an updated use of force policy this month and will report changes to council upon conclusion of update.
I. PURPOSE

The purpose of this policy is to provide officers of the Charlotte-Mecklenburg Police Department (CMPD) with guidelines for the use of less lethal force.

II. POLICY

CMPD recognizes and respects the integrity and paramount value of human life. Consistent with this primary value is the Department’s full commitment to only use force when it is reasonably necessary. In determining whether force is reasonably necessary, it must be taken into full consideration that officers may be forced to make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving about the amount of force necessary in a particular situation.

CMPD further recognizes that in some instances force may be legally justified at the moment the force is administered, but the officer’s actions leading up to the use of force may be in violation of the Department’s training or other policies. CMPD prohibits officers from intentionally and unnecessarily instigating a use of force. For example, an officer who taunts, verbally baits, or initiates needless or unnecessary physical contact with a subject and then is forced to apply force immediately afterwards will be in violation of this or other policies. Finally, passive physical resistance is not in and of itself synonymous with the risk of imminent harm or danger to oneself or others.

III. DEFINITIONS

A. Imminent: An event that is about to occur at any moment.

B. Less Lethal Option: Any force employed using specialized equipment that is designed to temporarily incapacitate a person and is not reasonably likely to produce death or serious injury, including, but not limited to Oleoresin Capsicum (OC spray), impact weapons, Conducted Electrical Weapon (CEW), and bean bag rounds.

C. Less Lethal Force: Any physical exertion or device that is used to restrain or control another which is not reasonably likely to cause death or serious injury.

D. Reasonably Necessary: The reasonableness of a particular use of force must be evaluated from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The necessity of the level of force depends on the severity of the crime, whether the subject poses an imminent threat to the officers or others, and whether the subject is actively resisting arrest or attempting to evade arrest by flight.

IV. PROCEDURES FOR THE USE OF LESS LETHAL FORCE

A. Use of Less Lethal Force During Arrest

An officer may use less lethal force upon another person when and to the extent that the officer believes it reasonably necessary to:

1. Prevent the escape from custody or to effect an arrest of a person who the officer reasonably believes has committed an offense unless the officer knows that the arrest is unauthorized; or
2. Defend him or herself or another person from what the officer reasonably believes to be the use or imminent use of physical force while affecting or attempting to affect an arrest, or while preventing or attempting to prevent an escape.

3. An officer who, without provocation, taunts, verbally baits, or initiates needless or unnecessary physical contact with a subject and is compelled to use force immediately afterwards may not rely on paragraph IV A (1) or (2) of this Directive as justification for their acts in an administrative review of the use of force.

B. Verbal Warning, Dialogue, and Commands

If feasible, an officer will identify him or herself as a police officer and issue a verbal warning before using force. In addition and if feasible, officers will attempt to de-escalate the situation through verbal dialogue and commands. A verbal warning, dialogue or commands are not required in a split second situation or if the officer reasonably believes that it would place the safety of the officer or another person in jeopardy.

C. Use of Force Continuum

Officers will use only the amount of force that is objectively reasonable and necessary under the circumstances. The Use of Force Continuum (Directive 600-020) is a guideline to assist officers in assessing which level of control may be appropriate when confronted with a certain level of resistance. The Use of Force Continuum does not replace the requirement that the level of force must be objectively reasonable and necessary. Officers are responsible for reviewing the Use of Force Continuum on a regular basis.

D. Oleoresin Capsicum (OC Spray)

1. OC spray will normally be used when the officer is confronted with defensive resistance, as defined on the Use of Force Continuum, and:

   a. The use is an reasonably necessary progressive step in the use of force to effect the arrest, to secure an arrestee, or to provide for the safety of the officer or others; and

   b. Physical restraint of a person is not reasonable to bring the person under control without risk of injury to the person or the officer.

2. OC spray may be used to discourage an attack by an animal.

3. Officers are required to demonstrate proficiency in the deployment of OC in a training environment on a biennial basis.

