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Tab 1........................................Summary of 2018 “New Items”

Tab 2.......................................City Manager 2018 Action Items

Tab 3.........................................2018 Committee Assignments
TAB 1
City Council Committee

2018 New Items

- Of the 28 items identified by City Council at the 2/5 Strategy Session:
  - Analysis is provided on 19 of these
    - Two of these will be reviewed at 4/9 Council Action Review
      (Sewer Capacity and Regional Water Supply Planning)
  - Six are currently being worked on in committees
  - Three are ready for possible committee assignment

| 2/5 New Items assigned to City Manager | 28 |

| April 2 Update:                          |
| City Manager – Analysis provided         | 19 |
| Currently being worked on by Committee   | 6  (Blue sheets) |
| Scheduled for Committee assignment       | 3  (Yellow sheets) |
## 2018 “New” Items Assigned to City Manager for Analysis (in white)

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<td><strong>Action Taken/Recommendation:</strong> Evaluation complete. Several Boards and Academies conduct implicit bias sessions and have content on related topics. The current Citizens Review Board has attended an implicit bias session, and once the next Board is appointed, will continue to receive training in this area. *In order to include implicit bias training as a pre-requisite for CRB appointment, Council will need to amend the CRB ordinance.</td>
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# City Manager Assigned Strategy Session Action Item Update

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<td><strong>Planning, Economic Development and Neighborhoods portfolio</strong></td>
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<td>Development Permitting</td>
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**Action Taken/Recommendation:** Several substantial changes to the city-controlled aspects of the development permitting process have been identified by stakeholders and staff and have been implemented to improve the speed, quality, and customer service practices for development permit approvals.

|        | Expanding Neighborhood Development | 2/5/18          | CM Mayfield       | Debra Campbell           |

**Action Taken/Recommendation:** Informational item – broad draft strategy on neighborhood and housing services strategy provided.

|        | Small Business Program Utilization | 2/5/18          | CM Harlow         | Sarah Hazel             |

**Action Taken/Recommendation:** Review of program utilization is complete.

|        | Supporting Veteran Owned Businesses | 2/5/18          | CM Bokhari        | Jason Kay               |

**Action Taken/Recommendation:** Completed a review of NC local governments, other states and federal government to determine best practices; completed legal analysis of state law to determine feasibility; NC does not permit veteran-owned contracting program for construction or professional services but does for routine services; new state legislation recommended to create contracting program for veteran-owned businesses.

|        | Code Enforcement (Solid Waste)   | 2/5/18          | CM Mayfield       | Kim Eagle               |

**Action Taken/Recommendation:** Analysis completed. No fines have been issued. Will closely monitor implementation of the ordinance to determine further action is necessary.

|        | Sewer Capacity                   | 2/5/18          | CM Mayfield       | Kim Eagle               |

**Action Taken/Recommendation:** Presenting at 4/9 Action Review.

|        | Regional Water Supply Planning   | 2/5/18          | CM Ajmera         | Kim Eagle               |

**Action Taken/Recommendation:** Presenting update at 4/9 Council Action Review.

|        | Transfer Tax                     | 2/5/18          | CM Mayfield       | Jason Kay               |

**Action Taken/Recommendation:** Completed a legal and legislative analysis. Legislature eliminated transfer tax 2011 that allowed localities to opt in to charge a transfer tax. Next step would be for Council to decide whether to go to the legislature for re-instatement of the transfer tax.
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<td>A review of current programs and issue brief is complete.</td>
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<td>Innovation Lab</td>
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<td></td>
<td>Inventory and analysis of internal structures and peer research complete.</td>
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<td>20</td>
<td>Intimate Partner Violence Prevention &amp; Support</td>
<td>2/5/18</td>
<td>Mayor Lyles</td>
<td>Kim Eagle</td>
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<tr>
<td>21</td>
<td>LYNX Gold Line (Street Car) Impacts</td>
<td>2/5/18</td>
<td>CM Newton</td>
<td>Debra Campbell</td>
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<tr>
<td>22</td>
<td>Disparity Study Part 2 (Policy)</td>
<td>2/5/18</td>
<td>CM Mitchell</td>
<td>Debra Campbell</td>
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<td>23</td>
<td>Project P.I.E.C.E.</td>
<td>2/5/18</td>
<td>CM Mitchell</td>
<td>Debra Campbell</td>
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<tr>
<td>24</td>
<td>Displacement Assistance</td>
<td>2/5/18</td>
<td>CM Harlow</td>
<td>Debra Campbell</td>
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<tr>
<td>25</td>
<td>Storm Water Policy Review</td>
<td>2/5/18</td>
<td>CM Driggs</td>
<td>Kim Eagle</td>
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**Action Taken/Recommendation:**
- **20**: Assigned to Community Safety Committee.
- **21**: The Economic Development Committee will begin discussion of this item in September.
- **22**: In Economic Development Committee – findings of Disparity Study Part 1 were presented at the 2/26 meeting which indicated that disparity still exists. The Committee also received information and discussed the scope of work of Part 2 of the Disparity Study. Committee action anticipated early Summer. Full Council review and action late Summer.
- **23**: In Economic Development Committee – discussion to begin in early Summer 2018.
- **24**: In Housing and Neighborhood Development Committee – referred 3/5 – to be combined with the pilot project on displacement that is currently in the Housing and Neighborhood Development Committee.
- **25**: Environment Committee policy review completed in March and assigned to the Budget Committee to be included as discussion for the final Budget Workshop.
City Manager Assigned Strategy Session Action Item Update

2018 “New” Items Scheduled to go to Committee (in yellow)

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<td>War on Litter</td>
<td>2/5/18</td>
<td>CM Phipps &amp; Eiselt</td>
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<td><strong>Action Taken/Recommendation:</strong></td>
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<td></td>
<td>In Environment Committee.</td>
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<td>27</td>
<td>Tree Ordinance Review (including green roof)</td>
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<td>Scheduled for assignment to the Environment Committee, in alignment with UDO findings for Trees.</td>
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<td>Post Construction Control Ordinance</td>
<td>2/5/18</td>
<td>CM Driggs and Mayor Lyles</td>
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<td><strong>Action Taken/Recommendation:</strong>&lt;br&gt;A review of current programs and issue brief is complete.</td>
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</tr>
<tr>
<td>19</td>
<td>Innovation Lab</td>
<td>2/5/18</td>
<td>CM Bokhari</td>
<td>Sarah Hazel</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong>&lt;br&gt;Inventory and analysis of internal structures and peer research complete.</td>
<td></td>
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<tr>
<td>Requester:</td>
<td>Council member Newton</td>
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<tr>
<td>Staff Resource:</td>
<td>Danny Pleasant</td>
<td></td>
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<tr>
<td>Statement of Issue:</td>
<td>City Council Adopted an updated bicycle plan February 2017. The plan included funding recommendations for building safe, convenient, useful and attractive bicycle facilities in accordance with current design practices.</td>
<td></td>
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<tr>
<td>Deliverable:</td>
<td>• Evaluation of how the Community Investment Plan is addressing development of bicycle facilities</td>
<td></td>
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</tbody>
</table>
| Latest Developments| • The City of Charlotte is advancing bicycle facilities through a variety of projects and programs that currently exist in the Community Investment Program including standalone projects such as the North Bridge, projects through CNIP programs and facilities through the street resurfacing program.  
  • Bicycle facilities are integrated with named transportation projects as well as Comprehensive Neighborhood Improvement Program (CNIP) projects. |
The Charlotte BIKES plan, adopted by Charlotte City Council in May of 2017, is the city’s blueprint to becoming a bicycle-friendly city. Charlotte BIKES provides the vision, goals, strategies and recommended efforts to both expand the city’s physical network of bicycle facilities with a corresponding growth in a culture which recognizes and welcomes the bicycle as a means of transportation for cyclists of all ages and abilities.

The plan was developed with input from Charlotte's Bicycle Advisory Committee, as well as feedback from the general public and other bicycling stakeholders.

Charlotte Bikes is organized around the 6 "E's" of creating a bicycle-friendly city.

- **Equitably** implementing bicycle efforts throughout Charlotte,
- **Engineering** safe and comfortable bicycle facilities,
- **Educating** bicyclists and motorists to ride and drive safely,
- **Encouraging** a bicycle-friendly culture through facilities and events,
- **Enforcing** traffic laws to foster safety and accountability, and
- **Evaluating and planning** for an expanded bicycle network and expanded use.

Some of the key recommendations identified in Charlotte BIKES include:

- Creating a bicycle network and bicycle-related programming that benefits people of all ages, abilities, and neighborhoods in Charlotte.
- Incorporating the latest in bikeway design guidance
- Funding a Bicycle Program that addresses all aspects of creating a bicycle-friendly city

The City’s [Transportation Action Plan](#) (TAP), last updated 2017, provides a framework to keep Charlotte’s people and goods moving while accommodating an estimated 44 new residents per day over the next 25 years. Since the TAP’s first adoption in 2006, increased funding for transportation of over $530 million was used to advance important road and intersection projects.

The key components in the TAP related to bicycling are Objective 2.6 (construction of 10 miles of new bikeway per year) and related policies. The TAP’s Proposed Expenditure Plan, detailing approximately $5 billion in transportation investments for all modes over the next 25 years. The TAP calls for funding the bicycle program at $4 million per year or 100 million over the 25 year TAP horizon. Many of the other recommended investments in the TAP and the City’s Community Investment Plan also would benefit bicyclists through the routine provision of bicycle facilities as part of other capital projects.

The City looks at opportunities to advance bicycle projects as part of all capital projects. Currently funded projects that will benefit bicycling in Charlotte include:

- NECI
- Cross-Charlotte Trail
- Applied Innovation Corridor
- I-85 North Bridge (Research Drive to J.W. Clay)
- West Boulevard Extension
- Monroe Road Streetscape
- Park South Extension
CHARLOTTE BIKES - FUNDING

- Southeast Corridor Sidewalk and Bikeway improvements
- Eastern Circumferential
- 5th/6th Street Cycletrack (design)
- Belk Trail Phase One
- Idlewild/Monroe/Rama Intersection
- Lakeview Rd. Farm-to-Market Upgrade
- Westinghouse Blvd. Shared Use Path
- DeArmon Rd. Farm-to-Market Upgrade
- Kilborne Dr. Street Improvements
- Ridge Road Extension
- Brown-Grier Farm-to-Market Upgrade
- Ayrsley Town Blvd. Streetscape
- Lakeview/Reames Roundabout
- Shamrock Dr. Complete Street
- Miranda/Oakdale/Sunset Intersection
- John Kirk Dr. realignment
- Matheson Ave Bridge Streetscape
- McKee/BCP/Providence intersection
- Oakdale Road Farm-to-Market Upgrade
- The Plaza Roadway Conversion
- Back Creek Church Road Farm-to-Market Upgrade

In addition, the City reviews the street resurfacing list annually to look for opportunities to add bicycle facilities as part of the resurfacing project.

The City’s Bicycle Advisory Committee and other advocates have reached out to the City Council requesting funding for the Bicycle Program. This funding would enable additional capital facilities to be built and advance program elements in the Charlotte BIKES plan. These elements include education and encouragement activities which help to build a bicycle-friendly culture. Page 79 of the Charlotte Bikes plan details how additional Bicycle Program funding (if available) could be allocated across a variety of bicycle-friendly initiatives.
## Bicycle Program Initiatives Annual Expenditure Summary Table

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ENGINEERING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle Signal Detection</td>
<td>Install bicycle specific signal detection at 2 signalized intersections per year</td>
<td>$10,000</td>
</tr>
<tr>
<td>Bicycle Wayfinding</td>
<td>Install/modify 5 miles of bicycle wayfinding signage per year and up to 2 miles of shared lane markings</td>
<td>$45,000</td>
</tr>
<tr>
<td>Bicycle Lane Retrofits</td>
<td>Mark 2 miles of bicycle lanes or 1 mile of buffered bicycle lanes per year</td>
<td>$40,000</td>
</tr>
<tr>
<td>Bicycle Boulevards</td>
<td>Install two traffic circles per year or other bicycle boulevard treatments along key bicycle corridors</td>
<td>$80,000</td>
</tr>
<tr>
<td>Green Pavement Markings</td>
<td>Install 5 conflict zone treatments per year</td>
<td>$75,000</td>
</tr>
<tr>
<td>Connectivity Projects</td>
<td>Construct one connectivity project per year</td>
<td>$120,000</td>
</tr>
<tr>
<td>Corridor Implementation</td>
<td>Construct bicycle lanes, protected bicycle lanes and/or shared-use paths recommended in corridor studies or other planning efforts</td>
<td>$3,300,000</td>
</tr>
<tr>
<td><strong>EDUCATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle Education: Children</td>
<td>Partner to provide bicycle education events targeted at children</td>
<td>$50,000</td>
</tr>
<tr>
<td>Bicycle Education: Adults</td>
<td>Partner to provide bicycle education events targeted at adults</td>
<td>$50,000</td>
</tr>
<tr>
<td><strong>ENCOURAGEMENT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td>Install 20 bicycle racks per year (at $500 per rack)</td>
<td>$10,000</td>
</tr>
<tr>
<td>Charlotte Cycling Guide</td>
<td>Produce updated Charlotte Cycling Guide every three years</td>
<td>$10,000</td>
</tr>
<tr>
<td>Bike! Charlotte</td>
<td>Produce and promote a series of bicycle events</td>
<td>$30,000</td>
</tr>
<tr>
<td>Bicycle Program Ambassadors</td>
<td>Communicate the City’s vision, promote bicycle-related efforts, and mentor new bicyclists</td>
<td>$50,000</td>
</tr>
<tr>
<td><strong>ENFORCEMENT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enforcement Activities</td>
<td>Conduct police training, targeted enforcement campaigns, and distribute safety equipment</td>
<td>$10,000</td>
</tr>
<tr>
<td><strong>EVALUATION / PLANNING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle Counts</td>
<td>Install additional dedicated bicycle/pedestrian counters at two per year</td>
<td>$20,000</td>
</tr>
<tr>
<td>Demonstration/Pilot Projects</td>
<td>Implement temporary demonstration projects to test feasibility of implementation</td>
<td>$50,000</td>
</tr>
<tr>
<td>Bicycle Planning</td>
<td>Staff assistance to the Bicycle Advisory Committee, Council, other city/county efforts and the general public</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

Total cost of implementing a bicycle program addressing all six “E’s” $4,900,000
**Requester:** Council member Newton  
**Staff Resource:** Danny Pleasant  
**Statement of Issue:** The transit plan for the Charlotte Area includes premium service in five corridors. A recent study of the southeast corridor parallel to Independence Blvd resulted in a recommendation for light rail service, which was named the Silver Line.

**Deliverable:**
- CATS is updating its Transit System Plan in anticipation of a Spring 2018 community outreach aimed at identifying resources needed to complete the remaining three corridors (the Lynx Blue Line serves the south corridor and will open in the northeast corridor March 2018.)
- Evaluate whether the city should take measures to protect the Silver Line corridor through early land acquisition and building multi-use trail segments for interim or long term use.

**Latest Developments**
- Evaluation has been conducted.
- **$525,000 annually is proposed in CATS FY2019-FY23 budget as a corridor preservation and ROW protection fund.** (This is a recommended strategy from the LYNX Silver Line study.)
- First step is to engage an on-call consultant to evaluate proposed real estate development projects and to identify any opportunities for early acquisition. **Work proposed to begin July 2018.**
- Failure to protect the 2030 Plan corridors will significantly increase the cost and impact of future corridor development.
- CATS staff met in March with the Town of Mathews staff to develop a corridor preservation and development strategy between Sam Newell Rd and the CPCC Levine campus.
- The Silver Line Uptown access is being studied as part of the LYNX System Update Study
- A regional transit summit is planned for May 17th, which will provide a forum for CATS and regional partners to discuss how a regional transit plan and the 2030 plan will integrate.
- CATS will hold public meetings in late Spring that will detail potential rapid transit alternatives for the North, West and Silver Line Uptown access.
- Last year, the Hendrick Automotive Group agreed through a rezoning to reserve space across their property for a future road, multi-use path, and the LYNX Silver Line.
- CATS continues to seek funding to advance the design of the LYNX Silver Line. At this point there are no proposed local funds for this effort. Advancing the Silver Line design would provide more detailed information on the required right-of-way that should be reserved or pursued for early acquisition.
Requester: Council member Newton

Staff Resource: Sarah Hazel

Statement of Issue: Daily, police officers encounter persons with mental illness. Understanding the system of interactions and outcomes between police officers, mental health professionals, and individuals in need of care is an important step to ensure individual and community health and safety.

Deliverable:
- Produce a systems map of interactions
- Review CMPD training related to encountering persons with mental illness and effectiveness
- Compile a list of best practices and innovative policies to provide quality care and reduce negative outcomes
  - Key stakeholders
  - Training courses and tactics
  - Internal policies governing expected officer conduct
  - Successful systems of coordinated care

Update on Deliverable:

CMPD Training Review
- CMPD regularly reviews training information, techniques and tactics and makes revisions as appropriate.
  - Additional training is added as recommended by the Police Executive Research Forum (PERF) when dealing with subjects in mental distress and armed with a knife or impact weapon.
  - Additional training has been mandated as a component of Basic Law Enforcement Training (BLET) for police recruits.

Best Practices
- The Memphis Model Crisis Intervention Team (CIT) Program
- Houston Police Department - (Mental Health Division and CIT Program)
- IACP – Model Policy: Responding to Persons Affected by Mental Illness or in Crisis
- IACP One Mind Campaign
- Mecklenburg County (CIT) Program
- Various NC jurisdictions (CIT) Programs
- Sante Group Mobile CriSys -Mecklenburg County Mobile Crisis Team
- CIT International Conference
- Mecklenburg County CIT Clinician

Key Stakeholders
Beyond CMPD and individuals with behavioral health issues, key stakeholders in our CIT program include: Mecklenburg County Public Health, Trauma and Justice Partnerships and National Alliance on Mental Illness (NAMI). In addition, Cardinal Innovations Healthcare, Mecklenburg County Sheriff’s Office, Mobile Crisis, Central Piedmont Community College,
**SYSTEM OF INTERACTION BETWEEN OFFICERS, MENTAL HEALTH PROFESSIONALS, AND PERSONS WITH MENTAL ILLNESS**

Atrium Health/Carolinas Healthcare System, Novant Healthcare, MEDIC, Charlotte Fire Department, Mecklenburg County Criminal Justice Services, Inreach, Hope Haven, Monarch, Mental Health America of the Central Carolinas, and multiple other providers and advocacy groups are also critical stakeholders.

### CMPD Training and Tactics

- **Mental Health First Aid Course for Police Officers – 8 hours**
  - Learn signs & symptoms of mental illness & participate in exercises involving de-escalation options

- **Crisis Intervention Team Training for Police Officers – 40 hours**
  - CMPD collaborates with Mecklenburg County Health Department and Trauma and Justice Partnerships to deliver the training.

- **Crisis Intervention Team Training for Tele-communicators – 16 hours**
  - CMPD collaborates with Mecklenburg County Health Department and Trauma and Justice Partnerships to deliver the training.

- **Communication Class for Recruits and Police Officers – 2 hours**
  - Verbal de-escalation techniques

- **Scenario-based Training for Recruits – 16 hours**
  - Ability to resolve conflict without resorting to physical control measures unless necessary
  - De-escalation, communication skills, and tactical positioning when dealing with highly agitated individuals
  - Response to subjects in mental health crisis who may be armed with an edged or an impact weapon

- **Individuals with Mental Illness or Developmental Disabilities – 24 hours**
  - Basic Law Enforcement Training block of instruction increased from 8 hours to 24 hours in 2018

- **CMPD’s Crisis Intervention Team (CIT) Program**
  - CIT originated in Memphis Tennessee in 1988 after a tragic encounter between a law enforcement officer and a subject with mental illness. The national model of CIT, “the Memphis Model” indicates that a successful CIT program should have between 20-25% of an agency’s patrol division trained. The goal is to have an adequate number of CIT trained officers available at all times.
    - 40% of CMPD officers are CIT certified
    - CMPD offers five CIT for Law Enforcement training classes annually and three CIT for Tele-communicator Training classes per year
  - CMPD’s CIT program, managed by the Community Wellness Division of the Community Services Bureau, seeks to “operationalize” CIT in the department. To aid in accomplishing this, CMPD implemented several new tools to assist in tracking behavioral health calls for service and CMPD’s responses.
    - Added new clearance codes for officers to use when responding to a behavioral health-related call for service
    - Added a button for police dispatchers to use when a CIT officer is requested.
SYSTEM OF INTERACTION BETWEEN OFFICERS, MENTAL HEALTH PROFESSIONALS, AND PERSONS WITH MENTAL ILLNESS

City Manager Update

- Added a CIT call for service to be used by CIT officers when CIT skills are used
- Developed an electronic data collection report that captures the results of CIT officers’ interventions
- CMPD provides a monthly CIT Newsletter to all CIT certified personnel

Internal Policies
- CMPD complies with The Commission on Accreditation for Law Enforcement Agencies, (CALEA) accreditation standards which require agencies to have a policy review process.
  - CMPD Directive 500-003, Management of Subjects with Mental Illness/Extreme Distress, was reviewed and revised March 2017 (attached).
  - A CMPD Standard Operating Procedure (SOP) for CIT response has been drafted for review and approval.

Successful Systems of Coordinated Care
Key partners in CIT focus on the coordinated care of consumers. CMPD participates in workgroups such as the Frequent MEDIC Users, Emergency Department Innovations Team (EDIT) and Substance Use Disorder (SUD) workgroups that meet monthly and seek to coordinate care with high system users.
CIT officer ensures follow-up/Enters CIT Report

CIT Referral Form for Clinician Completed

Yes

5 Prior Calls for CIT related service

No

Clinician goes out with Officer to complete initial Face to Face

Clinician engagement/consumer agreeable to participation

Yes

Clinician will provide referral and contact info.

No

Clinician is unable to locate consumer-3 attempts will be made

No

Clinician will attempt to engage individual up to 3 times

Yes

Engaged/agreeable to participation

No

Determine if second appointment is needed and schedule

No

Refer to Appropriate Services/supports

Yes

Connect to Provider

Consumer completes 2 appointments

Clinician monitors through contact with provider up to 3 months

**Individuals can be referred again after a 6-month period**

**Those experiencing a crisis can be referred sooner**

Case is Closed

Clinician makes attempt to connect with new provider

Still Connected after 3 months

Clinician provides Resource and Contact info.

Case is closed
I. PURPOSE

Officers periodically come into contact with individuals in extreme distress or suffering from some type of mental illness. Some of these individuals are at-risk of death and require proper medical care. The purpose of this directive is to provide officers with information that will allow them to:

A. Identify subjects who are in extreme distress and may be at-risk of sudden death during restraint encounters and;

B. Identify subjects who may be mentally ill and may require assistance or access to available community mental health resources;

C. Manage the situation in a manner that minimizes the risks to all involved and;

D. Facilitate medical care for the individual as soon as practical.

II. POLICY

The CMPD recognizes and respects the integrity and paramount value of human life. Consistent with this primary value is the CMPD’s full commitment to protect the safety of officers and others, including individuals at-risk for extreme distress or those who may be suffering from some type of mental illness.

III. DEFINITIONS

A. Positional Asphyxia: Occurs when the position of the body interferes with normal breathing. The inability to adequately breathe creates a lack of oxygen in the body which may result in unconsciousness or suffocation (“asphyxiation”). The inability to breathe properly may result from the body’s position interfering with the muscular or mechanical function of breathing, from the compromising or blocking of the airway, or from some combination of the following:

1. The body position most likely to contribute to positional asphyxia is that of being "hog-tied" (handcuffed behind the back, feet bound and raised towards hands, and placed face down). However, positional asphyxia may occur even though the subject is not restrained as described above. For example, simply being handcuffed behind the back (the preferred method for safety reasons) and being placed face down could cause positional asphyxia.

2. Additional factors that may contribute to positional asphyxia include:

   a. Mental condition of the subject;

   b. Presence of cocaine or other stimulating substances in the subject’s system;

   c. Anatomy of the subject.
B. Restraint Asphyxia: is usually caused by a combination of exhaustion, exertion, fear and restricted breathing due to restraint or the use of force.

C. Excited Delirium: A condition in which the heart races wildly, often because of drug use or mental illness, and finally gives out causing death.

1. Excited delirium is the result of a serious and potentially life threatening medical condition. The person can appear normal until they are questioned, challenged or confronted. Further confrontation, threats and use of force will almost certainly result in further aggression and even violence. Attempting to restrain and control these individuals can be difficult because they frequently possess unusual strength, pain insensitivity and instinctive resistance to any use of force.

2. Factors that may contribute to excited delirium include:
   a. Alcohol intoxication;
   b. Drug use (especially cocaine);
   c. Obesity;
   d. Delirium (mental illness including psychosis and schizophrenia and/or drugs);
   e. Intoxication.

3. Because at-risk individuals could potentially die without proper medical attention, it is important for officers to recognize subjects who may be in extreme distress. The following signs may be exhibited.
   a. The person's ability to focus, sustain or shift attention is impaired, and he/she is easily distracted.
   b. The person may be rambling and incoherent, and it may be difficult or impossible to engage the person in conversation.
   c. The person may exhibit signs of paranoia, fear and excitability. The presence of police officers may further heighten this feeling.
   d. The person may also be disoriented in regards to time and/or locations, suffer from misleading perceptions, and/or experience hallucinations or delusions.
   e. Due to elevated body temperature, many of these individuals remove one or more items of clothing.
   f. They often possess unusual strength and endurance, as well as appear impervious to pain.
   g. These symptoms can progress into agitation, anger and aggressiveness.
h. Subjects suffering from excited delirium have a tendency towards violence against people, as well as inanimate objects, particularly glass.

i. Subjects who while being combative and/or agitated suddenly become compliant, placid or go limp may be a warning to officers that the subject may be going into cardiac or respiratory arrest.
   - Officers should physically check the subject’s breathing.
   - Officers should ask the subject questions to ascertain his/her awareness.
   - If the subject is in a prone position, officers should attempt to get him/her into a sitting position and check for any restrictions to the airway.
   - Officers will summon MEDIC to respond to have the subject evaluated and/or provide advanced life support.

D. Mobile Crisis Team: A team of mental health professionals who have been contracted with Mecklenburg County Area Mental Health to assist CMPD employees in their interactions with mental health consumers. The Mobile Crisis Team members are available to CMPD employees 24/7/365.

E. Crisis Intervention Team (CIT) Officers: Law enforcement officers who have received specialized training to deescalate crisis situations involving individuals in distress and then in partnership with community providers divert these individuals into treatment services.

F. Trauma & Justice Partnerships: A division of the Mecklenburg County Health Department which is the service delivery organization for mental health, substance abuse, and developmental disabilities services in Mecklenburg County.