E. Non-violent Passive Protests
The use of OC spray or any other physical force will not be immediately deployed where person or group of persons are participating in a passive non-violent protest unless there is an imminent threat to the officer or another person’s safety.

F. Conducted Electrical Weapon

Deploying a CEW is a serious use of force. A CEW will be deployed only in response to a situation in which a reasonable officer would perceive some immediate danger that could be mitigated by using a CEW. The primary purpose of the CEW is to save human lives and prevent injuries. The use of the CEW is considered “high” on the continuum of less lethal force and its use is authorized as an alternative to employing deadly force in situations where time and circumstance permit. The CEW should be used to restrain actively aggressive individuals where alternative restraint tactics fail or are reasonably likely to fail. It is not intended to be a substitute for other less lethal force options.

1. Procedures

   a. Only officers who have successfully completed CMPD’s TASER™ Operator training are authorized to carry and use a CEW.

   b. All officers authorized to carry and use the CEW are required to complete annual recertification training.

   c. When equipped with the CEW, officers will only wear the CEW holster on the non-gun side. Wearing of the CEW on the gun side is strictly prohibited.

   d. Uniform personnel that are issued a CEW are also required to carry their issued collapsible baton when on duty or working a secondary employment assignment.

   e. Officers will not make any adjustments to their CEW device settings.

   f. Each officer is responsible for the condition of their CEW and will thoroughly inspect the device before taking it into the field. Officers will:

      • Inspect the device for any obvious damage, check the lights, laser site, frame, trigger housing, and safety switch for functionality.

      • Turn the device on and verify that battery strength is greater than 20%.

      • Each weapon will be spark tested at the beginning of every shift for operability testing. Spark testing will consist of turning the device on, depressing the ARC switch for one (1) second, and turning the device back off. At no time during the spark test should you pull the trigger.

      • Cartridges will be inspected for damaged or loose doors. Cartridges will not fire without the doors securely attached.
If a TASER™ device is determined to be unfit for duty, it will be taken to the Property and Evidence Management Division where a new device will be issued. The device will be evaluated, repaired, and/or returned to the manufacturer.

All CEWs will be maintained in accordance with the 600-019A Management of Electronic Control Devices protocol.

2. Use of Conducted Electrical Weapons

a. CEWs are limited to use against subjects who are exhibiting active aggression or who are actively resisting in a manner that in the officer’s judgment is likely to result in injuries to the officer, him/herself, or others. CEWs will not be used against a passive subject.

b. The CEW falls in line with Impact Weapons on the Use of Force Continuum.

c. Examples of situations when the CEW may be used in accordance with 2-a

- When dealing with a mentally ill person who is actively aggressive, refer to 500-003, Management of Subjects in Extreme Distress;

- When confronted by subjects armed with knives, bottles, or other objects other than a firearm, where the subject poses an imminent threat to officers or citizens;

- When attempting to control violent persons who may be under the influence of drugs and/or alcohol and are exhibiting aggressive behavior or subjects whose aggressive behavior indicates that other methods of control may reasonably result in injury to the subject or officers. Officers should be aware that there is a higher risk of sudden death in subjects under the influence of drugs or exhibiting symptoms associated with excited delirium. Refer to 500-003, Management of Subjects in Extreme Distress.

- When a subject resists arrest where the subject has the apparent ability to retrieve a weapon and the officer reasonably believes the subject has access to a weapon;

- When confronted with a person expressing the intent and who has the immediate and reasonable means to commit suicide.

d. When feasible, officers will verbally warn the suspect before discharging the CEW. An ARC display may be used in conjunction with verbal warnings.

e. Initial use of the CEW will be for a full 5 second cycle, and then the officer will evaluate the need to apply a second 5 second cycle. Each subsequent 5 second cycle requires justification to deploy the CEW.
Once the subject has been exposed to three cycles, the CEW may be deemed ineffective and another use of force option should be considered.

f. The intentional use of two or more CEW’s simultaneously on the same subject is strictly prohibited.

g. The use of the CEW “drive stun” mode should be used primarily to supplement the probe mode to complete the conductive circuit. The “drive stun” requires the same level of justification as a probe deployment.