IV. PROCEDURE

Once it is determined that a subject may be at-risk of extreme distress, the incident shall be managed as a medical emergency, in addition to whatever law enforcement response may be required under the circumstances, including the use of reasonable force.

A. Role of Officer

If an officer responds to an incident and concludes an individual may be at-risk for positional asphyxia, restraint asphyxia and/or excited delirium, the officer will as soon as practical request MEDIC if they were not initially dispatched. The officer will designate a nearby safe location for MEDIC personnel to stage until the scene is secure. The officer will notify their supervisor. Supervisors will respond to the scene of all instances of suspected subjects in extreme distress.
1. If the person appears unarmed and does not appear to pose an immediate threat to the physical safety of officers or to other persons, or to him or herself, or pose an immediate threat to escape, the initial arriving officer will wait until backup arrives before any attempt is made to approach the person. Officers will if practical, contain the subject while maintaining a safe distance. The objective in this situation is to gain the person’s voluntary cooperation. One or more of the following may be helpful in gaining the person’s cooperation:

a. Attempt to “talk the person down.” Ideally, only one officer should engage the person in conversation. The officer should project calmness and confidence and speak in a conversational and non-confrontational manner. Whenever possible, determine if the person can answer simple questions which will give the officer an idea of the level of coherence of the person. Officers should turn down their radios.

b. Remember the person’s mind may be racing, or he/she may be delusional, so statements and questions may need to be repeated several times and officers should be patient.

c. If beneficial, an officer may enlist the assistance of a family member or another person who has rapport with the individual or a mental health professional who can safely participate in attempting to gain the individual’s cooperation.

2. If the person is armed or combative or otherwise poses an immediate threat to the physical safety of officers or to other persons, or to him or herself, officers shall employ the amount of force that is reasonable and necessary to protect themselves and others at the scene and to take the person into custody. To practical extents, efforts should be made to minimize the intensity and duration of the subject’s resistance and to avoid engaging in a potentially prolonged struggle.

3. Officers will notify Communications of any force applied to the subject and have Communications relay that information to MEDIC. Once MEDIC arrives, officers will provide a detailed description of the force applied and the level/intensity of resistance by the subject.

4. If an officer has reason to believe a prisoner has ingested contraband, the prisoner will be transported to a medical facility where the prisoner will remain under arrest and the officer(s) will make certain that the arrest process will continue. Officers will notify their immediate supervisor any time a suspect has ingested contraband. A Division Commander or Operations Command will determine if there is a need to maintain a rotation to guard the prisoner.

5. If an arrest is appropriate, the arrest process will be completed upon the prisoner’s release from the medical facility.
6. If MEDIC is called to treat the prisoner and transport the prisoner to a medical facility, officers will maintain custody of the prisoner. The transporting officer will advise Mecklenburg County Intake personnel whenever a prisoner has been treated for ingesting contraband.

B. Role of Telecommunicator

The telecommunicator may recognize a potential case of excited delirium, in which case they will communicate their observations to the officer and dispatch MEDIC personnel. The telecommunicator should request that a CIT officer responds to the incident if available. The telecommunicator will inform the responding officer(s) that is responding and their ability to stage. The responding officer(s) will relay the designated safe location for MEDIC personnel to stage until the scene is secure.

C. Role of MEDIC

MEDIC will respond to the staging area and await notification that the scene is secure. Once notified, MEDIC will evaluate the individual, administer appropriate care and monitor the individual until he/she is delivered to an emergency medical facility.

D. Once in custody, to reduce the possibility of aggravating the symptoms of a subject in extreme distress, officers should:

1. Avoid placing a subject in a position that is likely to contribute to positional asphyxia. In particular, hog-tie restraints and control restraints while lying on back/stomach should be avoided. Weight should not be put on the subject’s back for a prolonged period.

2. Provide close and continuous monitoring of the subject for any signs of medical distress such as labored or irregular breathing, unresponsiveness, incoherence or verbally indicating that he/she is in distress.

3. The subject should be returned to an upright position as soon as tactically feasible.

E. Once the scene is safe, MEDIC personnel are to be called in. The person’s breathing shall be monitored at all times and the person’s position adjusted so as to maximize the person’s ability to breathe.

F. MEDIC will advise if the subject should be transported by ambulance to an emergency medical facility for evaluation and treatment or if a subject can be transported by the officer in which case the breathing of the subject should be closely monitored. If possible, a second officer should accompany the transporting officer to monitor the subject. If a second officer is not available, the transporting officer should stop the vehicle periodically and confirm that the subject is conscious and able to breathe normally.
G. When answering calls for service, or conducting interviews and interrogations, personnel may encounter situations where they interact with persons suspected of suffering from mental illness.

1. Officers will utilize their training and the following guidelines to assist in recognizing and evaluating persons suffering from mental illness.
   a. Behavioral Clues
      • Unusual physical appearance (inappropriate clothing)
      • Unusual body movements (sluggish, pacing)
      • Hearing voices
      • Confusion about or unawareness of surroundings
      • Lack of emotional response
      • Causing injury to self (cutting, cigarette burns)
      • Extreme or inappropriate expressions of sadness or grief
      • Inappropriate emotional reactions
   b. Environmental Clues
      • Strange decorations (aluminum foil, pentagrams)
      • Hoarding of garbage, newspapers, string
      • Presence of feces or urine on floors or walls

2. When dealing with persons suspected of being mentally ill, personnel will utilize the following guidelines during contacts on the street, as well as during interviews and interrogations:
   a. Remain calm, avoid overreacting
   b. Be helpful and professional
   c. Speak simply and slowly
   d. Indicate a willingness to understand
   e. Gather additional information on the person
   f. Understand that a rational discussion may not take place
   g. Recognize the person may be overwhelmed by external and internal stimuli
   h. Be friendly, patient, accepting, but firm and professional
   i. Recognize a person's delusions or hallucinations are very real for them

3. After recognizing officers are dealing with persons suffering from mental illness, officers will utilize the following procedures when seeking assistance or accessing available community mental health resources:
a. Evaluate prior contact with police
   - Type of problem
   - Prior violence
   - Method of resolution

b. Gather information regarding situation
   - Family members
   - Neighbors
   - Complainant(s)

c. Contact an on duty CIT officer(s) and request that they respond to the scene. If necessary, request the Mobile Crisis Team (MCT) to respond to the scene. The CIT officer(s) and/or the MCT will function as the gateway to community mental health resources.

The MCT will:
   - Assist in stabilizing the situation
   - Complete a mental health assessment, if necessary
   - Make referrals/linkages to the Trauma & Justice Partnerships or other vital services as needed
   - Conduct follow-up assessments

4. Training
   a. Entry level training
      All sworn and civilian personnel who may be expected to come into contact, or communicate with, persons suffering from mental illness are required to obtain documented entry level training.

   b. In-service training
      All non-CIT trained agency personnel who may be expected to come into contact, or communicate with, persons suffering from mental illness are required to obtain documented refresher training at least every three years.

      All non-CIT trained sworn personnel are required to attend Mental Health First Aid for Public Safety, an eight hour training class, specifically designed for law enforcement. The class provides officers with general information about mental health issues as well as practical skills to support someone experiencing or developing a mental health crisis or problem.
Officers are encouraged to volunteer to attend the 40-hour Crisis Intervention Team training, which goes into much more detail and brings attendees face to face with consumers, or those with a mental health issues, substance use disorders and intellectual and developmental disabilities. Officers are trained to intervene, using their new tools to deescalate crisis situations involving this population and then in partnership with community providers divert individuals into treatment services.

V. REFERENCES

500-002 Confinement of Arrestees and Booking Procedures
500-008 Prisoner Transport
600-018 Use of Deadly Force
600-019 Use of Non-Deadly Force
600-020 Use of Force Continuum
Prisoner Transport Van SOP
Crisis Intervention Team (CIT) SOP
CALEA
### De-Escalation Techniques Used by Charlotte-Mecklenburg Police Department (CMPD)

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Winston</th>
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<tr>
<td>Staff Resource:</td>
<td>Sarah Hazel</td>
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<td>Statement of Issue:</td>
<td>De-escalation tactics are used to defuse potentially dangerous situations.</td>
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**Deliverable:**
- Provide an overview of current de-escalation tactics, training, and policies employed by CMPD, including those previously considered, but not implemented
- Review policy options related to de-escalation
- Provide an assessment of the effectiveness of de-escalation training

**Update on Deliverable:**
De-escalation tactics currently include the use of various verbal techniques and where circumstances are appropriate involve the use of distance, time, negotiation and other available resources. However, in circumstance where a non-compliant subject is armed with a firearm, the decision to use de-escalation tactics, including less lethal force must be tempered with the imminent threat posed by the non-compliant subject. Once compliance is gained and the person has disarmed, then officers can initiate further de-escalation tactics.

**Definition**
- Tactics or techniques used by officers when faced with a hostile person regardless of the nature of the contact

**Goal of De-escalation**
- To gain compliance or cooperation through verbal dialogue and non-confrontational body language

**Unpredictable Variables**
- Emotion of individual (suspect, victim, witness, bystander)
- Reaction of individual to police encounter

**Techniques Employed**
- Good listener
- Flexible approach
- Non-confrontational body language
- Active listening skills

**Recruit Training on De-escalation**
- Communication Skills – 8 hours
  - Basic Law Enforcement Training (BLET) covers effective communication techniques related to active listening skills, communication with different cultures, and body language
  - Surviving Verbal Conflict – 4 hours
    - Ethical, logical and emotional reasoning to use with the public before an interaction escalates to a use of force
    - How to deflect negative comments from the public so they are not taken personally to avoid becoming agitated
- Scenario Based Training – up to 16 hours (Crisis Intervention Training)
DE-ESCALATION TECHNIQUES USED BY
CHARLOTTE-MECKLENBURG POLICE DEPARTMENT (CMPD)

Committee Brief: Initiation

City Manager Update

- Use of communication skills and positioning to defuse hostile victims and suspects
  - Scenarios limit recruits responses to ONLY verbal interactions
  - Incorporates responses to subjects in mental health crisis who may be armed with an edged weapon or an impact weapon
- Individuals with Mental Illness or Developmental Disabilities – 24 hours
- Basic Law Enforcement Training increased from 8 hours of instruction to 24 in 2018.
- BLET block of instruction that increased from 8 hours to 24 hours in 2018

Recruit and In-Service Training

- CMPD utilized principles from the book, Verbal Judo, during its in-service and recruit training for many years. Building on those principles, CMPD developed “Chaos to Connection” training in 2017 for all officers which includes modules on building resilience, emotional control, active listening skills, and persuasive and informative speech. This training equips officers with the ability to listen first, build a connection with people, and to answer questions.
- Tactical Communication: De-escalation Training – 2 hours
  - Strategies to address difficult people and how to engage in active listening to de-escalate tense situations
  - Officer responsibilities when participating in communication with the public
  - How trauma affects a person’s communication skills
- Crisis Intervention Team Training – 16 hours
  - CMPD collaborates with Mecklenburg County Health Department and Trauma and Justice Partnerships to deliver Crisis Intervention Team (CIT) training.
- During Basic Law Enforcement Training, each police recruit receives a block of instruction on crowd management.
  - A significant number of patrol officers have received advanced training and equipment on proper response to civil unrest events which includes initial response with an emphasis on de-escalation.

In-Service Training

- Annual Tactical Training for Police Officers (TAC 7)
  - Scenario based training that incorporates decision making skills in use of force encounters with the goal of appropriate level of control decisions
  - Officers communicate with each other when confronted with subjects with edged weapons and use appropriate level of control (TASER vs Lethal)
- Micro Training (will begin this calendar year)
  - Academy staff conducts scenario training in patrol divisions with the goal of equipping officers with enhanced verbal skills to de-escalate an encounter
- Mental Health First Aid Course – 8 hours
  - Learn signs and symptoms of mental illness and participate in exercises involving de-escalation options

Past Training

- 4-hour State mandated training, Improving Decision Making Skills (2017)
  - Understanding the importance of experience, training, and knowledge in making critical decisions
  - Impact stress has on the body
DE-ESCALATION TECHNIQUES USED BY
CHARLOTTE-MECKLENBURG POLICE DEPARTMENT (CMPD)

- Techniques to help de-escalate situations
- Methods of improving decision-making skills at the individual, group, and collective community level

- CMPD, with Charlotte Fire Department and Medic, conducted a four-day, large scale exercise using multiple scenarios taken from the latest trends in national protests and demonstrations and incorporated role players and amplified noise to simulate an event (Fall, 2017)
- CMPD began conducting mandatory in-service de-escalation training for all police officers, including an emphasis on scenario-based components (2016)
- CMPD’s mandatory tactical response training incorporated de-escalation tactics which became a core element of this annual training (2015)
- Communication skills is incorporated into many of the training courses
- Use of Force De-escalation (2012)
- Juvenile Minority Sensitivity Training: Interactions and Communications (2011)
- Management of Subjects in Extreme Distress (2010)

Internal Policies
- CMPD complies with The Commission on Accreditation for Law Enforcement Agencies (CALEA), which require agencies to have a policy review process.
- CMPD’s training and tactics are vetted by the Office of Domestic Preparedness through Homeland Security and is a result of studying current trends and incidents throughout the US. CMPD’s recent revision of the Civil Emergency Unit Standard Operating Procedure reinforces this training and the appropriate response.
- Both State and Federal law require that all force be reasonable, as outlined in Graham v Connor. This serves as the basis for CMPD’s Use of Force policy. The policy stipulates that officers employ de-escalation techniques when feasible in encounters with the public.
- In June, 2016, CMPD expanded its Courtesy Policy, Rule of Conduct #25, to include a provision that officers “will not taunt, verbally bait, or initiate needless or unnecessary physical contact with a subject” to ensure officers are treating citizens with fairness and respect and to help de-escalate situations and utilize less than lethal options. Officers who violate this policy are subject to disciplinary action.
- In May, 2016, CMPD revised Directive 600-019, Less Lethal Force, to include, “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.
- CMPD Directives and Standard Operating Procedure (SOP) address de-escalation (Attachment)
  - 500-003, Management of Subjects with Mental Illness/Extreme Distress
  - 600-019, Use of Less Lethal Force
  - 600-020, Use of Force Continuum
  - SOP, Vehicle Apprehension SOP

Assessment of Effectiveness of De-escalation Training
CMPD Professional Standards Bureau mandates monthly audits for supervisors to regularly review body worn camera (BWC) footage and document any policy violations, as well as issues with communication or tactics. Issues are reviewed with the individual officers. The audits are
DE-ESCALATION TECHNIQUES USED BY
CHARLOTTE-MECKLENBURG POLICE DEPARTMENT (CMPD)

documented and the PSB looks for trends that can be referred to the Training Academy for corrective training.
I. PURPOSE

Officers periodically come into contact with individuals in extreme distress or suffering from some type of mental illness. Some of these individuals are at-risk of death and require proper medical care. The purpose of this directive is to provide officers with information that will allow them to:

A. Identify subjects who are in extreme distress and may be at-risk of sudden death during restraint encounters and;
B. Identify subjects who may be mentally ill and may require assistance or access to available community mental health resources;
C. Manage the situation in a manner that minimizes the risks to all involved and;
D. Facilitate medical care for the individual as soon as practical.

II. POLICY

The CMPD recognizes and respects the integrity and paramount value of human life. Consistent with this primary value is the CMPD’s full commitment to protect the safety of officers and others, including individuals at-risk for extreme distress or those who may be suffering from some type of mental illness.

III. DEFINITIONS

A. Positional Asphyxia: Occurs when the position of the body interferes with normal breathing. The inability to adequately breathe creates a lack of oxygen in the body which may result in unconsciousness or suffocation (“asphyxiation”). The inability to breathe properly may result from the body’s position interfering with the muscular or mechanical function of breathing, from the compromising or blocking of the airway, or from some combination of the following:

1. The body position most likely to contribute to positional asphyxia is that of being "hog-tied" (handcuffed behind the back, feet bound and raised towards hands, and placed face down). However, positional asphyxia may occur even though the subject is not restrained as described above. For example, simply being handcuffed behind the back (the preferred method for safety reasons) and being placed face down could cause positional asphyxia.

2. Additional factors that may contribute to positional asphyxia include:
   a. Mental condition of the subject;
   b. Presence of cocaine or other stimulating substances in the subject’s system;
   c. Anatomy of the subject.
B. Restraint Asphyxia: is usually caused by a combination of exhaustion, exertion, fear and restricted breathing due to restraint or the use of force.

C. Excited Delirium: A condition in which the heart races wildly, often because of drug use or mental illness, and finally gives out causing death.

1. Excited delirium is the result of a serious and potentially life-threatening medical condition. The person can appear normal until they are questioned, challenged or confronted. Further confrontation, threats and use of force will almost certainly result in further aggression and even violence. Attempting to restrain and control these individuals can be difficult because they frequently possess unusual strength, pain insensitivity and instinctive resistance to any use of force.

2. Factors that may contribute to excited delirium include:
   a. Alcohol intoxication;
   b. Drug use (especially cocaine);
   c. Obesity;
   d. Delirium (mental illness including psychosis and schizophrenia and/or drugs);
   e. Intoxication.

3. Because at-risk individuals could potentially die without proper medical attention, it is important for officers to recognize subjects who may be in extreme distress. The following signs may be exhibited.
   a. The person’s ability to focus, sustain or shift attention is impaired, and he/she is easily distracted.
   b. The person may be rambling and incoherent, and it may be difficult or impossible to engage the person in conversation.
   c. The person may exhibit signs of paranoia, fear and excitability. The presence of police officers may further heighten this feeling.
   d. The person may also be disoriented in regards to time and/or locations, suffer from misleading perceptions, and/or experience hallucinations or delusions.
   e. Due to elevated body temperature, many of these individuals remove one or more items of clothing.
   f. They often possess unusual strength and endurance, as well as appear impervious to pain.
   g. These symptoms can progress into agitation, anger and aggressiveness.
h. Subjects suffering from excited delirium have a tendency towards violence against people, as well as inanimate objects, particularly glass.

i. Subjects who while being combative and/or agitated suddenly become compliant, placid or go limp may be a warning to officers that the subject may be going into cardiac or respiratory arrest.
   - Officers should physically check the subject’s breathing.
   - Officers should ask the subject questions to ascertain his/her awareness.
   - If the subject is in a prone position, officers should attempt to get him/her into a sitting position and check for any restrictions to the airway.
   - Officers will summon MEDIC to respond to have the subject evaluated and/or provide advanced life support.

D. Mobile Crisis Team: A team of mental health professionals who have been contracted with Mecklenburg County Area Mental Health to assist CMPD employees in their interactions with mental health consumers. The Mobile Crisis Team members are available to CMPD employees 24/7/365.

E. Crisis Intervention Team (CIT) Officers: Law enforcement officers who have received specialized training to deescalate crisis situations involving individuals in distress and then in partnership with community providers divert these individuals into treatment services.

F. Trauma & Justice Partnerships: A division of the Mecklenburg County Health Department which is the service delivery organization for mental health, substance abuse, and developmental disabilities services in Mecklenburg County.

IV. PROCEDURE

Once it is determined that a subject may be at-risk of extreme distress, the incident shall be managed as a medical emergency, in addition to whatever law enforcement response may be required under the circumstances, including the use of reasonable force.

A. Role of Officer

If an officer responds to an incident and concludes an individual may be at-risk for positional asphyxia, restraint asphyxia and/or excited delirium, the officer will as soon as practical request MEDIC if they were not initially dispatched. The officer will designate a nearby safe location for MEDIC personnel to stage until the scene is secure. The officer will notify their supervisor. Supervisors will respond to the scene of all instances of suspected subjects in extreme distress.
1. If the person appears unarmed and does not appear to pose an immediate threat to the physical safety of officers or to other persons, or to him or herself, or pose an immediate threat to escape, the initial arriving officer will wait until backup arrives before any attempt is made to approach the person. Officers will if practical, contain the subject while maintaining a safe distance. The objective in this situation is to gain the person’s voluntary cooperation. One or more of the following may be helpful in gaining the person’s cooperation:

   a. Attempt to “talk the person down.” Ideally, only one officer should engage the person in conversation. The officer should project calmness and confidence and speak in a conversational and non-confrontational manner. Whenever possible, determine if the person can answer simple questions which will give the officer an idea of the level of coherence of the person. Officers should turn down their radios.

   b. Remember the person’s mind may be racing, or he/she may be delusional, so statements and questions may need to be repeated several times and officers should be patient.

   c. If beneficial, an officer may enlist the assistance of a family member or another person who has rapport with the individual or a mental health professional who can safely participate in attempting to gain the individual’s cooperation.

2. If the person is armed or combative or otherwise poses an immediate threat to the physical safety of officers or to other persons, or to him or herself, officers shall employ the amount of force that is reasonable and necessary to protect themselves and others at the scene and to take the person into custody. To practical extents, efforts should be made to minimize the intensity and duration of the subject’s resistance and to avoid engaging in a potentially prolonged struggle.

3. Officers will notify Communications of any force applied to the subject and have Communications relay that information to MEDIC. Once MEDIC arrives, officers will provide a detailed description of the force applied and the level/intensity of resistance by the subject.

4. If an officer has reason to believe a prisoner has ingested contraband, the prisoner will be transported to a medical facility where the prisoner will remain under arrest and the officer(s) will make certain that the arrest process will continue. Officers will notify their immediate supervisor any time a suspect has ingested contraband. A Division Commander or Operations Command will determine if there is a need to maintain a rotation to guard the prisoner.

5. If an arrest is appropriate, the arrest process will be completed upon the prisoner’s release from the medical facility.
6. If MEDIC is called to treat the prisoner and transport the prisoner to a medical facility, officers will maintain custody of the prisoner. The transporting officer will advise Mecklenburg County Intake personnel whenever a prisoner has been treated for ingesting contraband.

B. Role of Telecommunicator

The telecommunicator may recognize a potential case of excited delirium, in which case they will communicate their observations to the officer and dispatch MEDIC personnel. The telecommunicator should request that a CIT officer responds to the incident if available. The telecommunicator will inform the responding officer(s) that is responding and their ability to stage. The responding officer(s) will relay the designated safe location for MEDIC personnel to stage until the scene is secure.

C. Role of MEDIC

MEDIC will respond to the staging area and await notification that the scene is secure. Once notified, MEDIC will evaluate the individual, administer appropriate care and monitor the individual until he/she is delivered to an emergency medical facility.

D. Once in custody, to reduce the possibility of aggravating the symptoms of a subject in extreme distress, officers should:

1. Avoid placing a subject in a position that is likely to contribute to positional asphyxia. In particular, hog-tie restraints and control restraints while lying on back/stomach should be avoided. Weight should not be put on the subject’s back for a prolonged period.

2. Provide close and continuous monitoring of the subject for any signs of medical distress such as labored or irregular breathing, unresponsiveness, incoherence or verbally indicating that he/she is in distress.

3. The subject should be returned to an upright position as soon as tactically feasible.

E. Once the scene is safe, MEDIC personnel are to be called in. The person’s breathing shall be monitored at all times and the person’s position adjusted so as to maximize the person’s ability to breathe.

F. MEDIC will advise if the subject should be transported by ambulance to an emergency medical facility for evaluation and treatment or if a subject can be transported by the officer in which case the breathing of the subject should be closely monitored. If possible, a second officer should accompany the transporting officer to monitor the subject. If a second officer is not available, the transporting officer should stop the vehicle periodically and confirm that the subject is conscious and able to breathe normally.
G. When answering calls for service, or conducting interviews and interrogations, personnel may encounter situations where they interact with persons suspected of suffering from mental illness.

1. Officers will utilize their training and the following guidelines to assist in recognizing and evaluating persons suffering from mental illness.

   a. Behavioral Clues
      - Unusual physical appearance (inappropriate clothing)
      - Unusual body movements (sluggish, pacing)
      - Hearing voices
      - Confusion about or unawareness of surroundings
      - Lack of emotional response
      - Causing injury to self (cutting, cigarette burns)
      - Extreme or inappropriate expressions of sadness or grief
      - Inappropriate emotional reactions

   b. Environmental Clues
      - Strange decorations (aluminum foil, pentagrams)
      - Hoarding of garbage, newspapers, string
      - Presence of feces or urine on floors or walls

2. When dealing with persons suspected of being mentally ill, personnel will utilize the following guidelines during contacts on the street, as well as during interviews and interrogations;

   a. Remain calm, avoid overreacting
   b. Be helpful and professional
   c. Speak simply and slowly
   d. Indicate a willingness to understand
   e. Gather additional information on the person
   f. Understand that a rational discussion may not take place
   g. Recognize the person may be overwhelmed by external and internal stimuli
   h. Be friendly, patient, accepting, but firm and professional
   i. Recognize a person’s delusions or hallucinations are very real for them

3. After recognizing officers are dealing with persons suffering from mental illness, officers will utilize the following procedures when seeking assistance or accessing available community mental health resources:
a. Evaluate prior contact with police
   - Type of problem
   - Prior violence
   - Method of resolution

b. Gather information regarding situation
   - Family members
   - Neighbors
   - Complainant(s)

c. Contact an on duty CIT officer(s) and request that they respond to the scene. If necessary, request the Mobile Crisis Team (MCT) to respond to the scene. The CIT officer(s) and/or the MCT will function as the gateway to community mental health resources.

The MCT will:
   - Assist in stabilizing the situation
   - Complete a mental health assessment, if necessary
   - Make referrals/linkages to the Trauma & Justice Partnerships or other vital services as needed
   - Conduct follow-up assessments

4. Training
   a. Entry level training
      All sworn and civilian personnel who may be expected to come into contact, or communicate with, persons suffering from mental illness are required to obtain documented entry level training.
   b. In-service training
      All non-CIT trained agency personnel who may be expected to come into contact, or communicate with, persons suffering from mental illness are required to obtain documented refresher training at least every three years.

All non-CIT trained sworn personnel are required to attend Mental Health First Aid for Public Safety, an eight hour training class, specifically designed for law enforcement. The class provides officers with general information about mental health issues as well as practical skills to support someone experiencing or developing a mental health crisis or problem.
Officers are encouraged to volunteer to attend the 40-hour Crisis Intervention Team training, which goes into much more detail and brings attendees face to face with consumers, or those with mental health issues, substance use disorders and intellectual and developmental disabilities. Officers are trained to intervene, using their new tools to deescalate crisis situations involving this population and then in partnership with community providers divert individuals into treatment services.

V. REFERENCES

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600-018 Use of Deadly Force
600-019 Use of Non-Deadly Force
600-020 Use of Force Continuum
Prisoner Transport Van SOP
Crisis Intervention Team (CIT) SOP
CALEA
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 (eg., 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)
The Use of Force Continuum is a guideline for officers in making critical use of force decisions. The above image illustrates the options that an officer has at each level of resistance. It should be noted that professional presence and verbal interaction are present at every level of resistance.