3. The CEW shall not be used:
   a. When the officer cannot for safety or other reasons approach the subject to within the effective range of the CEW;

   b. In the proximity of flammable liquids, gases, or any other highly combustible materials that may be ignited by the device including any individual that may be have been exposed to combustible substances or liquids such as gasoline;

   c. In situations where deadly force is the most reasonably necessary option, unless another officer is in position to use deadly force against the subject.

   d. On handcuffed persons unless doing so is necessary to prevent the person from causing serious bodily injury to him/her self or others.

   e. Solely to prevent the escape of a subject who is otherwise not displaying active aggression towards the officer or others.

4. In less-lethal force situations, officers will not use a CEW under the following situations:
   a. On persons who do not pose an imminent threat of physical harm to themselves, the public, or officers;

   b. On a person who is mentally ill and has not committed a crime and does not pose an immediate imminent threat of physical harm to themselves, the public or officers.

   b. On a person who is in control of a vehicle (e.g., automobiles, trucks, motorcycles, ATVs, scooters), while that vehicle is moving or in gear;

   c. On a person who is complying with an officer’s commands;

   d. During a demonstration or other lawful protest where the subject is only engaged in passive resistance;

   e. When it is reasonable to believe that incapacitation of the subject may result in serious injury or death (e.g. where the subject’s fall may result in death or serious injury).
5. In less-lethal force situations, officers will not intentionally target the head, neck, upper chest area or genitalia of the subject with a CEW.

6. In less-lethal force situations, officers should be cognizant if the subject is visibly pregnant, elderly, otherwise infirm or of very young age and consider other non-lethal force options before deploying a CEW.

7. In (less)-lethal force situations, officers should be cognizant of the risk of positional asphyxia and use restraint techniques that do not impair the breathing of an in-custody subject after application of the CEW.

8. Medical Considerations: Personnel should be aware that there is a higher risk of sudden death in subjects under the influence of drugs and/or exhibiting symptoms associated with excited delirium. In accordance with Directive 500-003 Management of Subjects in Extreme Distress, MEDIC should be requested as soon as practical once it has been concluded that the subject may be at risk for positional/restraint asphyxia or excited delirium.

   a. Whenever possible, when officers respond to Calls For Service in which they anticipate an CEW application may be used against a subject and/or an individual that may be at-risk for positional asphyxia, restraint asphyxia or excited delirium, the officer shall, as soon as practical, notify an on-duty supervisor and request MEDIC if they were not initially dispatched. The officer shall designate a nearby safe location for MEDIC personnel to stage until the scene is secure.

   b. First Responders and MEDIC shall be requested for anyone who is subjected to the electrical discharge, including drive-stun exposures. Officers will closely monitor the subject until arrival of First Responders and MEDIC.

   c. MEDIC personnel will complete on-scene probe removal and a medical evaluation on all subjects exposed to the CEW. MEDIC personnel will then evaluate the subject and determine whether the subject will be transported to the hospital.

   d. If MEDIC clears the subject, the officer may then transport the subject directly to the intake center. In cases where a subject has been exposed to multiple CEW cycles exceeding 15 seconds the officer will request that MEDIC transport the subject to the hospital for further examination and clearance before being transported to the jail.

   e. Darts that penetrate the skin will only be removed by medical personnel. CEW probes will be treated as biohazard materials.

   f. Internal Affairs will be responsible for the investigation of CEW applications when:

      • Application exceeds 15 seconds;
- CEW is applied outside of policy and/or training;
- The subject is in an at risk category (e.g., young children, elderly, pregnant).

G. Less Lethal Options

1. Officers with specialized training who are authorized and trained in the use of specialized equipment may use that issued equipment pursuant to a standard operating procedure approved by the Chief of Police or designee.