Both State and Federal law require that all force be reasonable. In *Graham v. Connor*, the United States Supreme Court stated, "the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application, however, its proper application requires careful attention to the facts and circumstances of each particular case including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others and whether he is actively resisting arrest or attempting to evade arrest by flight". In addition, an officer should take into account his or her abilities.

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. Determining reasonableness must include the fact that police officers are often forced to make split second decisions about the amount of force necessary in a particular situation. Additionally, these split second decisions occur in tense, uncertain, and rapidly evolving circumstances. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.

In deciding which level of control an officer should use, the officer should reasonably believe that a lower level of control is not sufficient and a higher level of control is not reasonably necessary. The level of control must be based on the current level of resistance when the control is applied. The Use of Force Continuum is not designed to be a step by step progression. Therefore, the escalation and de-escalation by the officer or the subject may not be sequential. In circumstances where our directive conflicts with the continuum, an officer should rely upon the directive. For example, officers are prohibited from shooting at a moving vehicle unless the officer believes that no other option is reasonably available.

If feasible verbal dialogue and commands seeking de-escalation of the situation should be utilized throughout the encounter.
Examples in the following sections are for clarification purposes and are not meant to be all inclusive.

Levels of Resistance:

- Non-Verbal and Verbal Non-Compliance: The subject expresses his intentions not to comply through verbal and non-verbal means. Statements by a subject ranging from pleading to physical threats may be encountered. This also includes physical gestures, stances, and subconscious mannerisms. The subject's actions at this stage do not equate to a risk of immediate danger to the officer, another person or themselves.

- Passive Resistance: The subject does not cooperate with an officer's commands, and does not take action to prevent being taken into custody. An example of this would be a subject is taken into custody and the subject goes limp. The subject must then be carried away upon arrest. The subject's actions at this stage do not equate to a risk of immediate danger to the officer, another person or themselves.

- Defensive Resistance: The subject is actively taking measures to prevent being taken into custody. This action may include twisting, pulling, holding onto fixed objects, or running away. The subject's actions at this stage do not equate to a risk of immediate danger to the officer, another person or themselves.

- Active Aggression: At this level of resistance, the subject poses a risk of immediate danger to the officer, another person or themselves. This aggression may manifest itself through punching, kicking, striking, or any other action when apparent that the subject has the immediate means to injure an officer, another person or themselves.

- Aggravated Active Aggression: Aggravated Active Aggression includes actions that are likely to result in the death or serious bodily injury to an officer. These actions may include discharge of a firearm, use of a blunt or bladed weapon, and extreme physical force.

Levels of Control:

- Professional Presence: The displays of visual images of authority as well as a professional manner are present at every level of resistance. This includes all symbols of police authority including the badge, uniform, and marked police vehicle.

- Verbal Dialogue and Commands: Communication is critical to any potential use of force situation. This level of control includes any verbal requests, directions, or commands from the officer to a subject. Verbal interaction is present at every level of resistance.

- Soft Empty Hand Control: These techniques are not impact oriented and may be appropriate when a subject is engaged in passive or defensive resistance. The most appropriate response to passive resistance may include simply grabbing onto a subject, applying pressure points, handcuffing a subject to maintain control, or applying a joint lock to control a subject’s movement. The most appropriate soft empty hand control response to defensive resistance may include, arm bar takedowns, leg sweeps, and team takedowns.
- Oleoresin Capsicum (OC) Spray: OC spray is approved for use in situations where the officer believes that the attempts to control a subject may result in injury to the subject or the officer. OC should be utilized at a range of 3 to 8 feet, and should be accompanied by loud verbal commands.

- Hard Empty Hand Control: These techniques are impact oriented and include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to get a subject under control and include strikes to pressure points such as the common peroneal (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of neck). Defensive strikes are used by an officer to protect him or herself from attack and may include strikes to other areas of the body including the abdomen or head.

- Conducted Electrical Weapon (CEW): The TASER device is used in situations where a subject presents an imminent physical threat to an officer, themselves, or another person.

- Impact Weapon: Less Lethal impact weapon strikes are targeted towards major muscle groups. The common peroneal nerve on the side of the leg is the primary target for impact weapon strikes.

- Lethal Force: Lethal force is any manner of force that is reasonably likely to cause death or serious injury. This includes, but is not limited to, the use of a firearm, striking the head or neck area with an impact weapon, or the choking of an arrestee.
I. PURPOSE

The purpose of this policy is to provide officers with guidelines for the tactic of vehicle apprehensions. The Charlotte-Mecklenburg Police Department recognizes that officers have a duty to apprehend persons who violate the law and that sometimes this includes people who are inside vehicles. This SOP does not enlarge any officer’s civil or criminal liability.

The CMPD is committed to promoting public safety. Officers engaged in vehicle apprehensions must continually balance the need to arrest suspects in vehicles against all known risks posed to the general public, the officer, and when reasonable, the suspect.

II. POLICY

Sworn officers are tasked with apprehending suspects who often travel in motor vehicles while engaging in criminal activity. When units are tasked with arresting suspects there are options available to make the arrest or investigate criminal activity in motor vehicles. The vehicle apprehension tactic is one option that may be utilized to surround a stationary vehicle so an arrest team can perform the extraction of the wanted individual from the suspect vehicle.

III. DEFINITIONS

A. Vehicle Apprehension: A pre-planned tactic where officers who have successfully completed the vehicle apprehension training from the CMPD Police Training Academy, position vehicles in the path of a stationary occupied vehicle in order for an arrest team to take the suspect or suspects in the vehicle into custody.

B. Window Breach: A tactic as where an officer breaks a window of a vehicle in an effort to render aid, assist an occupant or distressed animal, arrest a non-complying suspect, or obtain visual clearance inside a vehicle. When a window breach occurs for any reason, officers will document this action by including a secondary tag in their BWC video.

IV. PROCEDURE

A. Officers working as a unit who have been trained in the vehicle apprehension tactic and have supervisor approval may conduct a vehicle apprehension. Supervisors should be aware of the location and the need for a vehicle apprehension prior to approving the tactic. Vehicle apprehensions should only be performed if any of the following circumstances exist:

1. A person, occupant, or vehicle is wanted as part of a felony or felony drug investigation;

2. The suspect or suspect vehicle has a history of fleeing lawful detentions;

3. Based on the totality of circumstances, an officer has reasonable suspicion to believe the person or persons inside the vehicle pose a substantial risk to public
safety if not immediately apprehended;

4. Only specialized units who have completed vehicle apprehension training are authorized to conduct a vehicle apprehension.

5. Vehicle apprehensions are only authorized on stationary vehicles. Rolling roadblocks are prohibited.

B. If a suspect is non-compliant, officers may employ de-escalation tactics to include backing away from the suspect vehicle, treating it as a barricade situation, and finding appropriate cover.

C. Officers have an option to breach a vehicle window to unlock a door in order to gain control of a non-compliant suspect.

D. Officers will capture when a vehicle apprehension has taken place as well as any window breach by tagging the BWC video with the correct secondary tag. Sergeants will ensure that the video is tagged properly.

V. REFERENCES

400-006 Body Worn Cameras
CALEA
Requester: Council member Winston

Staff Resource: Sarah Hazel

Statement of Issue: Implicit bias affects perceptions, actions, and decisions in an unconscious manner. Understanding and acknowledging the impact of implicit bias, and providing training on how to recognize and remove implicit bias can support decision making on Boards and throughout the City.

Deliverable:
• Evaluate implicit bias training received by members of the Citizens Review Board (CRB) and Citizens Academy and recommend options.
• Assess whether implicit bias training can become a mandatory component of the Citizens Academy.
• Assess the mechanism for ongoing work in the areas of implicit bias training by key boards and academies.

Update on Deliverables: Implicit Bias Training and the Citizens Review Board (CRB)
• The Opportunity Task Force report outlined tactics institutions can use to acknowledge the role of segregation and racialization on opportunity and to commit to become an inclusive community. Throughout the report implicit bias programming is highlighted as a key element. As such, the City has incorporated this programming, as well as Dismantling Racism—both facilitated by Race Matters for Juvenile Justice—strategically throughout the organization.
• The CRB ordinance language calls for eight hours of training for members. In alignment with the Task Force report, in August, the current board went through an implicit bias session offered by Race Matters for Juvenile Justice. The City Clerk’s Office provides training opportunities and tracks training by CRB members to ensure training is received.
• In addition, the City’s Clerk’s office is currently working to expand training for 2018 appointees with full two-day session on Dismantling Racism, and is exploring partnerships to continue to enhance these efforts.
• Implicit Bias training is not a component of the Citizens Academy. The Academy covers critical components of police operations necessary to equip participants with information about police work and services to the community. To include implicit bias training as a prerequisite for the CRB appointment, Council would need to amend the CRB ordinance.

Key Boards and Academies that Include Implicit Bias and Racial Equity in Content
Civic Leadership Academy (CLA). The CLA, a leadership Academy for residents who are ready to take the next step in being community leaders, includes a History of Charlotte session. During that session participants receive the following content:
• Implicit Bias (Race Matters for Juvenile Justice)
• History of Segregation in Charlotte (Levine Museum)

Planning Academy. The City’s planning academy also conducts a History of Charlotte Session, which includes:
• History of Charlotte by Tom Hanchett, including the sorting out process, creating a
| sector pattern of segregation in Charlotte. |

**Other Strategic Efforts.** As the City’s internal work on racial equity with the Government Alliance for Race and Equity and with the National League of Cities progresses, more City staff throughout City departments will receive the two-day Dismantling Racism session in partnership with Race Matters for Juvenile Justice. This effort is organized through the City Manager’s Office and Organizational Development and Learning, to ensure key staff in critical program areas receive the training and education they need to then use the racial equity tools to apply a racial equity lens to their work. This work includes working with Boards, Commissions, and Academies.
**Committee Brief: Initiation**

## Traffic Management Technology

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<th>Requester:</th>
<th>Council member Bokhari</th>
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<td>Staff Resource:</td>
<td>Danny Pleasant</td>
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<tr>
<td>Statement of Issue:</td>
<td>Traffic congestion is a reality for all large cities. Technology provides ways to manage traffic congestion and respond to dynamics within the transportation network.</td>
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| Deliverable:        | • Create a catalogue of technology applications the city uses to operate the transportation system and manage traffic flows.  
                      • Consider how the City’s Community Investment Plan and operating budget allocate resources for traffic management technology |
| Latest Developments | • The City’s Intelligent Transportation System (ITS) connects traffic signals and cameras to a central controller through an extensive fiber optic cable network.  
                      • It provides real-time capability to adjust traffic signal timings to meet immediate conditions within the street network.  
                      • The fiber network currently reaches approximately 80% of all traffic signals within the city.  
                      • **CDOT plans to add 15 miles of fiber and 15 cameras at a cost of $1.9 million during FY2019.** That compares to a 6 year annual average of 9.65 miles of fiber and 17 cameras at a cost of $1.2 million. The miles of fiber is higher and number of cameras lower because CDOT will be building longer fiber runs that pick up fewer signals in more distant areas.  
                      • Traffic signal software capabilities during the past few years have increased the ability to dynamically adjust to traffic conditions.  
                      • CDOT is expanding the use of performance measures to evaluate the effectiveness of signal timings. |

The following pages list applications CDOT uses to forecast and manage operations of the transportation network.
CDOT uses a wide variety of traffic forecasting, analysis, data management and signal-timing tools to address evolving transportation conditions in our community. These tools enable CDOT to monitor our system and work closely with regional partners to provide safe, efficient and reliable transportation choices. The following is a list of CDOT’s current “toolbox”:

**Traffic Forecasting and Analysis Tools**

**Metrolina Regional Travel Demand Model (MRM)**
The MRM is a macroscopic transportation model based in TransCAD. CDOT maintains the MRM for the 11-county area. The MRM provides estimates of future roadway and transit usage for long range planning and air quality conformity determinations, corridor studies, project planning, and design. The NCDOT requires that traffic estimates and forecasts produced for state and federally funded projects be based on the official version of the MRM. All future year analysis begins with the MRM.

**SYNCHRO**
SYNCHRO is a macro-level analysis software used to determine intersection level of service and delays. This software is used to create the draft signal timing plans that are installed throughout Charlotte.

**SimTraffic**
SimTraffic is a simplistic microsimulation tool used to simulate traffic flows at an intersection or along a corridor. It uses turning-movement traffic counts at each intersection. Because SimTraffic is a simulation tool, the effects of queueing can be understood better than with SYNCHRO.

**VISSIM**
Like SimTraffic, VISSIM is a microscopic traffic simulation software. Because it has more features, VISSIM is used to model more complex traffic conditions, such as dense urban environments, transit preemption, or where vehicle or other modal classification is critical.

**TransModeler**
TransModeler is the most complex traffic simulation tool that we use. It is used in conjunction with the MRM software to model the impacts of traffic re-routings caused by new roadways or road closures.

**SIDRA**
SIDRA is a software package used to help design and analyze roundabouts.

**Highway Capacity Software (HCS)**
Highway Capacity Software is used to implement the Highway Capacity Manual. Staff mainly uses HCS to determine corridor level of service and to assess weaving conditions on freeways.
TRAFFIC MANAGEMENT TECHNOLOGY

Data /Data Management Tools/Signal Software

RITIS (Regional Integrated Transportation Information System)
RITIS is a data-driven platform for transportation analysis, monitoring, and data visualization. Powered by both HERE and INRIX, RITIS provides both real-time and historic travel time/speed data. CDOT applications include before and after studies, corridor congestion analysis, bottleneck analysis, and intersection analysis for signal timings.

Miovision
Miovision provides traffic data collection and processing. Vehicle and pedestrian volumes are collected via video detection.

MS2
MS2 is a cloud-based traffic data management system. MS2 hosts both traffic count and crash data for the City.

Centracs
Centracs is a centralized traffic signal database and communications software. This is used to modify and adjust signal timing, both planned changes and real-time modifications.

Synergy
Synergy is the software used by CDOT, CMPD and CFD to view video streams. This is used by CDOT to visually monitor traffic using 400+ traffic management cameras on the street network, as well as, using another 100+ CMPD surveillance cameras to assess real-time traffic.

EOS
EOS is intersection controller software. This is used to make the intersection displays change from red to yellow to green. It also has the capability to adjust signal timings on the fly to better serve CATS buses that are 5+ minutes behind schedule and allow fire trucks responding to calls to receive a green signal in advance of their arrival.

Dynamic Message Signs (DMS)
DMS are LED signs that have displays that can be changed. There are 5 DMS located at entrance points to the Uptown area that are used to inform the public of lane closures and events that impact traffic.
**Statement of Issue:**

Concerns related to cybersecurity have traditionally been considered a matter of national security. Recent experiences have shown local governments must be prepared and proactive in addressing this threat to preserve public safety.

<table>
<thead>
<tr>
<th>Deliverable:</th>
<th>Provide an overview of the City of Charlotte Information Security policy.</th>
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<tr>
<td></td>
<td>Provide an overview of the Charlotte-Mecklenburg Police Department’s Cyber Crime’s Unit scope of work including</td>
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<td></td>
<td>Proactive measures taken, Types of crimes addressed, Relationship between federal, state, and local partners</td>
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**Latest Development:**

1. City of Charlotte Information Security Policy
   
   The City of Charlotte maintains and annually updates an Information Security policy (a copy of this is included herein). The specific procedures to administer the policy are reviewed and updated annually by the Innovation & Technology team.

   *(Below is an updated council response originally from March 2017)*

**Question:** What is the City doing to reduce the risk of a cyber-attack?

The City has information security challenges similar to any other organization of similar scope and scale. These challenges come from a complex and diverse array of compliance mandates and external and internal threats that are mitigated with a combination of policy, process, monitoring, auditing, and technology.

The City has an established and mature information security program that uses a risk-based, layered approach to protect the City’s computing infrastructure and data while maintaining the accessibility, reliability, and usability of the technology systems depended upon daily to deliver city services. City technology systems are monitored 24 hours a day for potential harmful activity. The City employs multiple end-point protection systems to prevent the introduction of malware to City computers, storage systems, and networks. The City also employs sophisticated network and activity surveillance systems that allow for the constant monitoring of questionable events within the City’s systems.

The operating budget contains over $2.5 million in operating expenses and $200 thousand in capital funding to maintain the City’s cyber security environment. The City’s Information & Technology (I&T) Department employs a full-time information security team of 8 positions, including a Chief Information Security Officer with a military intelligence background and Federal security clearance.
Over the past few years, I&T has implemented several changes to further upgrade cybersecurity defenses. In December 2015, the City approved a contract with a Managed Security Services Provider to provide around the clock monitoring of all systems for cyber threats. To increase awareness of current and future threats, a contract was signed with an intelligence vendor to provide intelligence information on the cyber-activities and attack tools of nation-states and hacktivists groups. This intelligence has allowed the City team to proactively adjust defenses to preempt cyber-attacks and react more quickly to current attacks. A recent project completed was to upgrade the aging end-point security system with an advanced next-generation end-point security system. The new system has already prevented ransomware infections and detected malware before it was able to infect City systems.

I&T also recently initiated projects to increase email security and further bolster defenses against internet attacks (including notification of external emails to email recipients on the city network).

II. CMPD Cyber security unit

- CMPD’s cyber-crime unit investigates acts committed via the digital space. They have techniques to monitor and detect threats regarding human trafficking, fraud, crimes against children and any crime using the internet.
- CMPD participates in taskforces at the local, state and national level to share methodologies, conduct investigations and stay current.
Objective

This policy establishes standard methodologies to maintain network security, data integrity, and privacy with the intention of preventing damage to or misuse of City data and/or preventing unauthorized access to City data or network(s).

Definitions

“Network” means all equipment, software, and services related to the City’s computer network or to communication services provided by the City, including but not limited to e-mail and Internet access.

“Information Security Policy and Procedure Manual” means the information security policy and procedure manual as adopted by the City’s Senior Business Team and as modified from time to time by the Chief Security Officer.

“Security” means the ability to protect the integrity, availability, and confidentiality of information held by the City and to protect IT assets from unauthorized use or modification and from accidental or intentional damage or destruction.

Policy

1. Scope

This policy applies to all business units, departments, organizations, employees, and contractors of the City of Charlotte that operate, manage, work on or use any part of the Network. Additionally, it applies to the security of IT facilities and off-site data storage, computing, telecommunications, and applications related services purchased from third parties, including Internet-related applications and connectivity.

The Network is the property of the City of Charlotte and is intended to facilitate communication and assist Users in performing work for the City.

2. General Focus

The types of Security breaches dealt with in this policy include:

A. Information Integrity. Unauthorized deletion, modification, or disclosure of information.
B. **Misuse.** The use of information assets by either internal or external users for other than authorized purposes.

C. **Information Browsing.** Unauthorized viewing of sensitive information by intruders or legitimate users.

D. **Penetration.** Attacks by unauthorized persons or systems that may result in denial of service or significant increases in incident handling costs.

E. **Computer Viruses.** Attacks using viral code that reproduces itself by modifying other programs, spreading across multiple programs, data files, or devices on a system or through multiple systems in a network that may result in the destruction of data or the erosion of system performance.

F. **Fraud.** Attempts to masquerade as a legitimate user to steal services or information, or to initiate transactions that result in financial loss or embarrassment to the organization.

G. **Component Failure.** Failure due to design flaws or hardware/software faults that can lead to denial of service or security compromises through the malfunction of a system component.

H. **Unauthorized Alteration.** Additions and/or changes to infrastructure components that are not authorized.

3. **Responsibility**

The City Manager empowers Chief Information Officer to appoint a Chief Security Officer (CSO). The responsibilities and authorities of the CSO include:

- Administration of the Corporate Security Program
- Responsibility for Security Operations
- Development of Security Policies and Procedures
- Development and implementation of information Security-related planning strategies
- Addressing Security incidents
- Disseminating information
- Development of information Security-related training procedures

The Chief Security Officer shall develop, publish in the Information Security Policy and Procedure Manual and periodically update a more detailed list of responsibilities that are necessary or appropriate for the CSO to carry out this policy. Other roles within the Security framework include:

A. **Key Business Executives.** Responsible for Information Security and enforcement within their respective business units, including but not limited to making all employees within the KBU aware of the Information Security Policy and Procedures Manual, and taking all necessary steps to ensure compliance with it.
B. City Network and System Administrators. Responsible for Information Security in their local network environment.

C. Authorized Users. Responsible for their own actions with regard to Information Security as well as the use of their Network ID(s).

More details on these additional roles are set forth in the Information Security Policy and Procedure Manual.

4. General Guidelines

This policy provides a set of Security-related protocols that all Business Units must adhere to for the City to have a solid foundation of basic Security principles. It also contains procedures, standards, and guidelines which Business Units should use to develop, test, implement, and maintain Security plans for their individual technology areas. Each Business Unit is responsible and accountable for policy enforcement and should provide training for employees to follow Security procedures.

Due to changing business requirements, periodic revisions to the Information Security Policy and Procedure Manual and to departmental Security Plans will be necessary. Therefore, department managers in conjunction with the Chief Security Officer should review and update IT Security plans on an annual basis, or following any significant change to the business, computing, or telecommunications environment.


5. General Procedures

KBUs, when formulating general Security documentation and strategy, shall take into account the following topics.

- Access
- Auditing and network monitoring
- Backups
- Computer viruses and malicious mobile code
- Encryption
- Enforcement
- Exceptions and exemptions
- Internet services
- Modem services
- Physical Security
- Reporting security incidents and vulnerabilities
- Security awareness, training, and education
- System access controls

For details on general procedures, KBUs should follow the guidelines set forth in the Information Security Policy and Procedure Manual.
6. Specific Policies and Procedures

The City of Charlotte expects its policies and procedures to be followed by its various operating units. Any exceptions must be approved in writing by the Chief Security Officer. The individual policies and procedures that encompass the City’s Information Security Program include:

- Analog and ISDN Lines
- Antivirus Protection
- Application Service Providers (ASP)
- Audit and Compliance
- Customer Notification
- Datacenter Physical Security
- DMZ Internet Security
- Email Retention
- Email Use
- Encryption
- Extranet
- Internet DMZ Equipment
- Materials Assessment
- Automatically Forwarded E-mail
- Change Management
- Computer Network and Internet Access
- Passwords
- Patch Management
- Risk Assessment
- Router Security
- Server Security
- Surplus Computer Disposal
- Third Party Connection
- Virtual Private Network (VPN)
- Wireless Communication

Details of the specific policies and procedures are set forth in the Information Security Policy and Procedure Manual.

Administration and Review

The Chief Security Officer is responsible for the periodic review and, if necessary, the revision of the Information Security Policy and Procedure Manual and other documents pertaining to the Corporate Information Security Program. Any subsequent changes to KBU IT Security plans as a result of these corporate changes are the responsibility of the individual Business Units, pending approval by the Chief Security Officer.


7. Computer Incident Response Team (CIRT)

The Chief Security Officer will establish and chair a team of IT professionals who will meet regularly to discuss Security issues affecting the Network (the “Computer Incident Response Team”). The Computer Incident Response Team will determine the information to be collected and the actions taken when there is a threat to the City’s Network Security or there is evidence that an incident occurred.

More information about the role of the Computer Incident Response Team and the procedure(s) related to reporting a computer incident are set forth in the Information Security Policy and Procedure Manual.
8. Security Policy Exemptions

This policy applies to all Business Units except when they develop customized Security policies in lieu of this policy. Customized Security policies must adhere to the following requirements:

- Appropriate to their respective environments;
- Consistent with the intent of the policies defined in this manual; and
- No less stringent in nature to the policies defined herein.

Proposed Security policies must address:

- Appropriate levels of security and integrity for data exchange and business transactions;
- Effective authentication processes and security architecture(s); and
- Adequate compliance, testing, and audit provisions.

9. Additions

A. Delegation by Key Business Executives. Key Business Executives may delegate the right to grant consent under this Policy. Each Key Business shall maintain a list of the individuals authorized to grant consent under this Policy.

B. Violation of this Policy. Violation of this Policy or the Information Security Policy and Procedure Manual may result in suspension of access to the City’s computer network, termination of employment, or other disciplinary actions. It may also result in civil and/or criminal liability. For non-employees, violation of this Policy or the Information Security Policy and Procedure Manual will result in suspension of access to the City’s computer network, and constitute grounds for termination of contract by the City as well as possible civil and/or criminal liability.
**Requester:** Council member Egleston  

**Staff Resource:** Danny Pleasant  

**Statement of Issue:** Whether an opportunity exists to further improve access, freedom of speech, and public safety at Latrobe Drive.  

**Deliverable:**  
- Determine whether additional improvements can promote a safe environment to ensure access to the medical clinic and ability to exercise constitutional rights on rights of way.  
- Mindful of ongoing lawsuits and citizen complaints, assess whether opportunities exist to increase the safe, free, and orderly movement of pedestrian and vehicular traffic.  

**Latest Developments:**  
- CMPD continues daily monitoring in the vicinity of the abortion clinic on Latrobe Drive to ensure traffic safety, access to the clinic, and unobstructed circulation during protest activities.  
- CMPD is reporting that the protesters are carrying out their activities safely and orderly while exercising their free speech rights, with clinic access monitored regularly.  
- Staff continues to communicate with representatives of both the clinic and protesters to explore opportunities for maintaining safe and orderly co-existence of two opposing interests.
<table>
<thead>
<tr>
<th>Requester:</th>
<th>Mayor Lyles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Jason Kay</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>Implement improvements that noticeably simplify and expedite the review of development permit applications.</td>
</tr>
</tbody>
</table>
| Deliverable:     | • Implement strategies and processes to streamline and accelerate developer interaction with the City in obtaining necessary permits.  
                  • Implement pre-submittal education improvements to increase the completion rate of applications on first submittal.  
                  • Establish performance metrics, including timelines, to track improvements. |
| Latest Developments | • Conducted extensive qualitative interviews with the Charlotte development community and researched best practices to identify key strategies that will improve the permit approval experience. See Attachment A.  
                       • Analyzed, designed and recommended a fee-based Enhanced Review Pilot Program – in collaboration with the development community, permit review staff, budget analysts, and the City Economist – to provide shorter review cycles, increased staff coordination, and dedicated staff single point of contact for complex development projects. See Attachment B.  
                       • Analyzed permit review performance data and designed and implemented new performance metrics and dashboard report to increase transparency and improve review cycle times, time in review, and review quality that will be presented quarterly to stakeholder groups, the City Manager, and made available on the website. See Attachment C.  
                       • Designed and recommended a new permit application review policy to eliminate the addition of unnecessary new review comments on plans previously sent through the review process. See Attachment D.  
                       • A portal has been created (“OpenCounter”) on the City’s website for inexperienced permit applicants and small business owners to provide a simple gateway for educating residents on the City’s development permitting requirements; a marketing and publicity plan is being prepared for small business week to expand outreach and education around the OpenCounter product. See Attachment E.  
                       • Created and recommended a formal process to quickly resolve conflicts between different city reviewing departments. See Attachment F.  
                       • Collaborated with stakeholders and staff to develop a pilot program to re-designate certain properties in the Corridors, Centers and Wedges Growth Framework at the same time a re-zoning petition is in progress. See Attachment G.  
                       • Designed and recommended a new customer service training program to create and sustain a uniform customer service culture to quickly resolve permit review conflicts and solve problems. See Attachment H.  
                       • Evaluating the feasibility of creating a one-stop shop for developer permitting. |
Attachment A - Conducted extensive qualitative interviews with the Charlotte development community and researched best practices to identify key strategies that will improve the permit approval experience.

- Conducted one-on-one meetings with stakeholders to determine specifics around potential improvements to the development review process.

- Discussed feedback with applicable Directors and staff across city departments to further define current issues.

- Convened team of staff experts from primary services areas within the development review process to create improvement initiatives.

- Assessed findings to establish common themes for improvement opportunities:
  1. Reducing the number of plan review cycles by the same department on a single project;
  2. Minimizing the number of new review comments added after initial reviews of the same plans;
  3. Provide an option for more enhanced review for complex development projects;
  4. Improve integration of reviews across expertise area, create a formal governance or dispute resolution structure;
  5. Provide information to small business owners and inexperienced permit applicants, to reduce their difficulty in understanding and navigating the approvals.
  6. Develop an option to request a land use re-designation for centers/corridors/wedges, like there is to request re-zoning; and
  7. Improve the customer service experience for developers and the capacity for problem-solving by city staff.

- Researched current development review service trends and best practices.

- Developed action plan for implementation of actions to improve the review process overall based on development community and stakeholder feedback.
Attachment B - Analyzed, designed and recommended a fee-based Enhanced Review Pilot Program – in collaboration with the development community, permit review staff, budget analysts, and the City Economist – to provide shorter review cycles, increased staff coordination, and dedicated staff single point of contact for complex development projects.

- Drafted a plan for an optional enhanced development review service to include:
  - Dedicated staff resource as single point of contact
  - Shortened review cycles
  - Meetings with the developer programed into the process - dedicated to the review comments and considerations from the plan review

- Conducted feasibility analysis on implementing a non-regulatory fee for enhanced services related to the development review process.

- Finalizing the development of staffing and fee model to provide the option for enhanced service reviews.
ENHANCED PLAN REVIEW PILOT PROGRAM

In order to establish an enhanced plan review program as identified by the development community and city staff, a work team composed of industry stakeholders and staff was formed. The team emphasized two priorities: first, minimizing the number of review cycles, and second, having a single point of contact within city staff that would be knowledgeable of the project’s status throughout the review process.

The following services are proposed to meet the need for an enhanced plan review process:
- Single point of contact for each project,
- Pre-submittal meeting where staff and developers discuss considerations specific to the project plans,
- Reduced cycle review turnaround times: a reduction of between five to 10 business days compared to the existing plan review schedule, and
- Follow-up meetings after each review cycle with the developer/engineering consultant and all involved city departments.

The project knowledge obtained by the single point of contact, combined with the troubleshooting opportunities provided through the pre-submittal and follow-up meetings, will help minimize the number of review cycles. The enhanced level of collaboration built into this process also allows for a reduction in the number of review cycles.

This enhanced plan review program is designed to be an optional program that customers may elect into by paying a non-regulatory fee to support the additional staffing required to execute this program successfully and to ensure effective enhanced reviews.

In addition to the full enhanced review process, a new expedited plat review option will be available for a fee, as well as an expedited review option for Charlotte Water customers outside of city limits. The new optional expedited reviews will be in addition to the existing expedited review options offered.

The enhanced and expedited review processes provide customers with more options to meet their varying development needs. After full implementation, these options will be further reviewed based on actual usage to determine if adjustments may be needed to meet service demands.
Attachment C - Analyzed permit review performance data and designed and implemented new performance metrics and dashboard report to increase transparency and improve review cycle times, time in review, and review quality that will be presented quarterly to stakeholder groups, the City Manager, and made available on the website.

- Conducted analysis of current data captured within the system used to track development reviews.
- Recommended options for consolidating and packaging relevant performance matrices that will help to assess progress and serve as a valuable communication.
- Drafted dashboard report to include timely analysis of service performance and trends to be regularly reported to stakeholders, city manager and public via the website.
Example Development Plan Reviews – Dashboard Data

Overall Average Number of Cycles for Development Plan Reviews

<table>
<thead>
<tr>
<th># of Review Cycles</th>
<th>1st QTR</th>
<th>2nd QTR</th>
<th>3rd QTR</th>
<th>4th QTR</th>
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<tr>
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<td>1.88</td>
<td>2.04</td>
<td>1.96</td>
<td>1.94</td>
</tr>
<tr>
<td>FY2018 YTD</td>
<td>1.94</td>
<td>1.99</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Overall Percent Reviews Complete by Cycle Number

<table>
<thead>
<tr>
<th>Total # of Projects</th>
<th>Approved After 1 Cycle</th>
<th>Approved After 2 Cycle</th>
<th>Approved After 3 Cycle</th>
<th>Approved After 4 Cycle</th>
<th>Approved After 5 Cycle</th>
<th>Approved After 6 Cycle</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2016</td>
<td>40%</td>
<td>38%</td>
<td>18%</td>
<td>5%</td>
<td>9%</td>
<td>1%</td>
</tr>
<tr>
<td>FY 2017</td>
<td>27%</td>
<td>39%</td>
<td>24%</td>
<td>8%</td>
<td>1%</td>
<td>0%</td>
</tr>
<tr>
<td>FY 2018</td>
<td>33%</td>
<td>42%</td>
<td>34%</td>
<td>5%</td>
<td>2%</td>
<td>0%</td>
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Average Number of Review Cycles by Project Type

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<tr>
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<td>1.93</td>
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<td>2.20</td>
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<td>FY2017</td>
<td>1.82</td>
<td>2.22</td>
<td>2.31</td>
<td>2.20</td>
<td>1.68</td>
<td>3.22</td>
<td>3.00</td>
<td>2.49</td>
<td>2.39</td>
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<tr>
<td>FY2018 YTD</td>
<td>1.77</td>
<td>2.02</td>
<td>2.64</td>
<td>1.96</td>
<td>1.87</td>
<td>1.50</td>
<td>2.71</td>
<td>2.96</td>
<td>2.59</td>
<td>2.05</td>
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</table>

Percent Review Cycles Completed On-Time

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<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2016</td>
<td>86%</td>
<td>90%</td>
<td>86%</td>
<td>83%</td>
<td>90%</td>
<td>85%</td>
<td>78%</td>
<td>85%</td>
<td>83%</td>
<td>86%</td>
<td>83%</td>
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<tr>
<td>FY2017</td>
<td>87%</td>
<td>90%</td>
<td>92%</td>
<td>84%</td>
<td>95%</td>
<td>81%</td>
<td>99%</td>
<td>83%</td>
<td>79%</td>
<td>76%</td>
<td>88%</td>
</tr>
<tr>
<td>FY2018 YTD</td>
<td>82%</td>
<td>85%</td>
<td>90%</td>
<td>74%</td>
<td>92%</td>
<td>65%</td>
<td>89%</td>
<td>80%</td>
<td>78%</td>
<td>76%</td>
<td>91%</td>
</tr>
</tbody>
</table>

Total Days in Queue - Sample chart for future data

- Total days from application to approval
- Total days in review queues
- Time in external queues
Attachment D - Designed and recommended a new permit application review policy to eliminate the addition of unnecessary new review comments on plans previously sent through the review process.

- Created policy to address stakeholder feedback that some review comments added after the first review were not applicable to new changes made to the development plan.

- Implemented new policy criteria that for plans that require new comments added upon subsequent review cycles, the new comments must be related to plan changes or specific issues impacted health and safety.
Development Application Review Policy

To reduce the number of review cycles and focus attention on those items remaining outstanding from prior reviews, a Development Plan Reviewer shall use the following policy in all reviews after the first review cycle.

The review shall only consider

1. Those review comments included in the immediately preceding review cycle;
2. Changes made to the plan from the immediately preceding review cycle; and
3. New comments that directly and substantially impact public health or safety.

A record shall be kept, with reasons stated, for each new comment that directly and substantially impacts public health or safety.
Attachment E - A portal has been created (“OpenCounter”) on the City’s website for inexperienced permit applicants and small business owners to provide a simple gateway for educating residents on the City’s development permitting requirements; a marketing and publicity plan is being prepared for small business week to expand outreach and education around the OpenCounter product.
Build Your Business in Charlotte, Mecklenburg County

Businesses of all sizes thrive in Charlotte. With our high quality of life and below-average cost of living, world-class arts and major league sports, Charlotte is a great place to start and grow your business.

The City of Charlotte and Mecklenburg County are proud to partner with our customers to build a safe and thriving community. We’re glad you want to be part of that. This tool will provide you with a guide of permits that may be needed from various agencies in the City of Charlotte and Mecklenburg County. Because these permits are based, in large part, on location and property use, it’s helpful to have on hand as much information about your business as possible before starting, including a potential address. You might want to start this process by going to Charlotte ZoningCheck to help you research where you proposed business is allowed based on current zoning rules.

Find out what’s next – get started below.

Get Started!

VIEW YOUR EXISTING APPLICATIONS
Basics

In this section, we will ask about what type of business you plan to open or expand, and where in Charlotte it is located (or will be located).

Fields marked with an asterisk (*) are required and must be filled out in order to progress to the next page.

Name of your business *

Our goal is to provide information about the permits and licenses necessary to open a business in the City of Charlotte.

If you would like someone from the City of Charlotte to guide you through the process of opening your business, please enter your information below.

Your Name

Leah Vuong

Email or telephone number (preferred contact method)

410-495-0001

← Back  Continue →
Business Type

Select your business type below.

You may select your Use by choosing a featured icon or clicking to view the entire list ot uses. Alternatively, you can type a use in the search box below and we will return a use if a match is found in our database. If nothing is returned, please try another term.

What type of business are you planning to open?*

Common Business Types

Search

Office & Business > Health > Clinics, medical, dental & optical

← Back → Continue →
Please choose your location by entering an address in the search form, or clicking on the map.

Address *
6720 Northpark Blvd, Charlotte, North C

← Back  Continue →
Business Details

Provide additional contact information for your business below.

Suite Number

Email Address
hello@opencounter.com

Business Telephone
415-450-0039

What is the square footage of the building you are considering for your business?*
1500

Number of Employees
10

Will you be making any improvements to increase security (e.g. alarm system, security lighting, ironwork, security camera, gates, etc)?

Yes  No  Not Sure

Would you like to receive mail at a different location than the one you have selected?

Yes  No  Not Sure

--- Back  Continue ---
Building

Building, electrical, plumbing, and mechanical permits for projects in Charlotte are issued by Mecklenburg County Code Enforcement.

Projects involving new construction, reconstruction, alteration, repair, movement to another site, removal or demolition of any building will be reviewed by staff. Some commercial projects are also reviewed by the City.

In this section, we’ll gather the information required by the County, provide an estimate of fees, and let you know which review type your project qualifies for.

Will you be making any physical modifications to the building?

[ ] Yes  [ ] No  [ ] Not Sure

← Back  Continue →
**Building Project Overview**

Tell us more about your project so we can determine which permits you may need.

**Scope of Work**
Addition

**Estimated cost of project**
19000

Are you currently working with a licensed contractor on this project?
- Yes
- No
- Not Sure

Describe your project below, providing any details that may be relevant.*

We will be partitioning rooms and adding parking spots to the outside.

---

Demo

- Clinic, Medical, Dental, & Optical

Permits (1)
- State Mandated Fire Inspection
  - Total: $30.00

---

Charlotte & Mecklenburg County
Terms of Service
Privacy Policy
Powered by OpenCounter
Addition

Projects that qualify as additions are those which increase square footage of the existing structure. This includes increases in the building floor print or by increasing the number of stories of an existing building.

What is the existing square footage of the building?
700

How much square footage will you be adding to the building?
300
Type of Work

What kind of work will you be doing on this project?

Will you be doing any demolition work?
- [ ] Yes
- [x] No
- [ ] Not Sure

Will you be doing any plumbing work?
- [ ] Yes
- [x] No
- [ ] Not Sure

Will you be doing any HVAC or mechanical work?
- [ ] Yes
- [x] No
- [ ] Not Sure

Will you be doing any electrical work?
- [ ] Yes
- [x] No
- [ ] Not Sure

Does your project include adding or modifying any signs?
- [ ] Yes
- [x] No
- [ ] Not Sure

---

Demo

CLINIC, MEDICAL, DENTAL, OPTICAL

Permits (3)

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Plan Review</td>
<td>$206.00</td>
</tr>
<tr>
<td>State Mandated Fire Inspection</td>
<td>$35.00</td>
</tr>
<tr>
<td>Estimated Building Permit</td>
<td>$1,625.80</td>
</tr>
</tbody>
</table>

**TOTAL:** $1,865.80
Change of Use

Changing the use of a site—for example, turning a warehouse into a restaurant—triggers additional inspections from the City and County.

For the location you have selected, is the use you are proposing different than the current use?  

- [ ] Yes
- [ ] No
- [ ] Not Sure

--- Back  Continue ---

Demo

- CLINIC, MEDICAL, DENTAL & OPTICAL

Permits (3)

- CITY
  - Fire Plan Review: $205.00
  - State Mandated Fire Inspection: $35.00

- COUNTY
  - Estimated Building Permit: $1,625.80

TOTAL: $1,865.80

Charlotte & Mecklenburg County
Terms of Service  Privacy Policy

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Air Quality

In Mecklenburg County, facilities that emit one or more regulated air pollutants are likely to need an air quality permit prior to construction.

Examples of these sources include but are not limited to boilers, generators, incinerators, chemical processing or storage operations, coating or painting operations, and material (sand, gravel, etc.) handling.

For more information, please click here: Air Quality.

You may also contact Mecklenburg County Air Quality staff at 704-336-1430 for assistance.
Land Development

The Land Development Division of the City of Charlotte's Engineering and Property Management reviews and inspects all commercial development projects in order to ensure compliance with various City ordinances and standards.

In this section, we'll cover the information required by the City for your project. Depending on your answers to the questions on this page, your project may not require City review and you will proceed to the Fees section.

Will you be doing any work that is outside of the building, such as adding parking spots, driveways, or sidewalks?

Yes  No  Not Sure

← Back  Continue →
Facade

Changes to a building's facade may lead to a review by the City. The City's review may be based on any wall that faces the public right of way (a street, the Light Rail, an interstate, etc.).

Provide us the area of the total facade and the area of the facade that will be changed, so we can determine if a review is required. For example, if on a 20 ft. x 20 ft wall, you are installing a 3 ft. x 3 ft. window, then your total area is 400 sq. ft. and the changed area is 9 sq. ft.

Total Area of the Facade (sq ft)
900

Changed Area of the Facade (sq ft)
90

--- Back  Continue --->
Trees

Your project is subject to the City of Charlotte's Tree Ordinance.

The Tree Ordinance plants and protects trees within the street right of way in Charlotte. It protects certain private trees on commercial sites and requires trees to be planted on most of these sites. To determine the minimum number of trees, please answer the following questions.

Additional trees may be required if you are adding a parking lot. Staff will review your plans to determine the number of additional trees.

Any questions, please feel free to contact our Urban Forestry Department, 704-396-6692.

Are there overhead power lines at your site?
- [ ] Yes
- [x] No
- [ ] Not Sure

How much of the street (length, in feet) borders your site?
- [ ] 600

Total Impervious Area of Site (sq ft.)
- [ ] 300

← Back  Continue →
Trees to Plant

Based on your responses on the previous page, the minimum number of trees you are required to plant is below.

Additional trees may be required if you are adding a parking lot. Staff will review your plans to determine the number of additional trees.

If you have any questions, please feel free to contact our Urban Forestry Department, 704-396-6662.

Minimum Number of Trees to Plant:

$
Next Steps

If you would like to save your project, you may click Continue. In the next few pages, you can create or sign in to your OpenCounter account and then save your project.

If you do not wish to proceed with your application at this time and/or if you have received all the information and fee estimates you need, you may simply close your window in order to end your session here.

← Back  Continue →
Applicant

How can we contact you?

First Name
Linh

Last Name
Vuong

Address 1

Address 2

City

State

Postal Code

Email

Demo

CLINIC, MEDICAL, DENTAL, & OPTICAL

Fire Plan Review
$206.00

Land Development Commercial Review
$2,016.00

Land Development Pre-Application
$0.00

State Mandated Fire Inspection
$35.00

Estimated Building Permit
$1,625.80

TOTAL:
$3,880.80
Required Information

If you would like to submit your project to the City of Charlotte for review, you can click "Continue" below.

You will be required to provide additional contact and payment information if you continue.

If you are not ready to submit your project at this point, you may close your window to end your session. Your project has been saved to your account and is accessible anytime by logging in.
Submit Your Project

To continue and submit your project, please login or register for Accela Citizen Access using the form below.
Creating an account will also allow you to track the progress of your project post-submission.

Username
mai.linh.vuong@gmail.com

Password

Password confirmation

Submit | Forgot your password?
Thank You

Charlotte Staff has been welcoming, engaged, helpful, and resourceful. They have dealt with our requests for data and feedback quickly and with an extremely high level of professionalism.

It has been a pleasure to work with you and Charlotte is a wonderful City to visit.

Thanks from all of us at OpenCounter for believing in us and for helping us create a great resource for your small business community.
Attachment F - Created and recommended a formal process to quickly resolve conflicts between different city reviewing departments.

- Analyzed stakeholder feedback related to the issue and created a formalized process resolve conflicting comments from different city service teams based upon compliance with ordinances.
- Implemented a formal issue resolution workflow within the city's development review process to flag areas of conflict and escalate appropriately for resolution.
Development Review Conflict Resolution Process

Based on the nature of the development review process, from time to time conflicts may arise in working through the complete process. To help quickly resolve disagreements, we emphasize that our staff work in partnership with the development team for quick resolution. In order to expedite any conflicts that may arise we have established a consistent process to timely resolve disagreements.

Background

Charlotte’s development regulations are complex—in part because they regulate the full range of development that is possible throughout the city. Ordinance language can be ambiguous for some situations, and very specific for others. The more specific the language is, the less flexible Charlotte’s response to a particular project can be. Conversely, the more ambiguous the language, the less predictable our interpretation may be. Achieving the right balance between flexibility and predictability is a constant dilemma in developing regulatory policies. It is not unexpected, therefore, that in some cases applicants or other interested parties may disagree with plan reviewer or inspector about how the code applies in a specific circumstance, or, how the process is being administered for their unique project. To help quickly resolve any issues that may arise the following process will be followed.

Plan Review Disagreement Resolution Process

Step 1:
If you disagree with a staff reviewer about how a policy or technical issue affects your project, please work with the reviewer to navigate an appropriate path forward. By partnering together, the goal for a quick resolution to move the project forward can be more readily achieved.

Step 2:
If a path forward cannot be agreed to, please create an electronic Conflict Resolution application/record in Accela Citizen Access. The application will ask general contact and project information and a detailed description of the conflict including which ordinance/s are in conflict and what departments need to be included in the resolution. Upon submission, Land Development’s Customer Service Manager will review the record for distribution to the appropriate Department Manager to lead the resolution team.

For a Subdivision Project: Planning’s Subdivision Program Manager
For a Commercial/Urban Project: Engineering Division Manager
For a Charlotte Water Project: Charlotte Water’s Chief Engineer

The Manager will investigate the conflict and facilitate a meeting among the appropriate parties within five business days of the submittal of the request. The manager will work with the City’s review team
and the development group for final resolution. If additional time is required for research, both the
development team and staff will agree upon next steps and the appropriate timeline for completion.

A written record of the resolution will be noted on the Accela record.

**Step 3:**

If, after following the above process, the development team is not satisfied with the perceived
resolution, they will notify Land Development’s Customer Service Manager to engage the appropriate
Department Director to facilitate resolution.

Once a resolution is finalized the details will be noted on the Accela record.
Attachment G - Collaborated with stakeholders and staff to develop a pilot program to re-designate certain properties in the Corridors, Centers and Wedges Growth Framework at the same time a re-zoning petition is in progress.

- Assessed development community feedback on need for the opportunity to request re-designation of Corridors, Centers and Wedges designations.

- In process of developing options for the inclusion of Corridors, Centers and Wedges re-designation requests along with the re-zoning request process.
Attachment H - Designed and recommended a new customer service training program to create and sustain a uniform customer service culture to quickly resolve permit review conflicts and solve problems.

- Analyzed stakeholder feedback that included issues specific to enhancing customer service within the development plan review process.

- Developed customer service training tailored to the specific types of interactions required within the development review process:
  - Timely follow up
  - Explaining rationale on decisions in layman’s terms
  - Maintaining professionalism in conflict
  - Exhibit problem-solving readiness through collaboration

- Implementing a survey to capture specific post development plan review feedback. Results will be assessed for service highlights and improvement opportunities and reviewed quarterly at stakeholder meetings.

- On-going assessment and review - Feedback from stakeholders and post development review survey results will be used to assess current service provisions, monitor progress and help determine on-going improvement focuses.
**EXPANDING NEIGHBORHOOD DEVELOPMENT**

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Mayfield</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Debra Campbell</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>There is an opportunity to holistically examine our approach to targeted neighborhood development.</td>
</tr>
</tbody>
</table>
| Deliverable: | • Evaluate how the City currently defines targeted neighborhood development, including what are the stated goals and objectives  
• Examine the existing frameworks used to support targeted neighborhood development, including diverse price point housing, strategic investments (CNIP), and Corridor revitalization  
• Explore inclusive and equitable approaches from Cities across the country and conduct an inventory of best practices and related policies  
• Recommend policy options for Council consideration |
| Latest Developments | • Staff is using a variety of sources to strategically and comprehensively maintain and address neighborhood issues which include:  
  o Documenting lessons learned from the pilot Community Engagement Initiative which is a joint effort between Housing and Neighborhood Services, Community Relations and CMPD being implemented in Hidden Valley and Lakewood  
  o An interdepartmental/interdisciplinary team formed to advance efforts related to Council’s Community Letter also meets monthly to discuss how best to provide both coordinated and holistic service delivery to neighborhoods and evolve the efforts from the Letter to efforts to create great neighborhoods  
  o Staff is collecting data from 311 combined with information from police coordinators and community liaisons to identify opportunities and concerns  
  o Staff with Housing and Neighborhood Services and the City Manager’s Office have completed a draft of an approach to build and sustain great neighborhoods. See attached for more detailed information  
  o Staff will develop draft policy changes that may be needed to implement the attached strategy |
The City’s Neighborhood Revitalization Strategy is an evolution of programs, ideas, research and learning over the past 20 years focused on improving Charlotte’s quality of life for its neighborhoods and residents. This strategy is based on the premise that neighborhoods are the basic building blocks to any great City and builds on City Council’s Housing & Neighborhood Focus Area Plan’s desire to sustain and create distinct and diverse neighborhoods for residents of all ages and incomes.

The issue of neighborhood revitalization is one that every community must deal with as it strives to improve the welfare and economic well-being of its residents and sharpen its competitive edge. Charlotte, a city of neighborhoods — diverse in age, place, and residents — recognizes that healthy neighborhoods are the building blocks of a healthy society, and are a potent force of attraction for talented workers and businesses. As such, neighborhood revitalization is a critical element in ensuring the City’s overall economic development and public safety strategies.

Neighborhood revitalization is a continual process, the magnitude and complexity of which requires long-term planning, and a sustained commitment of political and financial resources. Further, best practices research indicates that targeting limited resources towards areas of need, solving issues and enhancing opportunity, is more efficient and provides longer lasting results.