2. The use of less lethal options is not considered deadly force.

3. Approved less lethal equipment currently includes, but is not limited to:
   a. Bean Bag rounds
   b. Chemical irritants
   c. Rubber pellets
   d. Conducted Electrical Weapons (CEW)
   e. Canine
   f. Other equipment as approved by the Chief of Police that is designed to incapacitate, but not designed to deliver deadly force.

H. Impact Weapons

1. Impact weapons may be used only when an officer is confronted with active aggression that is occurring or is imminent, against him or herself or another person.

2. The use by an officer of a flashlight, baton, or similar object used as a club to strike a blow to the muscle groups of a person’s arms or legs will be considered use of less lethal force.

3. A flashlight, baton, or similar object used as a club to strike a blow to a person’s head/neck is prohibited except where deadly force is reasonably necessary.

4. Officers are required to demonstrate proficiency in the use of impact weapons in a training environment on a biennial basis.

I. Officers will not use the following tactics unless deadly force is reasonably necessary:

1. Any hold with or without a device that restricts a person's airway.

2. Any strike with an impact weapon or object to a person's head or neck.

3. Any other tactic that is reasonably likely to result in death or serious injury unless deadly force was reasonably necessary.
J. Officers will not taunt, verbally bait, or initiate needless or unnecessary physical contact with a subject.

V. PROCEDURES FOLLOWING THE USE OF LESS LETHAL FORCE

A. Medical Treatment

An officer will summon appropriate medical aid when the subject requests medical assistance or, in the officer's opinion, the subject requires medical assistance. The officer will contact a supervisor if the officer is in doubt as to the necessity of medical treatment. In the event a supervisor is contacted; the supervisor will observe the subject prior to making the decision on whether to obtain medical aid.

After requesting the appropriate medical aid, the officer will take any appropriate measure they are trained and certified to take. Those actions may include:

1. Increased observation of the subject to detect obvious changes in condition;
2. Apply any first aid they are trained and certified to apply; and,
3. Secure the scene to protect the subject from any further injury.

B. Documentation

1. Officers who use force on a subject will contact their supervisor immediately.
2. The officer's supervisor must be notified of all uses of force and must thoroughly investigate and determine when a Supervisor's Investigative Report is required.
3. If a Supervisor's Investigative Report is required, the supervisor is responsible for investigating the incident and for completing the report.
4. Upon completion of the report the supervisor will utilize the transfer function in IACMS to route the investigation to the next higher level in the chain of command for review and disposition.
5. There are additional requirements for use of force investigations involving CEW discharges.
   a. Supervisors should photograph the impact points before and after removal (if possible).
   b. A photograph should also be taken of the discharged cartridge, showing the wires and both probes.
   c. The supervisor must include a TASER™ Data Download report, covering the previous 24 hours.
   d. Complete the CEW addendum in the IA Case Management System.
6. Off-duty officers involved in use of force situations are subject to the same procedures as on-duty officers. When an off-duty officer is involved in a use of force situation, he or she will notify a police supervisor immediately. If the job
or location has an off-duty supervisor assigned, that supervisor will complete the investigation and forward it to the officer's chain of command. If there is no off-duty supervisor assigned, an on-duty supervisor from the division where the job is located should be contacted. Additionally, on-duty supervisors shall assist off-duty supervisors with investigations, as needed.

7. The Department has attempted to identify all situations where an IACMS investigation should be completed. Such an investigation is required in any situation that clearly involves a use of force. The following are some examples of situations where the completion of an IACMS investigation is required:

a. An officer exercising police authority uses force which causes any visible or apparent physical injury, or which results in the subject saying that he or she was injured.

b. An officer exercising police authority uses any object, including baton, flashlight, hand, fist, or foot, to strike a blow to a subject.

c. An officer exercising police authority uses force that in any way causes a subject to suffer a blow to the head.

d. An officer uses OC spray on a subject.

e. An officer uses a CEW on a subject.

f. An officer uses a less lethal option to affect the arrest or to control a subject.

g. The Civil Emergency Unit or other specialized unit uses the less lethal option(s) to disperse rioters, mobs, crowds, or barricaded subjects. In this situation the commander of that unit will complete one Supervisor's Investigative Report.

h. A police canine bite.

i. An officer exercises police authority on a subject resulting in the subject losing consciousness.

j. There is evidence that just prior to application of force an officer taunted, verbally baited, or initiated needless or unnecessary physical contact with the subject.

8. An IACMS investigation is also required when no apparent use of force has occurred, but a subject has sustained visible injuries while fleeing from police or while in custody. These injuries are categorized as No Force Subject Injury (NFSI) investigations in the IACMS. Examples include:

a. A subject fleeing from arrest and injures himself;

b. A subject injures himself in any manner while handcuffed or in police custody.

C. Witness of Use of Force by an Employee
Any employee, who witnesses a use of force that is required to be reported, will notify a supervisor immediately and complete an Investigative Witness Form.

D. Notification

1. The investigating supervisor will notify the division commander and/or the Watch Commander as soon as possible whenever a CMPD employee has inflicted serious injuries.

2. If the force used is such that the affected individual requires hospitalization, the Watch Commander or division commander will notify the commander of the Internal Affairs Bureau immediately, regardless of the hour of the day.

E. The existence of one or more Supervisor Investigative Reports documenting a use of force by an individual employee, by itself, cannot be the basis for discipline against that employee.

VI. REFERENCES

300-020 Police Critical Incident Stress
400-002 Firearms
600-018 Use of Deadly Force
600-019A Management of Conducted Electrical Weapons
600-020 Use of Force Continuum
500-003 Management of Subjects in Extreme Distress
N.C.G.S. 15A-401(d)
Armstrong v. The Village of Pinehurst, 810 F. 3d. 892 (4th Cir. 2016)
TAB 14
**LEGISLATIVE AGENDA PROCESS**

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Mayor Pro Tem Eiselt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Jason Kay</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>Council members have two important paths to shape the consideration and approval of the City’s legislative agenda at both the committee and full council level.</td>
</tr>
</tbody>
</table>
| Deliverable:     | • Identify the key dates and process for submission of issues to the Intergovernmental Relations Committee for consideration in the legislative agenda.  
  • Identify the key dates and process by which City Council approves recommended issues for the legislative agenda. |
| Update on Deliverables: | Attached is the memo identifying the key dates and process by which the IRC and full council consider and approve the City’s official legislative agenda. Included are the following:  
  • Discussion of issues with the Mayor or IRC Co-chairs to be included for consideration during IRC legislative agenda meetings.  
  • Currently anticipate IRC Meeting Dates: Sep 17, Oct 15, and Nov 19.  
  • Currently anticipated council consideration and adoption of the state and federal legislative agenda: Nov 26 and Dec 10. |
During the Council Strategy Session on August 14, Mayor Pro Tem Eiselt inquired about the process by which a Council member can include items on the City’s legislative agenda.

The Intergovernmental Relations Committee (Committee) has been charged by the Mayor with considering and recommending annual State & Federal legislative agendas to the City Council. In order to allow the Mayor and Committee Co-Chairs to properly manage the flow of work when the Committee hears legislative requests, Councilmembers can talk with any of them in advance to get items before the Committee for consideration at one of its upcoming legislative agenda meetings. This will enable the Committee to discuss proposals with the Councilmember and to collectively consider the actionability, impact on legislative relationships, and likelihood of success of agenda proposals.

The Committee will meet on Monday, September 17, to begin the process of developing the 2019 State & Federal legislative agendas. Requests for inclusion of specific policy issues in the agendas are tentatively scheduled to be considered at the Committee’s October 15 and November 19 meetings. All Council Members are invited to attend the Committee’s meetings.

The full Council will likely meet to consider and vote on the City’s official legislative agenda in a series of two meetings: (1) initial consideration at an action review meeting on November 26 and (2) final council consideration at the council’s meeting on December 10.