Mission
• To create successful neighborhoods, where people of diverse incomes and backgrounds can build successful lives

Goals
The vision of this department is articulated in the following six goals:
• Organize and empower neighborhoods to create the communities they love
• Build and preserve quality affordable and workforce housing
• Facilitate infrastructure improvements that catalyze neighborhood reinvestment by leveraging the implementation of the Community Investment Plan
• Encourage business growth that meets community needs for services and work
• Support families through assistance for youth K-12 and through workforce and human capital development
• Provide the public with quick and easy access to information and non-emergency services
Outcomes and Measures

GOAL: Organize and empower neighborhoods to create communities they love

DESIRED OUTCOMES: Insure no neighborhood is left behind
Ensure the entire city is served

Strategies:
- Provide neighborhood specialist for follow-up assistance and neighborhood problem solving
- Serve those neighborhoods that are not thriving and connect to communities in the south wedge
- Provide information that enables neighborhoods to understand themselves and the services available to them
- Provide Leadership Training Programs to build neighborhood capacity and connect neighborhoods to one another
- Provide Technical Training to connect neighborhoods to resources
- Assist neighborhoods in developing and implementing strategic plans
- Engage residents in neighborhood and community cleanups
- Engage residents in sustainability initiatives
- Create robust community engagement opportunities that harness the passions of the community to act on the values of their unique communities
- Be a gateway for community partners to resource neighborhood initiatives that accomplish partner and neighborhood goals
- Celebrate neighborhood success
- Create a community that is welcoming to all citizens

Measures of success:
- Number of projects implemented through Neighborhood Matching Grants and other partnerships
- Number of community clean ups completed
- Number of community partnerships leveraged and/or created
- Number of goals achieved as result of Board retreats
- Develop and implement neighborhood leadership training
- Develop infrastructure for neighborhood-school partnerships
- Number of community partnership

GOAL: Build and preserve quality affordable and workforce housing

DESIRED OUTCOMES: Expanded housing options and a safe decent home for all residents
Fewer Code violations

Strategies:
- Target and leverage the City’s housing resources to provide stimulus in targeted geographic areas.
- Collaborate with the necessary City and County agencies to inventory and assemble vacant City and County parcels that could be used to develop affordable/workforce housing.
- Allocate Housing Trust Fund dollars to developments consistent with Housing Policy goals and in response to the changing dynamics of the City.
- Preserve existing housing
- Utilize Code enforcement to preserve housing
- Leverage community volunteer partnerships (e.g. Mission Serve, Catholic Heart, etc.).
- Ensure that low-income residents are not disproportionately affected by the negative consequences that can occur as a result of revitalization/gentrification (e.g.: increased property taxes, rent increases and displacement)
Measures of success:

- Number of affordable housing units created
- Number of housing violations corrected; increase voluntary compliance
- Number of housing units rehabilitated with the use of City dollars and through volunteers

GOAL: Facilitate infrastructure improvements that catalyze neighborhood reinvestment by leveraging the implementation of the Community Investment Plan

DESIRED OUTCOMES: Integrate neighborhood Improvements that leverage public and private investments to create services, jobs and places people need

Strategies:

- Implement the Community Investment Plan and Comprehensive Neighborhood Improvement Program (CNIP) projects
- Leverage public/private investments within the business corridors, and CNIP areas through the use of the Community Investment Plan

Measures of Success:

- Neighborhoods engaged to identify and prioritize projects within CNIP
- New CNIP projects initiated

GOAL: Encourage business growth that meets community needs for services and work

DESIRED OUTCOME: An economic and regulatory environment that encourages entrepreneurship, strengthens existing businesses and helps build synergistic networks

Strategies:

- Identify potentially related neighborhood businesses and help them connect to one another, to larger regional businesses and to neighborhoods; strengthen quality of place
- Update and market ED programs that enable all businesses to access the resources they need to thrive (proposed to City Council in 2014)
- Facilitate access to healthy food and quality neighborhood retail

Measures of success:

- Increased building permit activity in targeted business areas
- Increase in number of businesses and jobs
- Improved access to healthy food
- Support small business within the business corridors through the use of Business Corridor Funds / increased number of ED grants
- Advance technology to startup companies through community collaboratives in light of private-sector high-speed fiber planned investment
- Private investment stimulated in targeted areas of opportunity (CIP areas, Business Corridors)

GOAL: Support families, through assistance for youth K-12 and through Workforce and Human Capital development

DESIRED OUTCOME: Increase economic mobility by ensuring youth are supported and adults have access to the training they need to create a skilled workforce for 21st Century jobs
Strategies:
- Support quality out-of-school time for youth from low income families
- Engage organizations to provide apprenticeships, mentoring relationships, work experiences and connections to community
- Connect residents to volunteer opportunities in targeted neighborhood schools
- Connect neighborhoods and businesses to schools
- Link low-wage workers to health care and basic supportive services to help them succeed as they train for jobs
- Partner with the County, non-profits, foundations, and neighborhood organizations to build neighborhood capacity and create greater awareness of residents of issues affecting them
- Develop adult apprenticeship pathways
- Offer year-round job fairs for residents between the ages of 18-24

Measures of Success:
- Maintain number of work experiences and summer internships through MYEP
- Increase number of MMA member agencies
- Number of job fairs hosted and number of residents employed as a result
- Number of neighborhood/business/school partnerships

GOAL: Provide the public with quick and easy access to information and non-emergency services

DESIRED OUTCOME: Provide efficient and high quality customer service to Charlotte’s residents through agent assisted service

Strategies:
- Decrease the amount of time in which all calls are answered - Answer all calls within 30 seconds or less
- Improve rate of call handle time Handle all calls within three minutes or less
- Improve call abandonment rate of less than 5% of all calls

Measures of Success:
- Percentage of calls answered in 30 seconds or less
- Percentage of calls handled within 3 minutes or less
- Percentage of calls abandoned

GOAL: Provide assistance with international relations

DESIRED OUTCOMES: Create a Community that is welcoming to all Charlotte residents

Strategies:
- Implement the Immigration Task Force Report Recommendations

Measures of Success:
- Number of task force report recommendations implemented
<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Harlow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Sarah Hazel</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>There is an opportunity to examine the utilization of our small business incentive programs for improvements and broader impact.</td>
</tr>
</tbody>
</table>
| Deliverable:    | Review the utilization of Charlotte’s small business programs and examine other successful programs across the country, in order to:  
|                 | • Understand recent impact on small business community  
|                 | • Identify gaps that exist  
|                 | • Bring forward policy recommendations for Council consideration to support the goal of growing our small business eco-system via City supported grants and loans |
| Update on Deliverable | **Small Business Programs and Impacts**  
|                  | There are several programs that help businesses obtain capital for start-up and/or growth needs.  
|                  | **Access to Capital**  
|                  | The [Charlotte Community Capital Fund](#) is an innovative public/private fund established to assist small businesses with gaining access to capital. The fund was established in 2003 with an initial equity amount of $1,979,480 ([balance of $1,570,366 as of December 31, 2017](#)). An 85 percent loan guaranty for business loans made by the participating lending partners, Self-Help and the Carolina Small Business Development Fund is provided. During FY 2017, The Community Capital Fund made nine loans to small businesses that totaled $623,700.  
|                  | The [Small Business Mobilization Loan](#) provides assistance to certified Small Business Enterprises (SBE’s) acquire short term, low rate financing to support temporary working capital needs such as account receivables, acquisition of inventory, and materials as they participate as vendors working on City of Charlotte contracts. SBE’s with eligible municipal contracts can receive a minimum amount of $15,000 and a maximum amount of $75,000, or 80 percent of the contract amount, whichever is less. During FY 2017, the loan program provided two loans to small businesses that totaled $79,700. The city funds $150,000 annually to support small business applicants achieve short-term loans. $60,000 in loans have closed to date in FY2018.  
|                  | *In 2018, the Operating Committee of the Charlotte Community Capital Fund will begin a review of the effectiveness of the Community Capital Fund and the Small Business Mobilization loan program.*  
|                  | The [Business Matching Grant Program](#) provides companies located within the Business Corridor Revitalization geography (which include the commercial areas of the following streets: Albermarle Road, Beatties Ford Road, Central Avenue, Freedom Drive, Independence Boulevard—Albermarle Road, North Tryon Street, West Boulevard, and Wilkinson Boulevard) the opportunity to apply for façade (maximum grant award ranges from $20,000-$130,000), security (maximum grant award is $5,000) and brownfield improvement grants (maximum grant award is $20,000). These grants are a 50 percent matching reimbursement grant. For instance, if a $20,000 maximum grant is awarded, the applicant must spend $40,000 upfront to receive the full maximum amount. The city reimburses (50 percent) for the actual amount spent, which could be less than the maximum award amount. A revitalization corridor is an underperforming commercial area within the community. These communities may have a pattern of disinvestment, higher vacancies of commercial properties, and...
SMALL BUSINESS PROGRAM UTILIZATION

decreasing property values, coupled with an increase in empty or blighted structures. A map of the business corridor revitalization geography is attached.

The Business District Organization Program (BDOP) is open to established business district associations that want to improve the business district it represents in the city. Up to $30,000 per grant is available to qualifying businesses. The BDOP grant is an annual application process (due on May 15th) that requires a 12-month work plan that outlines specific activities, milestones, and a budget that aligns with the city’s fiscal year. An organization that is awarded this grant has a year to request reimbursement for applicable expenses and it also includes a 66.6 percent match requirement by the commercial neighborhood association. Eligible projects for BDOP program would include reimbursement of expenses related to a business district neighborhood 5K race, or bookkeeping expenses for the business district association.

In FY 2017 to present, the City of Charlotte approved 50 applications for the business matching grant program. The approved maximum award amounted to $1,180,000 to local small businesses and leveraged $5,930,000 in additional funds spent by the businesses themselves on improvements to façades, security, or brownfield cleanup. The city budgets $1 million in capital funding for this program annually, and unused funds roll over from year to year.

There have been numerous small business examples of the community impact from this program. One such example is Toucan Louie’s Café, located at 2753 Freedom Drive. This small business received a $28,000 façade improvement and security grant that included security improvements to their camera and alarm system, and additional lighting, as well as façade improvements that included extensive exterior masonry work, new storefront windows and doors, exterior paint, signage, paving, grading, and landscaping. Examples are attached.

Capacity Building

CharlotteBusinessResources.com (funded and operated by the City of Charlotte) represents a community-wide collaborative effort that saves small businesses time and money by providing relevant business tools and resources. The on-line resource connects small business owners to information on starting, growing, financing and locating a business in Charlotte through:

- Frequently updated web content
- Filtering tools that customize searches
- Calendar of events
- Interactive tools (social media, video/dual language podcast libraries)

The website is supported by over 20 community Resource Partners who provide up-to-date and relevant content, interact with the business community by responding to users’ questions via web forms, and attend quarterly Resource Partner meetings. Resource Partners are nonprofit, government, and academic organizations that serve the local small business community. This program has been highlighted by the National League of Cities as a national best practice for supporting and engaging with small businesses. The city also works along with resource partners to host regular networking events for the small business community.

The CBR website’s number of users has grown dramatically since its inception. Year over year growth in terms of website visits grew 14.3 percent in FY 2016 and an additional 16.6 percent in FY 2017 for a total of 62,900 website visits. CBR has a total user base of 87,600 which it uses to reach out to promote events, special announcements, and educational opportunities. Addendum 2 is
attached to the end of this report that graphically depicts all relevant statistics related to the CBR website.

**Charlotte Business INClusion (CBI)** seeks to enhance competition and participation of minority, women, and small business enterprises (MWSBE) in city contracting and to promote independent economic growth and development. CBI provides assistance to small businesses interested in receiving their MWSBE certification and becoming a city vendor.

CBI partnered with BBC Research and Consultants on the **2017 Disparity Study** which was accepted by City Council on November 27, 2017. The study reviewed the city’s expenditures from July 1, 2011 through June 30, 2016, specifically analyzing the utilization of minority and women owned firms relative to their availability. While the city has made strides, disparities still exist and MWBEs are underutilized on city contracts. Anecdotal evidence suggests there continue to be many barriers in the marketplace for small businesses and MWBEs. Based on the study’s findings, the city can continue to use race and gender conscious measures to remedy identified barriers.

**Phase II of the Disparity Study** is currently underway where the goals are to identify CBI policy and program enhancement opportunities to address the disparities identified in the study and to implement CBI policy and program recommendations.

**Charlotte Regional Fund for Entrepreneurship (CRFE)** is the city’s High Growth Strategy Implementation that City Council adopted on November 12, 2012. CRFE is the Charlotte region’s public-private partnership charged with:

- Strengthening the entrepreneurial ecosystem
- Supporting increased innovation
- Improving development of high impact entrepreneurs
- Increasing job creation

The City of Charlotte contributed $500,000 to CRFE as a part of the adoption of the High Growth Strategy that required a private sector match. Other funders include the Charlotte Chamber ($200,000) and local individual entrepreneurs ($100,000). Since 2012, the city’s $500,000 contribution has been spent on building up and supporting the entrepreneurial ecosystem with no funds going to pay for program overhead or administrative costs. An example of a project would include contributing funds to annually produce Charlotte’s *State of Entrepreneurship*. There is $60,000 in city funds left to offer as a match to proposed programs.

The CRFE Board consists of local entrepreneurs, the City of Charlotte, and the Charlotte Chamber and is supported by an Executive Director. CRFE provides financial support to activities that support the growth of Charlotte’s entrepreneurial ecosystem. Money is spent by the organization directly and the organization also supports local nonprofits or event organizers working in this space. Examples include The Charlotte Entrepreneurial Growth Report (commissioned by CRFE directly), sponsorship of the Southeast Venture Conference (provided funds to nonprofit organizing the event), and support of CLT Joules Accelerator (provided funds directly to CLT Joules).

**Support for Small Foreign Owned Firms** comes in a variety of ways within the city. Many global companies start in Charlotte with a small presence as they explore entering the U.S. market. Economic Development staff aids these small companies by helping them with visa support letters, connecting them to workforce development programs as their hiring needs evolve and directing them to useful networks to grow their business presence here. The city also helps showcase their
good work when visiting dignitaries are in Charlotte; helping the firms receive more attention back home which can lead to further investments in their Charlotte locations. The city does not track the number of small, foreign owned firms assisted, rather it is a part of the normal, daily operations of the Economic Development staff

**Advocacy**

**Living Cities Procurement City Accelerator** is a unique tool the city is able to offer to small businesses in the community. The City of Charlotte is one of five cities that received a grant of $100,000 to participate in the Living City Accelerator on procurement and economic opportunity. A Procurement Advisory and Inclusion Council (PAIC), comprised of internal city leadership staff throughout the organization, will be created to focus on collaboration and building synergistic partnerships in support of citywide procurement inclusion efforts. Charlotte’s goal is to increase spending with MWSBEs, particularly minority owned businesses, by the City of Charlotte and large corporate and anchor institutions.

**Business to Business (B2B) Networking/Events**

**Small Business Month** is an event where small businesses and entrepreneurs are celebrated annually by convening the CharlotteBusinessResources.com Partners and local community around May’s Small Business Month festivities. Small Business Month includes several signature programs, such as the: Mayor’s International Cabinet Awards (MICA), Crowns of Enterprise MWSBE Awards, Mayoral Small Business Month proclamation, City Council Small Business Month recognition, and many other partner and community hosted celebrations and seminars. This program is coordinated by the Department of Economic Development

**#31DaysofBiz Campaign** is a social media campaign sponsored by the Economic Development team and CharlotteBusinessResources.com Resources Partners to help identify small businesses that have benefited from the Resource Partners services and to spotlight a different small business throughout the month of May. The thirty-one businesses and Resources Partners are featured daily on the CharlotteBusinessResources.com blog and social media platforms. For the first time in 2017, the #31daysofbiz small businesses were recognized at the kick-off to Charlotte’s Small Business Month networking celebration to highlight the benefits of the using the wide variety of resources available to small businesses.

**Partner Event Support** small business related events, seminars, and special projects hosted by the CharlotteBusinessResources.com Resource Partners. Support comes in the form of event planning, sponsorships, and participation on panels and as guest speakers.

**Taste of the World** is a fundraiser and awareness raising program for the Eastland Area Strategies Team (EAST). This program raises the visibility of the variety of small international restaurants in East Charlotte by taking guests on guided bus tours to these establishments. Economic Development sponsors this event and staff also helps recruit new businesses to be part of the tour. Proceeds from the tours are used to help struggling restaurants obtain resources to improve health scores and customer service.

**The International Entrepreneurs and Small Business Owners Program** introduce immigrant small business owners to city and community partners that can help them grow. The city hosts an annual meeting with workshops during small business month that focuses on an industry or theme (e.g.
construction, restaurants, green business, or exporting). Workshops help small businesses grow capacity and find resources to help run their businesses (e.g. budgeting, doing business with government, loans, or HR topics). The program also includes outreach to vendors at local festivals to better connect them to the same opportunities that traditional brick and mortar shops have.

**Talent Development**

**Project PIECE** (Partners for Inclusive Employment and Career Excellence) was created in 2017 by City Council and staff as a three year project, with $1 million in city funds, to support small construction-related businesses (construction, fiber optics, and highway construction) by training individuals and providing access to candidates with specific labor and trade skills needed for the workforces. The city partners with Goodwill Industries and the Urban League to provide job training and trade skills growth. In 2017, Project PIECE trained **154 individuals**, graduated **135** and placed **117 in jobs**. Over 50 companies were engaged and over 30 are currently active including city departments such as Charlotte Water, Aviation, and CDOT. Economic Development will request additional funding in FY 2020 to continue the Project PIECE project. In FY 2017, the Mayor’s Youth Employment Program provided training for 1,006 students, placed 411 students in paid summer internships, and provided 3,264 other career and work experiences. 212 businesses provided youth with work experiences.

**Job Fairs** are hosted by Housing and Neighborhood Services’ Community Engagement Division seasonally and provide small businesses with the opportunity to recruit individuals between the ages of 16 and 24 for open positions primarily in the retail and hospitality industries. Since May 2017, Community Engagement has hosted **nine job fairs** with combined 156 employers represented and 1,687 applicants in attendance resulting in **280 placements**.

**On the Job Training and Incumbent Worker Training Grants** are offered by CharlotteWorks, using federal Workforce Innovation and Opportunity Act funds to provide grants to businesses that help them to offset the costs of hiring and training employees. In FY2018 to date, CharlotteWorks has allocated $150,000 toward incumbent worker training grants, and of that total, $66,000 has been awarded in federal WIOA funds.

**Gaps**

In 2017, Mecklenburg County completed a Small Business Strategic Plan. As part of this plan, research was conducted on the available resources from government, nonprofit, academic and for-profit organizations for starting and growing a small business. **Results from this research indicated a strong presence of resources available for starting a business but a limited amount available to support small businesses as they grow.** The Economic Development team has been researching existing programs with proven results in other communities that could be brought to Charlotte to assist existing small businesses. Those programs include:

- **Interise**, a **13-week training and capacity-building tool for all city certified MWSBEs**

- **Inner City Capital Connections (ICCC)**. The goal of Inner City Capital Connections is to position small businesses operating in inner city communities for growth and success by helping them develop and practice skills that enable them to grow, create jobs, and raise capital. ICCC achieves this with a multifaceted approach that includes educational seminars and webinars, as well as one-on-one coaching, and access to capital providers.
**Administrative Analysis and Review**

Initial analysis of our Small Business utilization is complete. Staff will continue to analyze impact in an ongoing way and review with the Manager.

**Policy**

The Economic Development Committee will be reviewing incentive and corridor revitalization policies in April with the goal of revising policies and guidelines that allow for great flexibility and business owner participation. (See Committee Referral Sheet on Incentive and Corridor Revitalization Policies.)
Business Corridor Revitalization Geography
## Small Business Programs

<table>
<thead>
<tr>
<th>Service Approach</th>
<th>Programs Included</th>
<th>Organizations</th>
<th>Eligibility</th>
<th>Accomplishments and Funding</th>
</tr>
</thead>
</table>
| Loan Programs (Led by Charlotte Business Inclusion (CBI)) | -Community Capital Fund  
-Self-help  
-Carolina Small Bus. Development Fund | -City of Charlotte | -Small businesses | -Nine loans  
-Total amount (FY 2017): $623,700 |
|                           | -Small Business Mobilization Fund                  | -City of Charlotte                      | -Small business enterprises | -Two loans  
-Total Amount (FY 2017): $79,000 |
| Matching Grants           | -Business Matching Grants                           | -City of Charlotte                      | -Small businesses located within Business Corridor Revitalization area | -Awarded $1.2 million (FY 2017)  
-Leveraged $5.9 million in small business investment  
-50 applications awarded |
|                           | -Business District Crg, Program                    | -City of Charlotte                      | -Eligible business district associations            |                                                         |
| Information and Education | -City Small Business Website                        | -City of Charlotte                      | -All small businesses with access to internet        | -62,900 website visits (FY 2017) |
|                           | -CBI Outreach                                       | -City of Charlotte                      | -Certified or eligible Minority, Women, Small Business Enterprises | -NA |
| Job and Worker Training   | -Project PIECE                                      | -City of Charlotte                      | -Individuals with significant barriers to employment | -$1.0 million over three years beginning in FY 2017  
-Trained 154 individuals  
-Placed 117 in jobs |
|                           | -Employee Training and Hiring Assistance            | -CharlotteWorks                         | -Businesses that need assistance hiring and training employees | -$150,000 from federal Workforce Innovation and Opportunity Act |
Business Matching Grant Examples

**Toucan Louie's Cafe**
- $280,000 Façade Improvement and Security Grant
- Security improvements included camera/alarm system, lighting
- Façade improvements included exterior masonry, storefront windows and doors, exterior paint, signage, paving, grading, landscaping

**Plaza Central**
- $225,600 Façade Improvement and Security Grant
- Intersection of Central and Roselawn
- Security improvements included automatic lights, fences/gates, doors/locking mechanisms, and clear windows
- Façade improvements included signage, canopies, storefront doors, driveways, interior trees, and landscaping islands

**933 Louise Ave.**
- $130,000 Façade Improvement Grant
- Improvements included new storefront entrance, canopy and new stucco, and other landscape improvements

**Keith Clinic Chiropractic**
- $50,000 Façade Improvement and Security Grant
- 4016/4024 Triangle Drive
- Security improvements included camera system and lighting
- Façade improvements included windows, hardscape, monument signage, exterior paint

**CupLux Coffee**
- $28,000 Façade Improvement and Security Grant
- 3115 Freedom Drive
- Security improvements included camera system and lighting
- Façade improvements included windows, storefront, exterior paint, awning, mural

**Common Market**
- $45,000 Façade Improvement and Security Grant
- 44 22A Monroe Road
- Security improvements included camera system and lighting
- Façade improvements included windows, hardscape, monument signage, exterior paint
### Requester:
Council member Bokhari

### Staff Resource:
Jason Kay

### Statement of Issue:
Identify the opportunities available to support awarding contracts to veteran-owned small businesses in City contracting to promote economic growth and development.

### Deliverable:
- Conduct a legal analysis of opportunities to support veteran-owned businesses through adding a preferred contract award option, such as adding “V” for Veteran to the City’s existing MWSBE program.
- Review other government agencies and peer cities in North Carolina to determine models and best practices for supporting veteran-owned small businesses through contracting.
- Determine the best strategies for City Council to advance a veteran-owned small business contracting policy.

### Latest Development:
- Legal analysis indicates that an opportunity exists to support contracting preferences in Veteran-owned businesses for services contracts. For construction contracts, however, the General Assembly would need to provide Charlotte with authority to enact such a program. See Attachment A.
- Due to the unique legal requirements in North Carolina, no other government agency in North Carolina currently supports a contracting preference for veteran-owned businesses, although programs do exist in other states and at the federal level.
- The City would need to perform a study to obtain a current estimate of the number of veteran-owned businesses in the City and the rate at which they bid on and win contracts with the City.
- The City would need to determine the qualification criteria for a veteran-owned business to qualify for a contracting program, if not defined in the enabling state legislation.
TO: Mayor and City Council

FROM: Robert E. Hagemann, City Attorney

DATE: March 15, 2018

RE: Authority for Veteran-Owned Business Preference

There is no clear statutory authority for the City to provide a preference to Veteran-Owned Businesses (VOB) in awarding contracts, whether as a prime contractor or through the setting of subcontracting goals.

**Lowest Responsible Bidder Contracts**

In the context of "lowest responsible bidder" contracts (*i.e.*, construction and commodity contracts in excess of $30,000), it is my opinion that a VOB preference could not be established without specific legislative authority. That is due to the fact that such contracts must be awarded to the lowest responsible bidder "taking into consideration quality, performance, and the time specified in the bids for the performance of the contract." G.S. 143-129 and -131. Whether a prime or subcontractor is a VOB has nothing to do with the criteria specified in the statute. Also consider that the General Statutes specifically authorize the setting of MWBE goals and the General Assembly provided the City with special legislation that authorizes SBE goals. So in order to establish a VOB preference for these types of contracts, authorization from the General Assembly would be necessary.

**Qualifications Based Selection Contracts**

State law specifies that the selection of architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services should be based on "demonstrated competence and qualification for the type of professional services ... [and then] negotiate a contract for those services at a fair and reasonable fee with the best qualified firm." G.S. 143-64.31. Since VOB status has nothing to do with qualification criteria specified under this standard, it is my opinion that, like lowest responsible bidder criteria specified under this standard, it is my opinion that, like lowest responsible bidder contracts, state enabling legislation would be necessary to provide a VOB preference for qualifications based selection contracts.
Other Service Contracts

State law is silent on the criteria for awarding other service contracts. Given the underlying flexibility, providing a VOB preference may be lawful. While having the General Assembly specifically authorize this would be the legally safest way to proceed, Council could pursue development of a VOB preference for these types of contracts with an understanding of the legal risks.

Other Considerations

Should the Council seek to develop a VOB preference program, several issues will need to be considered.

First, unlike race which is a suspect classification for equal protection purposes, a disparity study showing underutilization and past discrimination would not be legally necessary. However from a policy standpoint, it might make sense to obtain an understanding of whether there are real or perceived barriers to VOB participation, and the extent to which those barriers have resulted in underutilization.

Second, the Council would have to establish the criteria to be used for determining whether a business qualifies as a VOB. These might include, by way of illustration, percentage ownership, degree of management and control, length of time in the service, whether the veteran was honorably or dishonorably discharged, whether the veteran was disabled in service (a requirement of the federal program), and whether to require presence of the company in the defined local market. If the Council were to consider requiring some preexisting presence in the local market, a consideration of local preference constitutional issues would be necessary.
Memorandum

TO: Jason Kay, City Manager’s Office
FROM: Nancy Rosado, Charlotte Business INClusion (CBI) Manager
COPY: Robert Hagemann, City Attorney
Randy Harrington, Chief Financial Officer and Director of Management & Financial Services
Maya Siggers, CBI Compliance Manager
DATE: March 20, 2018
RE: Veteran-Owned Business (VOB) Program

The City Manager’s Office has asked the Charlotte Business INClusion (CBI) Office to review and summarize the feasibility of incorporating a Veteran-Owned Business (VOB) program or component into the City’s existing CBI Policy that currently provides contracting opportunities for Minority, Women Small Business Enterprises (MWSBEs). After reviewing the City Attorney’s legal memorandum issued on this matter, CBI concurs with legal regarding the need for specific legislative authority from the General Assembly in order to set VOB goals in the manner currently done with our MWSBE program, as well as potential issues with a VOB program being considered a local preference incentive.

When considering the CBI policy, we agree that there would need to be a basis for the program demonstrating that there is a real or perceived barrier of participation for VOBs and that there is availability and interest that would warrant the undertaking of such a program. If it were determined that CBI could legally move forward with establishing a VOB program, a major consideration for implementing such a program includes ensuring that the VOB program created does not undermine current MWSBE program goals. Other considerations would include the need for a study, consideration of how other jurisdictions in North Carolina as well as peer cities are managing VOB programs, and the creation of new processes to gather, certify, and set accurate VOB goals.

Veteran-Owned Business Programs
Veteran-Owned Business programs are typically designed with the focus of providing a contract incentive to reward VOBs for their service to our country, over redressing some past or current discriminatory impact as is the case with MWBE programs. Because Veteran programs are based neither on race or gender, their implementation would work most similarly to that of a traditional, race neutral Small Business Program, where data on firms deemed as “available” would be used to administer either a contract set-aside or bid incentive preference program.

Conducting a Study
CBI concurs with legal, that while a disparity study is not necessary for implementation of a VOB program, it would be in the best interest of the City from a policy standpoint if some study or research were conducted to determine if there are barriers that have prevented VOBs from participating in the City’s contracting process. Additionally, without a study, there would be challenges in developing the benchmark of current availability and utilization to determine the potential goals for VOB participation.
The City's current SBE initiative has been studied and the purpose of the program is to grow and develop local small businesses, while the MWBE program is an attempt to remedy past and current discriminatory practices in contracting for minorities and women. In order to best serve, it would be imperative to have an understanding of what need and issue is addressed by incorporating a VOB program into the current CBI Policy.

A study may also provide insight on whether providing a VOB preference for contracts under $30k, as outlined in the City Attorney's legal memorandum, would be worth the additional resources it would require to effectively implement a VOB initiative. Furthermore, a study could help determine if a Veteran specific sheltered market program would undermine the City's current efforts to promote MWSBE participation as prime contractors.

**VOB Programs in Other Jurisdictions**

VOB programs have not emerged as a major part of most City procurement programs across the country. In researching programs in Raleigh, Durham, Greensboro, as well as Fayetteville, due to its close proximity to Fort Bragg, it is concluded that none of these cities in North Carolina have adopted a VOB program. The same was discovered on the state level, which is likely due to the legal requirements and authority of the NC General Assembly to establish such a program.

Chicago has implemented a VOB program and it operates as three bid incentives:

- **Veteran Subcontractor Utilization Incentive**: A maximum two percent (2%) bid incentive is available for utilizing VOB subcontractors.
- **Business Enterprises Owned or Operated by Persons with Disabilities Bid Incentive**: An incentive designed to increase participation by businesses owned by persons with disabilities, which includes Service Disabled Veterans.
- **Veteran-Owned/Small Business Enterprise Joint Venture (JV) Veteran-Owned Small Local Business Bid Incentive**: This incentive encourages joint ventures between SBEs and VOBs, and is worth five percent (5%) of the contract base bid.

The City of Chicago certifies veteran owned businesses in house, at a fee of $250 and requires that those businesses be located within their designated 6 county geographical area.

Other national VOB programs include:

- **Los Angeles County** certifies service disabled veterans for contracting opportunities. The eligible business must be certified with the US Department of Veteran Affairs or the California Department of General Services. This program offers a fifteen percent (15%) bid price reduction or preference.
- **Fulton County Georgia** has a local preference program and a service disabled veteran incentive where a two percent (2%) bid incentive is scored in the RFP process.

**Veteran Business Data and Registration**

One consideration for establishing a VOB program would be the lack of data available. Unlike most business registries, Veteran status is not a part of demographic data collected by most jurisdictions, including the City of Charlotte. Utilizing reliable data is key to the success of any program. If the City were to establish a VOB initiative, the City would need to compile a list of verified Veteran businesses to begin an outreach and registration campaign.

Policy considerations for registering VOBs could include: 51% ownership; personal net worth; degree of management and control; means of verifying veteran status; and local proximity of the business within the market.
§ 143-129. Procedure for letting of public contracts.

(a) Bidding Required. — No construction or repair work requiring the estimated expenditure of public money in an amount equal to or more than five hundred thousand dollars ($500,000) or purchase of apparatus, supplies, materials, or equipment requiring an estimated expenditure of public money in an amount equal to or more than ninety thousand dollars ($90,000) may be performed, nor may any contract be awarded therefor, by any board or governing body of the State, or of any institution of the State government, or of any political subdivision of the State, unless the provisions of this section are complied with; provided that The University of North Carolina and its constituent institutions may award contracts for construction or repair work that requires an estimated expenditure of less than five hundred thousand dollars ($500,000) without complying with the provisions of this section.

For purchases of apparatus, supplies, materials, or equipment, the governing body of any political subdivision of the State may, subject to any restriction as to dollar amount, or other conditions that the governing body elects to impose, delegate to the manager, school superintendent, chief purchasing official, or other employee the authority to award contracts, reject bids, or readvertise to receive bids on behalf of the unit. Any person to whom authority is delegated under this subsection shall comply with the requirements of this Article that would otherwise apply to the governing body.

(b) Advertisement and Letting of Contracts. — Where the contract is to be let by a board or governing body of the State government or of a State institution, proposals shall be invited by advertisement in a newspaper having general circulation in the State of North Carolina. Where the contract is to be let by a political subdivision of the State, proposals shall be invited by advertisement in a newspaper having general circulation in the political subdivision or by electronic means, or both. A decision to advertise solely by electronic means, whether for particular contracts or generally for all contracts that are subject to this Article, shall be approved by the governing board of the political subdivision of the State at a regular meeting of the board.

The advertisements for bidders required by this section shall appear at a time where at least seven full days shall lapse between the date on which the notice appears and the date of the opening of bids. The advertisement shall: (i) state the time and place where plans and specifications of proposed work or a complete description of the apparatus, supplies, materials, or equipment may be had; (ii) state the time and place for opening of the proposals; and (iii) reserve to the board or governing body the right to reject any or all proposals.

Proposals may be rejected for any reason determined by the board or governing body to be in the best interest of the unit. However, the proposal shall not be rejected for the purpose of evading the provisions of this Article. No board or governing body of the State or political subdivision thereof may assume responsibility for construction or purchase contracts, or guarantee the payments of labor or materials therefor except under provisions of this Article.

All proposals shall be opened in public and the board or governing body shall award the contract to the lowest responsible bidder or bidders, taking into consideration quality, performance and the time specified in the proposals for the performance of the contract.

In the event the lowest responsible bids are in excess of the funds available for the project or purchase, the responsible board or governing body is authorized to enter into negotiations with the lowest responsible bidder above mentioned, making reasonable changes in the plans and specifications as may be necessary to bring the contract price within the funds available, and may award a contract to such bidder upon recommendation of the Department of Administration in the case of the State government or of a State institution or agency, or upon recommendation of the responsible commission, council or board in the case of a subdivision of the State, if such bidder will agree to perform the work or provide the apparatus, supplies, materials, or equipment at the negotiated price within the funds available therefor. If a contract
cannot be let under the above conditions, the board or governing body is authorized to
readvertise, as herein provided, after having made such changes in plans and specifications as
may be necessary to bring the cost of the project or purchase within the funds available
therefor. The procedure above specified may be repeated if necessary in order to secure an
acceptable contract within the funds available therefor.

No proposal for construction or repair work may be considered or accepted by said board or
governing body unless at the time of its filing the same shall be accompanied by a deposit with
said board or governing body of cash, or a cashier's check, or a certified check on some bank or
trust company insured by the Federal Deposit Insurance Corporation in an amount equal to not
less than five percent (5%) of the proposal. In lieu of making the cash deposit as above
provided, such bidder may file a bid bond executed by a corporate surety licensed under the
laws of North Carolina to execute such bonds, conditioned that the surety will upon demand
forthwith make payment to the obligee upon said bond if the bidder fails to execute the contract
in accordance with the bid bond. This deposit shall be retained if the successful bidder fails to
execute the contract within 10 days after the award or fails to give satisfactory surety as
required herein.

Bids shall be sealed and the opening of an envelope or package with knowledge that it
contains a bid or the disclosure or exhibition of the contents of any bid by anyone without the
permission of the bidder prior to the time set for opening in the invitation to bid shall constitute
a Class I misdemeanor.

(c) Contract Execution and Security. — All contracts to which this section applies shall
be executed in writing. The board or governing body shall require the person to whom the
award of a contract for construction or repair work is made to furnish bond as required by
Article 3 of Chapter 44A; or require a deposit of money, certified check or government
securities for the full amount of said contract to secure the faithful performance of the terms of
said contract and the payment of all sums due for labor and materials in a manner consistent
with Article 3 of Chapter 44A; and the contract shall not be altered except by written agreement
of the contractor and the board or governing body. The surety bond or deposit required herein
shall be deposited with the board or governing body for which the work is to be performed.
When a deposit, other than a surety bond, is made with the board or governing body, the board
or governing body assumes all the liabilities, obligations and duties of a surety as provided in
Article 3 of Chapter 44A to the extent of said deposit.

The owning agency or the Department of Administration, in contracts involving a State
agency, and the owning agency or the governing board, in contracts involving a political
subdivision of the State, may reject the bonds of any surety company against which there is
pending any unsettled claim or complaint made by a State agency or the owning agency or
governing board of any political subdivision of the State arising out of any contract under
which State funds, in contracts with the State, or funds of political subdivisions of the State, in
contracts with such political subdivision, were expended, provided such claim or complaint has
been pending more than 180 days.

(d) Use of Unemployment Relief Labor. — Nothing in this section shall operate so as to
require any public agency to enter into a contract which will prevent the use of unemployment
relief labor paid for in whole or in part by appropriations or funds furnished by the State or
federal government.

(e) Exceptions. — The requirements of this Article do not apply to:

(1) The purchase, lease, or other acquisition of any apparatus, supplies, materials, or equipment from: (i) the United States of America or any agency thereof; or (ii) any other government unit or agency thereof within the United States. The Secretary of Administration or the governing board of any political subdivision of the State may designate any officer or employee

G.S. 143-129
of the State or political subdivision to enter a bid or bids in its behalf at any
sale of apparatus, supplies, materials, equipment, or other property owned
by: (i) the United States of America or any agency thereof; or (ii) any other
governmental unit or agency thereof within the United States. The Secretary
of Administration or the governing board of any political subdivision of the
State may authorize the officer or employee to make any partial or down
payment or payment in full that may be required by regulations of the
governmental unit or agency disposing of the property.

(2) Cases of special emergency involving the health and safety of the people or
their property.

(3) Purchases made through a competitive bidding group purchasing program,
which is a formally organized program that offers competitively obtained
purchasing services at discount prices to two or more public agencies.

(4) Construction or repair work undertaken during the progress of a construction
or repair project initially begun pursuant to this section.

(5) Purchase of gasoline, diesel fuel, alcohol fuel, motor oil, fuel oil, or natural
gas. These purchases are subject to G.S. 143-131.

(6) Purchases of apparatus, supplies, materials, or equipment when: (i)
performance or price competition for a product are not available; (ii) a
needed product is available from only one source of supply; or (iii)
standardization or compatibility is the overriding consideration.
Notwithstanding any other provision of this section, the governing board of a
political subdivision of the State shall approve the purchases listed in the
preceding sentence prior to the award of the contract.

In the case of purchases by hospitals, in addition to the other exceptions
in this subsection, the provisions of this Article shall not apply when: (i) a
particular medical item or prosthetic appliance is needed; (ii) a particular
product is ordered by an attending physician for his patients; (iii) additional
products are needed to complete an ongoing job or task; (iv) products are
purchased for "over-the-counter" resale; (v) a particular product is needed or
desired for experimental, developmental, or research work; or (vi)
equipment is already installed, connected, and in service under a lease or
other agreement and the governing body of the hospital determines that the
equipment should be purchased. The governing body of a hospital shall keep
a record of all purchases made pursuant to this subdivision. These records
are subject to public inspection.

(7) Purchases of information technology through contracts established by the
Department of Information Technology as provided in Article 15 of Chapter
143B of the General Statutes.

(8) Guaranteed energy savings contracts, which are governed by Article 3B of
Chapter 143 of the General Statutes.

(9) Purchases from contracts established by the State or any agency of the State,
if the contractor is willing to extend to a political subdivision of the State the
same or more favorable prices, terms, and conditions as established in the
State contract.

(9a) Purchases of apparatus, supplies, materials, or equipment from contracts
established by the United States of America or any federal agency, if the
contractor is willing to extend to a political subdivision of the State the same
or more favorable prices, terms, and conditions as established in the federal
contract.
(10) Purchase of used apparatus, supplies, materials, or equipment. For purposes of this subdivision, remanufactured, refabricated or demo apparatus, supplies, materials, or equipment are not included in the exception. A demo item is one that is used for demonstration and is sold by the manufacturer or retailer at a discount.

(11) Contracts by a public entity with a construction manager at risk executed pursuant to G.S. 143-128.1.


(g) Waiver of Bidding for Previously Bid Contracts. – When the governing board of any political subdivision of the State, or the person to whom authority has been delegated under subsection (a) of this section, determines that it is in the best interest of the unit, the requirements of this section may be waived for the purchase of apparatus, supplies, materials, or equipment from any person or entity that has, within the previous 12 months, after having completed a public, formal bid process substantially similar to that required by this Article, contracted to furnish the apparatus, supplies, materials, or equipment to:

(1) The United States of America or any federal agency;

(2) The State of North Carolina or any agency or political subdivision of the State; or

(3) Any other state or any agency or political subdivision of that state, if the person or entity is willing to furnish the items at the same or more favorable prices, terms, and conditions as those provided under the contract with the other unit or agency. Notwithstanding any other provision of this section, any purchase made under this subsection shall be approved by the governing body of the purchasing political subdivision of the State at a regularly scheduled meeting of the governing body no fewer than 10 days after publication of notice that a waiver of the bid procedure will be considered in order to contract with a qualified supplier pursuant to this section. Notice may be published in a newspaper having general circulation in the political subdivision or by electronic means, or both. A decision to publish notice solely by electronic means for a particular contract or for all contracts under this subsection shall be approved by the governing board of the political subdivision. Rules issued by the Secretary of Administration pursuant to G.S. 143-49(6) shall apply with respect to participation in State term contracts.

(h) Transportation Authority Purchases. – Notwithstanding any other provision of this section, any board or governing body of any regional public transportation authority, hereafter referred to as a "RPTA," created pursuant to Article 26 of Chapter 160A of the General Statutes, or a regional transportation authority, hereafter referred to as a "RTA," created pursuant to Article 27 of Chapter 160A of the General Statutes, may approve the entering into of any contract for the purchase, lease, or other acquisition of any apparatus, supplies, materials, or equipment without competitive bidding and without meeting the requirements of subsection (b) of this section if the following procurement by competitive proposal (Request for Proposal) method is followed.

The competitive proposal method of procurement is normally conducted with more than one source submitting an offer or proposal. Either a fixed price or cost reimbursement type contract is awarded. This method of procurement is generally used when conditions are not appropriate for the use of sealed bids. If this procurement method is used, all of the following requirements apply:
(1) Requests for proposals shall be publicized. All evaluation factors shall be identified along with their relative importance.

(2) Proposals shall be solicited from an adequate number of qualified sources.

(3) RPTAs or RTAs shall have a method in place for conducting technical evaluations of proposals received and selecting awardees, with the goal of promoting fairness and competition without requiring strict adherence to specifications or price in determining the most advantageous proposal.

(4) The award may be based upon initial proposals without further discussion or negotiation or, in the discretion of the evaluators, discussions or negotiations may be conducted either with all offerors or with those offerors determined to be within the competitive range, and one or more revised proposals or a best and final offer may be requested of all remaining offerors. The details and deficiencies of an offeror's proposal may not be disclosed to other offerors during any period of negotiation or discussion.

(5) The award shall be made to the responsible firm whose proposal is most advantageous to the RPTA's or the RTA's program with price and other factors considered.

The contents of the proposals shall not be public records until 14 days before the award of the contract.

The board or governing body of the RPTA or the RTA shall, at the regularly scheduled meeting, by formal motion make findings of fact that the procurement by competitive proposal (Request for Proposals) method of procuring the particular apparatus, supplies, materials, or equipment is the most appropriate acquisition method prior to the issuance of the requests for proposals and shall by formal motion certify that the requirements of this subsection have been followed before approving the contract.

Nothing in this subsection subjects a procurement by competitive proposal under this subsection to G.S. 143-49, 143-52, or 143-53.

RPTAs and RTAs may adopt regulations to implement this subsection.

(i) Procedure for Letting of Public Contracts. – The Department of Transportation ("DOT"), The University of North Carolina and its constituent institutions ("UNC"), and the Department of Administration ("DOA") shall monitor all projects in those agencies and institutions that are let without a performance or payment bond to determine the number of defaults on those projects, the cost to complete each defaulted project, and each project's contract price. Beginning March 1, 2011, and annually thereafter, DOT, UNC, and DOA shall report this information to the Joint Legislative Committee on Governmental Operations.

(j) [Use of E-Verify Required. –] No contract subject to this section may be awarded by any board or governing body of the State, institution of State government, or any political subdivision of the State unless the contractor and the contractor's subcontractors comply with the requirements of Article 2 of Chapter 64 of the General Statutes. (1931, c. 338, s. 1; 1933, c. 50; c. 400, s. 1; 1937, c. 355; 1945, c. 144; 1949, c. 257; 1951, c. 1104, ss. 1, 2; 1953, c. 1268; 1955, c. 1049; 1957, c. 269, s. 3; c. 391; c. 862, ss. 1-4; 1959, c. 392, s. 1; c. 910, s. 1; 1961, c. 1226; 1965, c. 841, s. 2; 1967, c. 860; 1971, c. 847; 1973, c. 1194, s. 2; 1975, c. 879, s. 46; 1977, c. 619, s. 1; 1979, c. 182, s. 1; 1979, 2nd Sess., c. 1081; 1981, c. 346, s. 1; c. 754, s. 1; 1985, c. 145, ss. 1, 2; 1987, c. 590; 1987 (Reg. Sess., 1988), c. 1108, ss. 7, 8; 1989, c. 350; 1993, c. 539, s. 1007; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 367, s. 6; 1997-174, ss. 1-4; 1998-185, s. 1; 1998-217, s. 16; 2001-328, s. 1; 2001-487, s. 88; 2001-496, ss. 4, 5; 2005-227, s. 1; 2006-232, s. 2; 2007-94, s. 1; 2007-322, s. 4; 2007-446, s. 6; 2010-148, s. 1.2; 2011-234, s. 1; 2013-418, s. 2(c); 2015-241, s. 7A.4(s.)]
§ 143-131. When counties, cities, towns and other subdivisions may let contracts on informal bids.

(a) All contracts for construction or repair work or for the purchase of apparatus, supplies, materials, or equipment, involving the expenditure of public money in the amount of thirty thousand dollars ($30,000) or more, but less than the limits prescribed in G.S. 143-129, made by any officer, department, board, local school administrative unit, or commission of any county, city, town, or other subdivision of this State shall be made after informal bids have been secured. All such contracts shall be awarded to the lowest responsible, responsive bidder, taking into consideration quality, performance, and the time specified in the bids for the performance of the contract. It shall be the duty of any officer, department, board, local school administrative unit, or commission entering into such contract to keep a record of all bids submitted, and such record shall not be subject to public inspection until the contract has been awarded.

(b) All public entities shall solicit minority participation in contracts for the erection, construction, alteration or repair of any building awarded pursuant to this section. The public entity shall maintain a record of contractors solicited and shall document efforts to recruit minority business participation in those contracts. Nothing in this section shall be construed to require formal advertisement of bids. All data, including the type of project, total dollar value of the project, dollar value of minority business participation on each project, and documentation of efforts to recruit minority participation shall be reported to the Department of Administration, Office for Historically Underutilized Business, upon the completion of the project. (1931, c. 338, s. 2; 1957, c. 862, s. 5; 1959, c. 406; 1963, c. 172; 1967, c. 860; 1971, c. 593; 1981, c. 719, s. 1; 1987 (Reg. Sess., 1988), c. 1108, s. 6; 1997-174, s. 5; 2001-496, s. 5.1; 2005-227, s. 2.)
Article 3D.


§ 143-64.31. Declaration of public policy.

(a) It is the public policy of this State and all public subdivisions and Local Governmental Units thereof, except in cases of special emergency involving the health and safety of the people or their property, to announce all requirements for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm. If a contract cannot be negotiated with the best qualified firm, negotiations with that firm shall be terminated and initiated with the next best qualified firm. Selection of a firm under this Article shall include the use of good faith efforts by the public entity to notify minority firms of the opportunity to submit qualifications for consideration by the public entity.

(a1) A resident firm providing architectural, engineering, surveying, construction management at risk services, design-build services, or public-private partnership construction services shall be granted a preference over a nonresident firm, in the same manner, on the same basis, and to the extent that a preference is granted in awarding contracts for these services by the other state to its resident firms over firms resident in the State of North Carolina. For purposes of this section, a resident firm is a firm that has paid unemployment taxes or income taxes in North Carolina and whose principal place of business is located in this State.

(b) Recodified as G.S. 143-133.1(a) by Session Laws 2014-42, s. 3, effective October 1, 2014, and applicable to contracts awarded on or after that date.

(c) Recodified as G.S. 143-133.1(b) by Session Laws 2014-42, s. 3, effective October 1, 2014, and applicable to contracts awarded on or after that date.

(d) Recodified as G.S. 143-133.1(c) by Session Laws 2014-42, s. 3, effective October 1, 2014, and applicable to contracts awarded on or after that date.

(e) For purposes of this Article, the definition in G.S. 143-128.1B and G.S. 143-128.1C shall apply.

(f) Except as provided in this subsection, no work product or design may be solicited, submitted, or considered as part of the selection process under this Article; and no costs or fees, other than unit price information, may be solicited, submitted, or considered as part of the selection process under this Article. Examples of prior completed work may be solicited, submitted, and considered when determining demonstrated competence and qualification of professional services; and discussion of concepts or approaches to the project, including impact on project schedules, is encouraged. (1987, c. 102, s. 1; 1989, c. 230, s. 2; 2001-496, s. 1; 2006-210, s. 1; 2013-401, s. 1; 2014-42, ss. 3, 4.)
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<tr>
<th>Requester:</th>
<th>Council member Mayfield</th>
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<td>Staff Resource:</td>
<td>Kim Eagle</td>
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<td>Statement of Issue:</td>
<td>On September 11, 2017, City Council approved the recommendation from the Environment Committee to create stand-alone ordinances for Solid Waste Services and Code Enforcement. These revisions included the creation of a series of fines for chronic and repeat offenders. The effective date for the change was January 1, 2018.</td>
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<td>Deliverable:</td>
<td>Overview</td>
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<td>• As approved by the Environment Committee and the City Council in 2017, Code Enforcement changed many of its fines from $50 to $150 because the fine amount had not changed since 1985. Code Enforcement also eliminated the former tiered system of escalating fines based upon the number of signs within a right-of-way and replaced it with a standardized fine of $100 per sign in violation. Finally, chronic violators and repeated violators would be assessed $250 for a fourth violation and $500 for a fifth and subsequent violation due to the frequent use of Code Enforcement resources to bring a property into compliance.</td>
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<td>• Notably, the addition of the repeat and chronic fine categories were added to discourage property owners from simply incurring minor dollar amount fines that eventually led to city contractors cleaning up properties at the expense of tax dollars.</td>
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<td>• The code enforcement ordinance update included changes in fines and new definitions for repeat and chronic offenders to help eliminate this costly use of city resources for properties that had chronic code violations.</td>
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<td>• Chronic and repeat offenders are defined based upon the number of violations in a calendar year. A chronic offender is a property owner who had four or more violations on any property they own in the previous calendar year and a repeat offender is a property owner who had four or more violations on the same property in the previous calendar year.</td>
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<tr>
<td></td>
<td>• Staff is aware of concerns about potential impacts to property owners and will, on an on-going basis, evaluate the impact of the changes on multi-family unit residents to include the dollar impacts on repeat and chronic offenders.</td>
</tr>
<tr>
<td></td>
<td>• To date, no fines have been issued for chronic or repeat offenders because no properties have met this threshold since the implementation of the new fees.</td>
</tr>
<tr>
<td>Latest Development:</td>
<td>• As of March 14, 2018, no violations or fines have been issued for chronic and repeat offenders.</td>
</tr>
<tr>
<td></td>
<td>• The reason behind the addition of the repeat and chronic fine categories is to deter property owners from purposely and repeatedly incurring minor dollar amount fines that eventually lead to city contractors cleaning up properties at the expense of tax dollars.</td>
</tr>
<tr>
<td></td>
<td>• Staff will monitor results to determine if that objective is met.</td>
</tr>
</tbody>
</table>
Overview of Code Enforcement Ordinance

May 1, 2017

By:
Thomas E. Powers III, City Attorney’s Office
Ben Krise, Code Enforcement

Discussion Outline

• Background and Timeline
• Purpose of Health & Sanitation Ordinance Review
• Review Revised Health & Sanitation Ordinance (Chapter 10) Structure
• Civil Penalties
  – General
  – Chronic Offender/Repeat Offender
  – Signs
• Questions
Background and Timeline

• Background
  – Previous discussions about Health and Sanitation ordinance, specifically Solid Waste Services, occurred during budgetary process
  – Council referral to Environment Committee to review Health & Sanitation (Chapter 10) ordinance

• Committee reviews proposed revisions
  – Solid Waste ordinance sections – April
  – Code Enforcement ordinance sections – May
  – Article I ("Definitions"); Solid Waste administrative guidelines – June

• Committee adopts proposed revisions
  – Summer 2017

• Committee refers proposed revisions to full Council
  – Summer 2017

Purpose of Health & Sanitation Ordinance Review

• Creates stand-alone Code Enforcement ordinance
  – Complete Health and Sanitation Ordinance rewrite

• Informs citizens regarding:
  – What actions are impermissible
  – Who is responsible for remedying the violations
  – How the enforcement action will be conducted

• Updates ordinance language
Revised Health & Sanitation (Chapter 10) Ordinance Structure

- Article I
  - Definitions
  - Persons responsible for compliance
  - Discussion in June 2017

- Article II
  - Solid Waste Ordinance provisions
  - Discussed in April 2017

- Article III
  - Code Enforcement Ordinance provisions
  - Discussion in May 2017

Civil Penalties – General

- Current Dollar Amounts
  - $50:
    - Most violations fall into this category
    - Examples: failing to remove containers/items from curbside, placing containers/items at curbside too early for collection, neglect of property, ailing to properly place waste in containers, overgrown weeds and grass
  - $100:
    - Examples: hazardous waste, industrial waste, hypodermic needles
  - $500:
    - Example: illegal dumping

- Proposed Dollar Amount
  - $150 for all violations
### Civil Penalties – Chronic Offender/Repeat Offender

- **Definition of Chronic Offender and Repeat Offender**
  - Formal definition to be presented during June meeting
  - Chronic offender would involve: same property owner, different premises, and repeat violations of ordinance.
  - Repeat offender would involve: same property owner, same premise, and repeat violations of ordinance

- **Current Dollar Amount**
  - $0

- **Proposed Dollar Amount**
  - Second Violation: $250
  - Third or more Violation: $500.

---

### Civil Penalties – Signs

- **Current Dollar Amount**
  - $100:
    - If the number of signs are between one and five
    - Maximum fine is $500
  - $500:
    - If the number of signs are between six and ten
    - Maximum fine is $3,000 ($500 + 2,500)
  - $1,000:
    - If the number of signs are eleven or more
    - Maximum fine is unlimited

- **Proposed Dollar Amount**
  - $100 for all violations not matter the frequency
  - Standardizes the violation regardless of number of signs
• QUESTIONS/COMMENTS?
Chapter 10 Definitions & SWS Administrative Policy

June 5, 2017

By:
Thomas E. Powers III, City Attorney’s Office
Victoria Johnson, Solid Waste Services
Ben Krise, Code Enforcement

Discussion Outline

• Background and Timeline
• Revised Ordinance Structure (Chapter 10)
• Chapter 10, Article I Overview
• Solid Waste Services Administrative Policy
• Questions
Background and Timeline

- **Background**
  - Previous discussions about Solid Waste Services ordinance occurred during budgetary process
  - Council referral to Environment Committee to review Solid Waste Services ordinance

- **Committee reviews proposed revisions**
  - Solid Waste ordinance sections – April
  - Code Enforcement sections – May
  - Solid Waste administrative guidelines – June

- **Committee adopts proposed revisions**
  - Summer 2017

- **Committee refers proposed Solid Waste Services ordinance to full Council**
  - Summer 2017

Revised Ordinance Structure (Chapter 10)

- **Article I**
  - Definitions
  - Persons responsible for compliance
  - Discussion today

- **Article II**
  - Solid Waste Ordinance provisions
  - Discussion in April 2017

- **Article III**
  - Code Enforcement Ordinance provisions
  - Discussion in May 2017
### Chapter 10, Article I Overview

- **Section 10-1 is definitions**
  - Defines terms for both Solid Waste Services and Code Enforcement
  - Updated language to match state statutory definitions in some instances
  - Simplified language and added examples to provide further illustration.

- **Section 10-2 is smoking in city owned buildings**
  - No changes made to original language

### Solid Waste Services Administrative Policy

- **Key Points**
  - Does not override the ordinance
  - Fills in the “how” for the SWS ordinance

- **What information does it provide?**
  - What items are/are not deemed recyclables.
  - What items are/are not deemed garbage.
  - How to obtain small business garbage collection service.
  - How to obtain collection service in Special Tax District #1.
  - What a person should do for bulky item collection or dead animal removal.
  - How to prepare items for yard waste collection.
• QUESTIONS/COMMENTS?
FOR IMMEDIATE RELEASE
Monday, December 18, 2017

Contact: Katie Hedrick, Communications Manager, Housing & Neighborhood Services
(704) 516-7220
Katie.hedrick@charlottenc.gov

CITY OF CHARLOTTE CODE ORDINANCE CHANGES EFFECTIVE JANUARY 1, 2018


The code ordinance updates include changes in fines and new definitions for repeat and chronic offenders. The changes that will have the most impact are:

- An increase in fines from $50 to $150 for most violations which may include, but not be limited to, curbside violations, neglect of premises, obstructions of rights-of-way and overgrown vegetation.
- A property owner who has had four or more violations of any type on any property that they may own in the previous calendar year is now defined as a chronic offender.
- A property owner who has had four or more repeated violations in the previous calendar year is now defined as a repeat offender.
- An increase in fines for chronic and repeat offenders to $250 for the fourth offense and $500 for the fifth and each subsequent offense.

To learn more, please visit charlottenc.gov/hns.

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The City of Charlotte provides services to more than 700,000 residents. The City’s focus areas are Housing and Neighborhood Development, Community Safety, Transportation, Economic Development and the Environment. For the latest news about city government, visit the Citywide Newsroom at newsroom.charlottenc.gov. From our website, you can sign up to receive email updates on City topics that interest you through the Notify Me service.

###
POLICY

12. City Manager’s Report

13. Solid Waste Ordinance Amendment

Action:
Approve the Environment Committee’s recommendation to adopt an ordinance amending Chapter 10 - Health and Sanitation of the City Code, with an effective date of January 1, 2018.

Committee Chair:
Patsy Kinsey, Environment Committee

Staff Resource(s):
Victoria Johnson, Solid Waste Services
Pamela Wideman, Housing and Neighborhood Services
Ben Krise, Housing and Neighborhood Services
Ellen Price, Solid Waste Services
Thomas Powers, City Attorney’s Office

Explanation

- During the FY 2017 budget process, City Council referred the review of the Health and Sanitation (Chapter 10) ordinance to the Environment Committee.
- On August 14, 2017, the Environment Committee approved a revised Solid Waste (SW) ordinance and recommended full Council adoption.
- The goals of the revised SW Ordinance are:
  - Simplify the structure to create stand-alone ordinances each for Solid Waste Services and Code Enforcement,
  - Modernize the language and update terms and definitions,
  - Provide greater flexibility in service provisions,
  - Update the fines schedule for enforcement, and
  - Provide authority for exploring options for service delivery.
- The proposed draft for a revised SW Ordinance includes the following major changes:
  - Categorizes service types into primary and secondary collection services,
  - Defines types of waste containers,
  - Assigns new multifamily developments with 12 or more units to dumpster/compactor service,
  - Provides discretionary powers and additional authority to the Solid Waste Services department head,
  - Assesses all general civil penalties violations at $150,
  - Assesses penalties for signs violations at $100, and
  - Defines chronic and repeat offenders with escalating violation penalties of $250 and $500.

Attachment(s)
Solid Waste Ordinance

Solid Waste Ordinance
## SEWER CAPACITY

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Mayfield</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td><strong>Statement of Issue:</strong></td>
<td>Rapid infill development and land changes have impacted sewer capacity in certain areas of the community. Without adequate sewer capacity, new development cannot occur.</td>
</tr>
<tr>
<td><strong>Deliverable:</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- By state regulation and to provide proper protection of the public health and safety of the community, Charlotte Water cannot approve new connections to sanitary sewer lines when the new users will cause the lines to overflow.</td>
</tr>
<tr>
<td></td>
<td>- Charlotte Water conducts very detailed site-specific analysis to determine whether the amount of capacity requested by each development is available and to develop solutions if not.</td>
</tr>
<tr>
<td></td>
<td>- The presentation provided on April 9 will include a review of sewer capacity program requirements and rationale, to include the regulatory environment set by the Environment Protection Agency. As well as a review of areas of the community with the potential to experience sewer capacity challenges.</td>
</tr>
<tr>
<td></td>
<td>- On April 9 Charlotte Water will also discuss capital program investments planned to address the sewer capacity issue, including new approaches to construction to expedite capacity.</td>
</tr>
<tr>
<td></td>
<td>- Finally, on April 9th, Charlotte Water will provide information about the related biosolids master planning efforts for the long-term strategic plan for managing this aspect of the operations. Key details of the master plan include:</td>
</tr>
<tr>
<td></td>
<td>- The strategic master plan for biosolids includes diversifying the options for reuse</td>
</tr>
<tr>
<td></td>
<td>- Implementation of the master plan includes a significant capital investment at wastewater treatment plants, and is estimated to take 10 years and cost $100 million dollars</td>
</tr>
<tr>
<td></td>
<td>- This master planning is critical to ensure future operations meet regulatory requirements</td>
</tr>
<tr>
<td><strong>Latest Development:</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- City Council will receive the information at the April 9 Action Review.</td>
</tr>
</tbody>
</table>
**Requester:** Council member Ajmera  
**Staff Resource:** Kim Eagle  
**Statement of Issue:** Charlotte’s water supply source is the Catawba River, which serves as the drinking water supply for 18 jurisdictions. Without specific strategies and plans, the river will not be able to support additional population growth during the latter part of this century. Further, Charlotte needs specific plans for ensuring adequate water capacity within the water distribution system.  
**Deliverable:**  
- Review of the Catawba-Wateree Water Management Group Master Plan, which includes long-term basin-wide strategies to ensure sustainable water supplies for decades beyond current expectations.  
- Review role of the City of Charlotte in supporting the work of the Catawba-Wateree Water Management Group, a non-profit formed by public drinking water utilities and Duke Energy in 2007 to identify, fund, and manage projects that will enhance the capabilities of the Catawba-Wateree River to provide water resources for human needs while maintaining the river’s ecological health.  
- Review of Charlotte Water capacity planning for the Charlotte Water distribution system to illustrate how the utility plans for economic development needs within the Charlotte Water system.  
- Discussion of Charlotte Water capital program investments planned to ensure adequate water capacity.  
**Latest Development:**  
- City Council will receive the information at the April 9 Action Review.
Catawba-Wateree River Basin Water Supply Master Plan

May 2014
Catawba-Wateree River Basin
Water Supply Master Plan
About the Catawba-Wateree Water Management Group

The Catawba-Wateree Water Management Group (CWWMG) is a 501C-3 non-profit organization that heralds a mission:

"to identify, fund, and manage projects that will help preserve, extend, and enhance the capabilities of the Catawba-Wateree River Basin to provide water resources for human needs while maintaining the ecological integrity of the waterway."

The CWWMG has 19 members, one member representing each of the eligible 18 public water utilities in North and South Carolina that operate water intakes on either a reservoir or regulated river reach of the main stem, and one member representing Duke Energy Carolinas LLC (Duke Energy). The organization was born out of the most recent Catawba-Wateree Hydroelectric Project relicensing process completed by Duke Energy. The eligible water users include public water systems that have the installed capacity to withdraw 100,000 gallons per day or more from the Catawba-Wateree River Basin’s reservoirs and/or regulated river reaches.

The CWWMG members pay annual dues to fund projects and initiatives to achieve the mission statement of the organization. The CWWMG serves 4,750 square miles that drain into the Catawba River, providing water for neighbors from Morganton, NC to Camden, SC. Water use in this region is critical for public water supply, power production, industrial needs, agriculture, and irrigation. Incorporated in 2007, the CWWMG mission recognizes that, without excellent stewardship and change, the Catawba-Wateree River Basin may not meet future anticipated needs related to water supply, as documented during the recent relicensing process.

CWWMG members meet regularly to formulate strategies and projects to help understand and address the Basin’s water challenges. Additionally, the CWWMG seeks collaborative partnerships with other water use stakeholders to help fund, manage, and oversee the projects and initiatives undertaken. To date, this Catawba-Wateree River Basin Water Supply Master Plan represents the most comprehensive analysis and results oriented body of work completed by the CWWMG.

More information about the CWWMG and a summary of projects and information are available at catawbawatereewmg.org.
Catawba-Wateree River Basin
Water Supply Master Plan

Prepared by:
HDR
440 S. Church St. Suite 1000, Charlotte, NC 28202
McKim & Creed
8020 Tower Point Dr, Charlotte, NC 28227

For the:
Catawba-Wateree Water Management Group
www.catawbawatereeewmg.org

Jointly sponsored by:
North Carolina Department of Environment and Natural Resources
Raleigh, North Carolina

South Carolina Department of Natural Resources
Columbia, South Carolina

Duke Energy Foundation
Charlotte, North Carolina
1.0 Executive Summary

1.1 Introduction

The Catawba-Wateree River Basin (Basin) has long provided a source of water to sustain human existence in the foothills and piedmont of North and South Carolina. The river derives its name from the Catawba and Wateree Indian Tribes that made this area their home prior to the European settlement of the Americas. The surface waters of the Basin have played a critical role in the development of key areas in North and South Carolina (see Figure 1-1). Today, nearly two million people depend on the river and its tributaries for safe drinking water, power generation, industrial processes, crop and livestock production, recreation, and other uses. Previous studies have indicated that by mid-century (i.e., 2050), the safe yield for many of the Basin’s reservoirs will be exhausted. This water supply limitation creates significant challenges for those who depend on the river, and it makes continued population and economic growth beyond that point unsustainable.

The Catawba-Wateree Water Management Group (CWWMG) has completed this Catawba-Wateree River Basin Water Supply Master Plan (Master Plan) recognizing that solutions to this water supply dilemma could take decades to implement. The purpose of this Master Plan is to protect, preserve, and extend the available water supply in the Catawba-Wateree River and its 11 reservoirs. The work effort, results, and recommendations outlined herein have been guided by the CWWMG membership, a water supply modeling team comprised of regulatory officials from North and South Carolina, and an outside Stakeholder Advisory Team (SAT).

1.2 Project Co-Sponsors

In support of its mission, the CWWMG seeks to collaborate with co-sponsors to help fund its initiatives and projects, and enhance communication with all stakeholders interested and involved with the management of water resources in the Basin. The CWWMG was successful in securing outside funding support for the Master Plan to offset nearly two-thirds of the project cost as presented in Table 1-1 below.

Figure 1-1 Catawba-Wateree River Basin
As illustrated in Table 1-3, the overall net withdrawal for the entire Basin is expected to increase from approximately 189 mgd (293 cubic feet per second (cfs)) to 419 mgd (650 cfs) by the year 2065. This represents an increase of approximately 122 percent, or an annual growth rate of 1.49 percent.

Figure 1-2 provides a comparison of the Basin’s net withdrawal projections made as part of this Master Plan with those developed as part of Duke Energy’s Catawba-Wateree Hydroelectric Relicensing Project Water Supply Study published in April 2006 (2006 Water Supply Study). As illustrated, the overall net withdrawal projections for the Master Plan are approximately 15 to 30 percent lower than those previously calculated. This reduction in net withdrawal is largely attributable to reduced plans for interbasin transfers, lower agricultural demand, and per capita water use reductions by utilities over the past few years.
As illustrated in these figures, approximately 90 percent of the water use in 2065 is projected to be for public water supply and power production, with a large percentage of that in the middle part of the Basin’s reservoir system.

1.5 Future Operating Scenarios and Water Yield Modeling

This Master Plan provides a framework to promote the effective management of the Basin’s water supply and stewardship of its water resources. In addition, the recommendations are expected to extend the available water supply within the Basin and prolong the future time frame in which water supply may be limited. Previous hydrologic modeling using the Computerized Hydroelectric Operations and Planning Software (CHEOPS™) model indicated water use limitations by mid-century (~2050). This previous modeling effort was based on an inflow dataset period of record from 1929 to 2003, with the 2001-2003 period determined as the Drought of Record.

This Master Plan updates the inflow dataset through 2010 and captures the years 2007–2009 as the new Drought of Record. The CWWMG and SAT determined that a moderate level of climate change impact should also be integrated into the operating conditions to be used for future water use planning. This climate change impact includes a gradual temperature increase of 0.6°F per decade (a total increase of 3.2°F between the Base Year and 2065) which translates to ~11 percent increase in lake evaporation between the Base Year and 2065. It is believed that the CWWMG is one of the first planning organizations in the region to begin incorporating the potential impact of climate change on future water use planning. The more intense Drought of Record and higher evaporative losses due to climate change have the effect of reducing the safe yield values previously documented and induce greater strain on the limited water supply. Other minor CHEOPS modeling updates defined herein were also included in the updated model to better reflect the actual operating conditions of the system. Together, these parameters form the Baseline Scenario used for Master Plan modeling.

Twenty-six individual future operating scenarios were evaluated in eight distinct categories:

- Population growth sensitivity
- Climate change sensitivity
- Public water supplier water use efficiency measures
- Power industry consumptive water use changes
- Critical intake modifications
- Effluent flow recycling from point source returns
- Modified reservoir operations
- Low Inflow Protocol (LIP) modifications

Following the analysis of individual scenarios and water yield enhancement strategies, 10 integrated scenarios were developed for various planning cases which shape the recommendations set forth in the Master Plan. Multiple individual scenarios and/or strategies were combined to form an integrated scenario and subsequently modeled to determine the effect on water yield for a combination or suite of scenarios and strategies. This approach allows Master Plan recommendations to be evaluated for a series of yield enhancement strategies in an effort to maximize water yield in the Basin. Three classifications of integrated scenarios were established: Planning Case, Best Case, and Worst Case.

The Planning Case represents the basis for development and evaluation of integrated scenarios in this Master Plan. It includes population growth and associated water use projections as well as the base level of climate change described in the Baseline Scenario above. The Best Case scenario represents the impact of lower population growth (and associated water demand) and no impact of
Table 1-4 summarizes the modeled impact on safe yield for the integrated scenarios presented in Figure 1-5.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Description</th>
<th>Safe yield (mgd)</th>
<th>Projection year to reach safe yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>MP-01</td>
<td>Planning Case A</td>
<td>660 - 719</td>
<td>2055 - 2065</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Integrated Planning Scenarios</th>
<th>Change in safe yield vs Planning Case¹ (mgd)</th>
<th>Yield enhancement vs Planning Case (years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MP-01b</td>
<td>Planning Case B</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>MP-01M</td>
<td>Mitigated Planning Case A</td>
<td>139</td>
<td>30</td>
</tr>
<tr>
<td><strong>MP-01Mb</strong></td>
<td>Mitigated Planning Case B (Recommended)</td>
<td><strong>204</strong></td>
<td><strong>40</strong></td>
</tr>
<tr>
<td>MP-01Mc</td>
<td>Mitigated Planning Case C</td>
<td>269</td>
<td>50</td>
</tr>
<tr>
<td>MP-02</td>
<td>Best Case</td>
<td>~0</td>
<td>20</td>
</tr>
<tr>
<td>MP-02M</td>
<td>Mitigated Best Case</td>
<td>&gt;74</td>
<td>50 +</td>
</tr>
<tr>
<td>MP-03</td>
<td>Worst Case</td>
<td>-169</td>
<td>-40</td>
</tr>
<tr>
<td>MP-03Ma</td>
<td>Mitigated Worst Case A</td>
<td>-78</td>
<td>-20</td>
</tr>
<tr>
<td>MP-03Mb</td>
<td>Mitigated Worst Case B</td>
<td>26</td>
<td>-10</td>
</tr>
</tbody>
</table>

Notes:

¹ Change in safe yield calculated as the difference between the safe yield range midpoint (average) for a given scenario and the safe yield range midpoint for the Planning Case (i.e., MP-01).

This Master Plan recommends that Mitigated Planning Case B (MP-01Mb) is adopted as the planning scenario for implementation by the CWMMG. This scenario and its associated water yield enhancement strategies improve the safe yield by over 200 mgd (vs. Planning Case A) and extends water yield by 40-50 years, potentially to the year 2105 as illustrated by Figure 1-6.
Table 1-5 Proposed Implementation Schedule for Recommended Planning Scenario (MP-01Mb)

<table>
<thead>
<tr>
<th>Action</th>
<th>2015</th>
<th>2025</th>
<th>2035</th>
<th>2045</th>
<th>2055</th>
<th>2065</th>
</tr>
</thead>
<tbody>
<tr>
<td>High-end Water Use Efficiency (WC-01D)</td>
<td>Implement</td>
<td>Continue Monitor</td>
<td>Continue Monitor</td>
<td>Continue Monitor</td>
<td>Reduction Goal Year 2055</td>
<td></td>
</tr>
<tr>
<td>Lower Upper Catawba Intakes (CI-01)</td>
<td>Feasibility/Predesign</td>
<td>Financing/Permitting</td>
<td>Design and Construction</td>
<td>Complete by 2045</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lower Mt. Island Riverbend Critical Intake (CI-05)</td>
<td>Recognition of Change</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lower Lake Norman Critical Intake (CI-03)</td>
<td>Operations Change</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lower Lake Wylie Critical Intakes (CI-04)</td>
<td>Feasibility/Predesign</td>
<td>Financing/Permitting</td>
<td>Design and Construction</td>
<td>Complete by 2045</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Raise Summer Target Operating Levels by 6&quot; (RO-02B)</td>
<td>Evaluate Impacts of Change</td>
<td>Modify CRA* (if needed)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Semimonthly LIP Stage Lookup (LP-03)</td>
<td>Operations Change</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Comprehensive Relicensing Agreement

An additional outcome of the extensive modeling and workshops completed was a decision to protect the extensive storage in Lake James from being used to extend water yield in the Planning Case. That is, modeling analysis indicates that water yield failure may be realized downstream while storage is still available in Lake James. While adjustments to the LIP stage minimum lake levels in Lake James may provide access to water volume earlier for downstream needs, it was collectively decided to maintain the existing stage minimums, thereby preserving the storage. This approach affords the recommended Mitigated Planning Case B a measure of conservatism as a protection against future droughts that may be worse than the current Drought of Record.

1.6 Water Supply Regionalization

CWWMG members already practice regional cooperation with many of the water systems having some form of water purchase or mutual aid agreement in place to support water supply needs. While additional opportunities may exist, maintaining autonomy for many of the water systems remains the largest hurdle for regionalization. The CWWMG has already generated numerous benefits from regionalized collaboration including information and resource sharing, completing projects that support better management of the Basin’s water resources, and enhancing water use efficiency and public outreach. Regional cooperation in areas such as reducing per capita water use, lowering or consolidation of intakes, and reducing sediment infill may be the best opportunities to realize additional benefits from regionalization and cooperation in the future.

1.7 Water Use Efficiency

The CWWMG finalized a Water Use Efficiency Plan for the Basin in April 2014 which outlines measurable goals to drive water use efficiency improvements and provides appropriate action plans to meet those goals. This Master Plan expands on that effort by documenting current water use efficiency success in the Basin and evaluating future water use reduction strategies. Table 1-6 summarizes the results of the analysis for residential water utility per capita use which was used to develop water use efficiency strategies WC-01C and WC-01D for low- and high-end residential and wholesale water conservation.

May 2014
for future water use planning and analysis.

1.10 Enhancement of the Low Inflow Protocol

The LIP provides trigger points and procedures for how the Catawba-Wateree Hydroelectric Project will be operated by Duke Energy, as well as water withdrawal reduction measures and goals for other water users, during periods of low inflow (i.e., drought conditions). In order to ensure continuous improvement of the LIP and its future implementation during low inflow periods, the Catawba-Wateree Drought Management Advisory Group (CW-DMAG) is tasked with periodic review, evaluation, and recommendations for updates to the document.

The CWWMG had several reasons to review the LIP for potential revisions as part of this Master Plan. First, many of the CW-DMAG organizations are also members of the CWWMG. Second, given the newness of the LIP and the extensiveness of the 2007-2009 drought, many lessons were learned that could be quickly incorporated into a revision. Next, the CWWMG meets more frequently and has greater opportunity to evaluate and propose revision recommendations to the CW-DMAG for consideration. Finally, extensive water quantity modeling by the CWWMG has illustrated that the LIP is currently the most critical tool available to the region in protecting and preserving water supply during drought conditions.

This Master Plan recommends 11 subject area revisions for the LIP, several of which are already being voluntarily implemented by the CW-DMAG. These revisions include the following:

- Updating critical reservoir elevations
- Updating CW-DMAG membership
- Modifying LIP trigger metrics
- Updating water withdrawal data collection and reporting requirements
- Providing LIP stage declaration flexibility of more than once per month
- Revising water use reduction response times for Duke Energy and public water suppliers
- Evaluating water use reduction goals for public water suppliers

It is proposed that each of these recommendations be submitted to the CW-DMAG for consideration and potential approval. Given the critical importance of the LIP to protecting and preserving water supply in the Basin, it is recommended that these revisions be vetted, as required, through the stakeholder process and submitted to FERC for approval soon after a new license is issued and becomes final for Duke Energy's Catawba-Wateree Hydroelectric Project.

1.11 Water Quality Modeling – Future Considerations

This Master Plan does not include water quality modeling. However, it does include a review of previous water quality modeling initiatives for the Basin, a survey and shortlist of applicable models, and a strategy for the CWWMG to move forward with water quality modeling in the future.

1.12 Regulatory Issues

A survey and summary of historical and current federal and state (both North and South Carolina) regulations impacting water supply was completed for this Master Plan. With a membership of 18 public water supply utilities and Duke Energy, the CWWMG is positioned to have a leadership role in planning the future water use in the Basin.

This Master Plan makes the following specific recommendations to improve the effectiveness of the CWWMG as a leading water resource planning organization for the Basin:

- Create an external task force to build relationships with elected officials and regulators
- Host roundtable discussions with legislators and regulatory officials
1.16 Summary
This Master Plan is the most comprehensive water supply planning document completed to date for the Catawba-Wateree River Basin. Further, it has been completed through extensive collaboration with CWWMG, SAT, and MTT members. The recommendations outlined herein serve to ensure a sustainable water supply and continued growth and development for current and future generations.

It is important to note that this Master Plan is primarily designed to ensure adequate water supply and is intended to operate in the larger context of other existing and future plans, regulations, and requirements pertaining to the Basin. While the Master Plan does not directly address flow and water issues related to a healthy environment and ecosystem, nor recreation and economic interests, it is designed at the least to be compatible with those interests and in most cases enhance those interests.

This Master Plan will be updated as appropriate by the CWWMG at least every 10 years to ensure it remains a living document. Also, the CWWMG expects to have significant discussions with governmental officials, the SAT, other advisory groups, and stakeholders concerning this Master Plan in 2014, and those discussions will likely identify ideas for improving on this initial version. Following completion of those additional discussions and considering funding availability, the CWWMG will decide if a near-term revision of the Master Plan is needed to ensure its effective implementation.
<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Mayfield</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Jason Kay</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>Whether to seek statutory authority to allow a transfer tax on real estate sold within the City to support the stabilization of neighborhoods through diverse price point housing options.</td>
</tr>
</tbody>
</table>
| Deliverable: | • Review the previously enacted and repealed transfer tax statutes to understand the history of the tax in North Carolina and determine whether improvements can be made.  
• If Council wants to explore re-instituting the Transfer Tax, identify the optimal taxation method and rate and the most effective way to use the tax revenue to stabilize neighborhoods through diverse price point housing options that avoid resident displacement and conserve the expenditure of public resources. |
| Latest Development: | • A legal analysis was performed to determine current state law regarding the City’s ability to utilize a transfer tax to create revenue to stabilize neighborhoods through diverse price point housing options. See Attachment A.  
• State legislation was enacted in 2007 that allowed counties to use a referendum for approval of a transfer tax. Between 2007 and 2011, counties placed a referendum on the ballot for approval 24 times, but the measure failed in each instance.  
• In 2011, the General Assembly repealed the authority for counties to enact a transfer tax. State law currently does not allow a local government entity to enact a transfer tax.  
• Council could authorize staff to explore a change to state law that would permit the City to authorize a transfer tax and identify the best ways to levy the tax and use the revenue to stabilize neighborhoods through diverse price point housing options that would avoid resident displacement and conserve the expenditure of public resources. |
TO: Mayor and City Council
FROM: Robert E. Hagemann, City Attorney
DATE: March 14, 2018
RE: Authority for Land Transfer Tax

North Carolina local governments may levy taxes only as authorized by the General Assembly.

By way of history, in 2007 the General Assembly authorized counties to levy a land transfer tax of up to 0.4% to be used for any lawful purpose. The tax, however, could only take effect if approved in a referendum. In 2011, after referendums had failed 24 out of 24 attempts, the General Assembly repealed the land transfer tax authority. A copy of the authorizing legislation and the repeal bill are attached.

Currently neither cities nor counties are authorized to levy a land transfer tax. Authority to do so would have to be granted by the General Assembly. And any grant of authority could, but would not have to subject the tax to approval by the voters in a referendum. The grant of authority could also specify the purposes for which tax revenues could be used, uses that could range from a single specified purpose to the full range of lawful purposes.

enclosures
LOCAL OPTION COUNTY TAXES

SECTION 31.17.(a) Chapter 105 of the General Statutes is amended by adding a new Subchapter to read:

"SUBCHAPTER X. LOCAL OPTION COUNTY TAXES.
"Article 60.
"Land Transfer Tax.

"§ 105-600. Short title.
This Article is the County Land Transfer Tax Act.

"§ 105-601. Levy.
(a) Authority. — If the majority of those voting in a referendum held pursuant to this Article vote for the levy of the tax, the board of county commissioners may, by resolution and after 10 days' public notice, levy a local land transfer tax on instruments conveying interests in real property located in the county, up to a rate of four-tenths percent (0.4%), in increments of one-tenth percent (0.1%).
(b) Vote. — The board of county commissioners may direct the county board of elections to conduct an advisory referendum on the question of whether to levy a local land transfer tax in the county as provided in this Article. The election shall be held on a date jointly agreed upon by the board of county commissioners and the board of elections and shall be held in accordance with the procedures of G.S. 163-287.
(c) Ballot Question. — The form of the question to be presented on a ballot for a special election concerning the levy of the tax authorized by this Article shall be:

[ ] FOR [ ] AGAINST

Real property transfer tax at the rate of up to [X] percent [X%] of value or consideration.
(d) Resolution. — The board of county commissioners must, upon adoption of a resolution levying a tax under this Article, immediately deliver a certified copy of the resolution to the register of deeds of the county, accompanied by a certified statement from the county board of elections setting forth the results of the special election approving the tax in the county. Upon receipt of these documents, the register of deeds shall administer the tax in the county as provided in this Article.
(e) Limitation. — A tax levied under this Article may not be in effect in a county at the same time as a tax levied under Article 46 of this Chapter.

"§ 105-602. Scope of tax.
(a) Scope. — A tax levied under this Article does not apply to transfers exempt pursuant to G.S. 105-228.28 or G.S. 105-228.29 from the tax levied by Article 8E of this Chapter. The tax is in addition to the tax levied by Article 8E of this Chapter. A tax levied under this Article applies to transfers of interests in real property located within the county. If the property is located in two or more counties, a transfer of an interest in the property is taxable only by the county in which the greater part of the property, with respect to value, lies.
(b) Basis and Effective Date. — A tax levied under this Article applies to the consideration or value, whichever is greater, of the interest conveyed, including the value of any lien or encumbrance remaining on the property at the time of conveyance.
AN ACT TO REPEAL THE LAND TRANSFER TAX.

The General Assembly of North Carolina enacts:

SECTION 1. Article 60 of Chapter 105 of the General Statutes is repealed.
SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 22\textsuperscript{nd} day of March, 2011.

s/ Walter H. Dalton  
President of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 4:45 p.m. this 31\textsuperscript{st} day of March, 2011
# How to Bring Items to Council

<table>
<thead>
<tr>
<th>Requestor:</th>
<th>Council member Mayfield</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Brent Kelly</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>How can a Council member bring an item (e.g., announcement, event, issue) to full Council?</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>Develop a clear process to aid in bringing items to the attention of Council.</td>
</tr>
<tr>
<td>Latest Development:</td>
<td>Current process for bringing items to Council:</td>
</tr>
<tr>
<td></td>
<td>- Items for Council consideration</td>
</tr>
<tr>
<td></td>
<td>- Send an email or ask the Mayor/City Manager to consider adding an item to a future City Council meeting agenda</td>
</tr>
<tr>
<td></td>
<td>- During the Mayor-Council topics of the business meeting, request an item to be considered for a future City Council meeting agenda or committee assignment</td>
</tr>
<tr>
<td></td>
<td>- Items for project consideration</td>
</tr>
<tr>
<td></td>
<td>- Send an email or ask the City Manager to consider dedicating resources to explore and/or support a project idea (e.g. create a better block neighborhood program)</td>
</tr>
</tbody>
</table>
Requester: Council member Harlow

Staff Resource: Sabrina Joy-Hogg

Statement of Issue: The exploration of various strategies to keep seniors in their homes has been requested due to the upcoming revaluation next year, or due to the impact of certain gentrification efforts.

Deliverable:
- Review of current programs available to seniors and the disabled
- Review of current ability of the city to offer new programs
- Creation of new strategies to keep people in their homes

Latest Development: Programs Available to Seniors and the Disabled

**Individual Exclusions or Deferrals – Programs administered by Mecklenburg County**

**Elderly or Disabled Homestead Exclusion** (NC Gen Stat § 105-277.1)
- Qualifications:
  - Income must not exceed $29,500 in calendar year 2016;
  - must be at least 65 year of age or able to provide proof of total and permanent disability from license physician;
  - must be in North Carolina and the applicant’s primary residence
  - must be NC Resident
- Benefits: Excludes from the tax base either $29,500 or 50 percent of the taxable value (whichever is greater).
- Utilization:
  - There are currently 4,699 parcels covered under this program.
  - Even after receiving tax relief, 761 (16.2 percent) still have delinquent bills totaling more than $685,000. For comparison, five percent (13,128 parcels) of all parcels are delinquent in the City of Charlotte.
  - It’s estimated that in the City approximately 12,000 homeowners ages 65 and older have less than $29,600 in household income. As such, more than 7,000 or 61 percent of eligible households are not currently taking advantage of the Elderly or Disabled Homestead Exclusion.

**Disabled Veterans Homestead Exclusion** (NC Gen Stat § 105-277.1C)
- Qualifications:
  - Be an honorably discharged veteran who has a total and permanent disability derived from service or be the unmarried surviving spouse
  - certification that the disability is service-connected by the U.S. Department of Veterans Affairs or another federal agency
- Benefits: Excludes from the tax base the first $45,000 of assessed value.

**Circuit Breaker** (tax deferment program) for the Elderly or Totally and Permanently Disabled
- Qualifications:
  - Income must not exceed $44,250 in calendar year 2016;
  - must have owned property in question for five years;
  - must be at least 65 year of age or able to provide proof of disability from license
TAX INCREMENT FINANCING
TAX ABATEMENT | MUNICIPAL SERVICES DISTRICT

physician;
- must be NC Resident
- must reapply annually

- Benefits: Ability to defer annual tax bill to future years.
- Utilization: This program is not frequently utilized, as it creates a personal debt and lien on the property. When utilized, it is typically repaid from proceeds on the sale of the home.

Direct Assistance:

**General Assistance Program** (Mecklenburg County Department of Social Services Program)
- Qualifications:
  - New program beginning in 2017 where the Office of Tax Collector refers individuals at risk of foreclosure.
  - Targeted towards Seniors aging 60 years and older

- Benefits: Temporary assistance ranging between $5,000 and $7,000 targeted towards tax obligation or other financial obligation that will have the greatest impact on long term financial well-being of applicants.

New Exemptions or Exclusions
The North Carolina General Assembly has not authorized local governments to offer exemptions or exclusions beyond those outlined in General Statute. The creation of additional exemptions or exclusions would require authorizing legislation from the General Assembly. However, there are opportunities to increase the utilization of existing tax exemptions and exclusion, including one potential new program has been identified for implementation, with a cost to the city.

Review of Municipal Service Districts
Currently the City has five MSDs. Center City Partners currently provides services for the three uptown Center City and the South End MSDs. University City Partners is service provider for University City area MSD.

**Formal MSD Creation Process:**
- Council must be able to demonstrate that the intended service area have a “demonstrated greater need for a service” than the rest of the municipality
  - Must also be able to demonstrate that after its creation that the service area is receiving a demonstrable greater level of service” than the rest of the municipality
- Council prepares a report with a map, statement of services needed, and plan
  - All property residential and commercial are subject to the tax
    - Current MDS in primarily commercial districts (approximately 85%, or greater, commercial)
- Council files with Clerk and City mails notice to property owners for public hearing
- City prepares and publishes notice of public hearing
- Council holds the public hearing
- Council may adopt a resolution and establish the MSD any time after public hearing
City Manager Update

• MSD generally effective at the beginning of the FY commencing after the resolution establishing the MSD is adopted
Council must also provide a process for property owners to request to be removed from the MSD

**MSD Estimate for 28216**
Ballpark estimate for revenues that could be generated based on a one percent MSD tax for zip code 28216:

<table>
<thead>
<tr>
<th>Estimated Revenues Based on 1 % Tax on 28216 Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Rate (1 cent)</td>
</tr>
<tr>
<td>Collection Rate</td>
</tr>
<tr>
<td>Assessed Value (FY19)</td>
</tr>
<tr>
<td>Entire 28216 Revenue</td>
</tr>
</tbody>
</table>

* Does not deduct for portions of the zip code area that fall outside of the city limits or for properties/areas that would not otherwise be included within the MSD.
# Innovation Lab

## Requester:
Council member Bokhari

## Staff Resource:
Sarah Hazel

## Statement of Issue:
It is important to create space for innovative problem solving and the implementation of new ideas.

## Deliverable:
- Review the existing structures that incubate innovation
- Compile a list of best practices from peer cities including:
  - Idea process-flow
  - Governance structure
  - Intended outcomes
  - Successfully implemented solutions

## Latest Development:
The City currently has existing structures and key partnerships for creative problem solving and idea incubation.

- **I2 Labs** - (I2 stands for ideas and innovation)
  I2 Labs are forums for City employees to incubate ideas and identify issues that could benefit from a design thinking approach. The model begins with a design-thinking workshop to better understand the audience and issue, followed by ideation, and finally, a rapid prototype (test) of the idea.
    - The GovPorch project is one example of how the I2 Lab has been transformative. GovPorch turned the CMGC plaza into a space for kids and adults to rest, play and connect with government in a different way, and is an example of an idea that was incubated in this forum by employees.
    - Several grant funded projects were also incubated during I2 Labs, such as Crown Town Hall, a mobile engagement unit (project still underway), and the No Barriers Project, a placemaking and community engagement effort to bridge diverse neighborhoods through the creative redesign and programming of a public park.

- **Code for Charlotte** – Code for Charlotte, part of Code for America, is a nonprofit that works to address the widening gap between the public and private sectors in their effective use of technology and design with the goal of working with residents and governments in solving community problems. The City, working with Code for Charlotte, has enlisted civic hackers and other community volunteers to support the technology, design, and open data efforts of our government. For example, Code for Charlotte supported the following initiatives:
  - Digitizing CMPD’s holiday present initiative, where they provide gifts to 800 underserved kids
  - Working with I&T to develop Citygram, a geographic notification platform that works with Charlotte’s open data portal that allows residents to designate an area of a city they are interested in and then subscribe to one or more topics.

- **Ad Hoc Task Forces** – In late 2016, the City put together the Opportunity Task Force. The group was tasked with brainstorming ways the City of Charlotte could contribute to the community effort to improve economic mobility and access to opportunity for residents.
<table>
<thead>
<tr>
<th><strong>INNOVATION LAB</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ideas that were implemented include:</strong></td>
</tr>
<tr>
<td>o Paid parental leave of six weeks after the birth or adoption of a child</td>
</tr>
<tr>
<td>o A Citywide apprenticeship program</td>
</tr>
<tr>
<td>o Converted the employee four-hour match requirement for the existing school-support leave with an eight-hour employer-sponsored volunteer day to support recognized 501(3) community service organizations and school support activities.</td>
</tr>
</tbody>
</table>

There are several jurisdictions that support innovation labs from which we can draw additional ideas and best practices. (See Attachment 1)

**Next Steps**
Charlotte will continue to incorporate best practices and leverage our existing structures to support continued innovation in City government that benefits both employees and our residents.
## Learning Lab Pilot Program
A “learn-by-doing” program of cross-departmental teams learning and practicing techniques for collaborative problem solving. Employees work together to design solutions to real work challenges. Teams then “pitch” the solution they developed for their challenge topic and explain their research and testing techniques. Implementation teams work to make ideas a reality, and progress is shared with employees along the way.

## Provo City Innovation Program
The goal of this program is to further promote the culture of innovation within the city by allowing employees to apply for funds to give innovative ideas the boost they need to get off the ground. Ideas must meet one of the following qualifications:

- Cost savings to an individual department
- Service and quality improvement to Provo residents
- Increased efficiency
- Contribution to public safety and quality of life

## Innovate Durham
This program provides a platform for local starts to use technology to make the City of Durham more efficient, sustainable, and inclusive. The 12-week program grants access to City data and infrastructure, while providing a testbed for products or services. The City gives entrepreneurs a use case for their products and services, and exposure that can help attract new investors and clients. Participants get access to City resource sand networks as well as mentoring and guidance from a City Champion.

## The Wake County CREATEspace
This is a physical space located in the Wake County Office Building. It houses the County’s innovation team as well as several creative space areas dedicated to learning and innovation. The goals of CREATEspace are to:

- To provide a dedicated innovation center, distinct from a specific department, which provides a physical and mental separation from near-term issues and work, in order to encourage and facilitate creativity, collaboration and experimentation
- To provide a dedicated space for hands-on familiarization with soon-to-be implemented technologies and/or new and disruptive technologies under testing for implementation
- To provide a training area for the development of skills for effective investigation and evaluation of innovative projects

CREATEspace is managed by the County’s Innovation Team, but it is open and available for all County employees to use as they pursue the goals mentioned above.
TAB 3
## 2018 “New” Items Currently in Committee (in blue)

<table>
<thead>
<tr>
<th>Item #</th>
<th>Item Name</th>
<th>Date Identified</th>
<th>Council Requestor</th>
<th>City Staff Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>Intimate Partner Violence Prevention &amp; Support</td>
<td>2/5/18</td>
<td>Mayor Lyles</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Assigned to Community Safety Committee.</td>
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<tr>
<td>21</td>
<td>LYNX Gold Line (Street Car) Impacts</td>
<td>2/5/18</td>
<td>CM Newton</td>
<td>Debra Campbell</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
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<tr>
<td></td>
<td>The Economic Development Committee will begin discussion of this item in September.</td>
<td></td>
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</tr>
<tr>
<td>22</td>
<td>Disparity Study Part 2 (Policy)</td>
<td>2/5/18</td>
<td>CM Mitchell</td>
<td>Debra Campbell</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
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<tr>
<td></td>
<td>In Economic Development Committee – findings of Disparity Study Part 1 were presented at the 2/26 meeting which indicated that disparity still exists. The Committee also received information and discussed the scope of work of Part 2 of the Disparity Study. Committee action anticipated early Summer. Full Council review and action late Summer.</td>
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</tr>
<tr>
<td>23</td>
<td>Project P.I.E.C.E.</td>
<td>2/5/18</td>
<td>CM Mitchell</td>
<td>Debra Campbell</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
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</tr>
<tr>
<td></td>
<td>In Economic Development Committee – discussion to begin in early Summer 2018.</td>
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<tr>
<td>24</td>
<td>Displacement Assistance</td>
<td>2/5/18</td>
<td>CM Harlow</td>
<td>Debra Campbell</td>
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<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
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<tr>
<td></td>
<td>In Housing and Neighborhood Development Committee – referred 3/5 – to be combined with the pilot project on displacement that is currently in the Housing and Neighborhood Development Committee.</td>
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<tr>
<td>25</td>
<td>Storm Water Policy Review</td>
<td>2/5/18</td>
<td>CM Driggs</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
<td></td>
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<td></td>
<td>Environment Committee policy review completed in March and assigned to the Budget Committee to be included as discussion for the final Budget Workshop.</td>
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<tr>
<td>Item #</td>
<td>Item Name</td>
<td>Date Identified</td>
<td>Council Requestor</td>
<td>City Staff Responsibility</td>
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<tr>
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</tr>
<tr>
<td>26</td>
<td>War on Litter</td>
<td>2/5/18</td>
<td>CM Phipps &amp; Eiselt</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td>In Environment Committee.</td>
<td></td>
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</tr>
<tr>
<td>27</td>
<td>Tree Ordinance Review (including green roof)</td>
<td>2/5/18</td>
<td>CM Egleston</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
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<tr>
<td></td>
<td>Scheduled for assignment to the Environment Committee, in alignment with UDO findings for Trees.</td>
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</tr>
<tr>
<td>28</td>
<td>Post Construction Control Ordinance</td>
<td>2/5/18</td>
<td>CM Driggs and Mayor Lyles</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td></td>
<td><strong>Action Taken/Recommendation:</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Scheduled for assignment to the Environment Committee, in alignment with Unified Development Ordinance findings for post construction.</td>
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<td></td>
</tr>
</tbody>
</table>
# Intimate Partner Violence Prevention and Support

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Mayor Lyles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td>Committee:</td>
<td>Community Safety</td>
</tr>
</tbody>
</table>

## Statement of Issue:
- CMPD receives approximately 35,000 calls related to intimate partner violence annually, with about 9,000 reports of criminal domestic violence each year. In 2017, nearly a quarter of the City’s homicides were domestic violence-related.
- The system related to intimate partner violence is large, crosses the government, private and non-profit sectors, and can often be daunting for a domestic violence victim to navigate.

## Deliverable:
- Review of current system and initiatives related to intimate partner violence prevention and victim support, identification of existing system gaps, including resources needed.
- Review data related to intimate partner violence throughout Mecklenburg County.
- Process mapping of steps a person must take to travel from victim to survivor.
- Create responsibility chart.
- Review current initiatives and resource needs.
- Create a master calendar with key dates, activities, and events to coordinate partners and identify opportunities to expedite.
- Review best practices and innovative policies being used in other cities.
- Review of potential strategies to enhance prevention efforts.
- Develop metrics to both define the issue and begin measuring outcomes of the new approach.

## Latest Developments:
- Committee discussed at its February 20 meeting.
- City convened key partners (County, Safe Alliance, DA, Courts, Pat’s Place, Jamie Kimble Foundation)
- Partners producing gap analysis, reviewing resource allocations, exploring prevention options, creating process maps and responsibility charts.
- Considering “Family Justice Center” model for one-stop interaction with multiple agencies – Steering team formed.
- Working on electronic filing initiative for Domestic Violence Protective Orders.
- Expanding training for CMPD officers, Fire Department, and Code inspectors who routinely visit with residents.
- Connecting City’s youth programming to County teen dating efforts.
- Considering offering training to city employees.
- Continuing efforts to raise awareness.

---

**Document prepared on:** 3/14/2018

**Date of First Committee Discussion:** 2/20/2018
<table>
<thead>
<tr>
<th>Committee Discussion:</th>
<th>Information Presented:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Intimate Partner Violence Prevention and Support – presentation by Kim Eagle and Karen Whichard</td>
</tr>
</tbody>
</table>

**Key Discussion Points:**
- Finding ways to reach out to immigrant community
- Reach out to partners such as UNC Charlotte with data analytics resources.

<table>
<thead>
<tr>
<th>Next Steps:</th>
<th>Future committee work:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Review financial partner funding requests,</td>
</tr>
<tr>
<td></td>
<td>Identify short-term measures prior to opening Family Justice Center (virtual hub, staffing for electronic filing for protective orders)</td>
</tr>
<tr>
<td></td>
<td>Explore rapid re-housing options.</td>
</tr>
<tr>
<td>Action</td>
<td>Small Team</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-----------------------------------------------------------</td>
</tr>
<tr>
<td>Magistrate Space Planning</td>
<td>Gina Shell, Khalif Rhodes, Karen Whichard</td>
</tr>
</tbody>
</table>
| Housing Pilot Program                       | Rebecca Hefner, Warren Wooten, Myles, Katheryn Sellers    | 1) Determine structure and type of dollars (TBRA, ESG model with GF dollars, etc)  
                                           | 2) Determine funding source (pull back unspent money from partners, new funding source, etc)  
                                           | **Initial Meeting with Sellers 3.12**                                                 |
| e-DPVO Resource Needs                      | Kim, Chinn-Gary, Diorio                                  | Find specific dollar need for staffing for rollout. **Memo to Budget with request 3.13** |
| Virtual Resource Hub                        | Karen Whichard                                            | Determine Budget Resources                                                            |
| Youth Prevention Services/Connection/Expansion | Karen, Stacy Lowry, Kimble Foundation, Lacey Williams   | TBD                                                                                   |
| Collaborative Communications                | Stacy L., Karen, Ken Brown                                | Finalize social media campaign and launch. **County began end of Feb.**               |
| Basic Employee Training                     | Karen, Candy Phillips, Stacy Lowry                       | TBD. **Meeting with ODL 3.5 to begin planning**                                         |
| Resident facing employee training           | Kim, Karen, Rebecca,                                     | TBD – Chief Gordon Discussion                                                          |
| EAP Research/Employee Benefit Additions     | Karen, Christina Fath                                     | 1) Research benefits currently available, see what is available elsewhere               | 2) Meet with Christina post-health insurance decision                                 |
| Strangulation Institute Training            | Kim/Eric Hershberger                                      | 3) **Secured additional $35,000 funding**                                               |
INTIMATE PARTNER VIOLENCE 
PREVENTION AND SUPPORT

KIM EAGLE, CITY MANAGER’S OFFICE
KAREN WHICHARD, CITY MANAGER’S OFFICE
February 20, 2018

AGENDA

• Confirm Key Objectives
• Key Initiatives Overview
• New City Actions
• Future Work Plan
INTIMATE PARTNER AND DOMESTIC VIOLENCE

- 39,576 CMPD Domestic Violence related calls for service 2017
- 23 homicides in 2017, 90 homicides from 2010-Jan. 2018
- 1 in 4 women will experience intimate partner violence in her lifetime
- Safe Alliance provided shelter for 881 people in 2017 and completed 5,210 safety plans for clients
- An average of 3,000 civil protective orders are filed each year in Mecklenburg County
- On average, 10 percent of high school students in CMS report intimate partner physical abuse

KEY OBJECTIVES

- Current system review and gap analysis
- Resource allocation review
- Explore new strategies for prevention
- Incorporate evidence-based best practices where appropriate into system
- Identify data gaps and enhance data collection and analysis
- Strengthen relationships across various service providers
- Master calendar development
KEY PARTNERS TO MEET OBJECTIVES

- The City has convened the following key partners:
  - Mecklenburg County
  - Safe Alliance
  - District Attorney’s Office
  - Clerk of Court
  - Magistrate’s Office
  - Domestic Violence Court Judges
  - Pat’s Place Child Advocacy Center
  - Jamie Kimble Foundation for Courage

- **Work to date:**
  - Convened first meeting January 22
  - Meeting again February 22

- Plan to continue convening to conduct gap analysis, review resource allocations, explore enhanced prevention options, create process maps and responsibility charts

KEY INITIATIVES – FAMILY JUSTICE CENTER

- Family Justice Center model successful across the country

- Creates one-stop center with multi-agency coordinated community response
  - Helps victims navigate system
  - Provides wrap-around services for victim and children
  - Eliminates duplicative services

- Strategic planning for Mecklenburg County Family Justice Center beginning in May

- City is working to ensure appropriate representation on Steering Team to create best possible outcome
KEY INITIATIVES – ELECTRONIC FILING DVPO

• Domestic Violence Protective Orders (DVPO) are an important first step for victims

• Currently, victim has to navigate multiple facilities and face abuser in court to get a DVPO

• Work is under way to create an electronic version, where a victim could file and face a judge electronically

• Resource needs and funding gaps will be brought to a future Community Safety Committee meeting

NEW CITY ACTIONS

• Expand training provided to CMPD officers to other city staff that interact directly with residents at their homes
  • Charlotte Fire Department
  • Code Enforcement

• Connect City’s youth programming to County’s teen dating violence efforts

• Identify community-based organizations to connect to Family Justice Center planning process and other efforts
NEW CITY ACTIONS

- Implement domestic and intimate partner violence training for all city employees
- Review Workplace Violence Policy
- Explore support options for City employees for domestic violence and intimate partner violence
- Continue efforts to raise awareness

FUTURE COMMITTEE WORK

- Review Financial Partner funding requests related to Domestic Violence
- Identify short-term gaps to fill prior to Family Justice Center opening
  - Virtual service provider hub
  - Potential funding for staffing needs for electronic domestic violence protective order
- Rapid Re-Housing
  - What options exist to help with housing issues
Discussion
**LYNX GOLD LINE IMPACTS**

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Newton</th>
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</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Debra Campbell</td>
</tr>
<tr>
<td>Committee:</td>
<td>Economic Development</td>
</tr>
<tr>
<td>Statement of Issue:</td>
<td>• Residents and business owners have expressed concerns about disruption of traffic, noise and ability of businesses to survive during construction of the LYNX Gold Line.</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>• Review of current practices and policies that are designed to mitigate the adverse impact of infrastructure construction projects in the surrounding area.</td>
</tr>
<tr>
<td>Latest Developments:</td>
<td>• As a result of the discussion at the March 5, 2018 Strategy Session, the item was referred to the Economic Development Committee.</td>
</tr>
<tr>
<td>Document prepared on:</td>
<td>3/14/2018</td>
</tr>
<tr>
<td>Date of First Committee Discussion:</td>
<td>9/13/2018</td>
</tr>
<tr>
<td>Committee Discussion:</td>
<td>TBD</td>
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</tbody>
</table>
| Next Steps:      | • The Committee will begin discussion of this item in September 2018.  
                   • Anticipate full Council action by November 2018. |
<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Mitchell</th>
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</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Debra Campbell</td>
</tr>
<tr>
<td>Committee:</td>
<td>Economic Development</td>
</tr>
<tr>
<td><strong>Statement of Issue:</strong></td>
<td>• On November 27, Council voted to receive the results of the Disparity Study that found disparity exists and MWBEs are underutilized related to City dollars spent with these types of businesses.</td>
</tr>
<tr>
<td></td>
<td>• Need to increase utilization of MWBEs on City contracts</td>
</tr>
<tr>
<td><strong>Deliverable:</strong></td>
<td>• CBI program that encourages greater utilization of MWBE vendors</td>
</tr>
<tr>
<td><strong>Latest Developments:</strong></td>
<td>• Based on the discussion at the February 5, 2018 Strategy Session, this item was referred to the Economic Development Committee.</td>
</tr>
<tr>
<td></td>
<td>• On February 20, the Committee received background information on the Disparity Study Part 1; its findings and conclusions.</td>
</tr>
<tr>
<td></td>
<td>• The study found that disparity continues to exist as it relates to utilization of MWBEs and the amount of money spent with these vendors.</td>
</tr>
<tr>
<td></td>
<td>• The study supports continued utilization of the Charlotte Business Inclusion Program (CBI) to address disparity.</td>
</tr>
<tr>
<td></td>
<td>• The committee also discussed the scope of the Disparity Study Part 2 which will involve a policy assessment of the Charlotte Business Inclusion Program to determine which, if any, policies need to be changed to address the disparities identified in the Disparity Study Part 1.</td>
</tr>
<tr>
<td><strong>Document prepared on:</strong></td>
<td>3/14/2018</td>
</tr>
<tr>
<td><strong>Date of First Committee Discussion:</strong></td>
<td>2/20/2018</td>
</tr>
<tr>
<td><strong>Committee Discussion:</strong></td>
<td>Information Presented:</td>
</tr>
<tr>
<td></td>
<td>Information was presented by Nancy Rosado and Randy Harrington providing overview of the methodology and key findings of the Disparity Study Part 1.</td>
</tr>
<tr>
<td></td>
<td>Overview of Part 2 which outlined numerous policies related that govern the CBI Program followed by Committee Discussion</td>
</tr>
<tr>
<td><strong>Key Discussion Points:</strong></td>
<td>Clarification of methodology,</td>
</tr>
<tr>
<td></td>
<td>Availability of vendors to do work,</td>
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<tr>
<td></td>
<td>intent of the program</td>
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<tr>
<td><strong>Next Steps:</strong></td>
<td>• Begin detailed review of Policies beginning in April, 2018</td>
</tr>
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<td></td>
<td>• Anticipate full Council action August/September</td>
</tr>
</tbody>
</table>
Disparity Study: Phase II Update

Economic Development Committee Meeting
February 20, 2018

Agenda

• Background

• 2017 Disparity Study Key Findings (Phase I) from BBC Research and Consulting

• Disparity Study Phase II
  – Objective
  – Stakeholder Engagement

• CBI Policy Assessment
  – BBC Policy Considerations

• Disparity Study Phase II
  – Approach
  – Timeline

• Committee Discussion
Background

- 2017 Disparity Study:
  - Reviewed the City’s expenditures from July 1, 2011 through June 30, 2016, specifically analyzing the utilization of minority and women owned firms relative to their availability.

- November 27, 2017 Council accepted 2017 Disparity Study Report findings

2017 Disparity Study Key Findings

- While the City has made strides, disparities still exist
- Overall, MWBEs are substantially underutilized on City contracts
- Underutilization much worse on contracts City awarded without subcontracting goals
- Subcontracting goals are effective in encouraging MWBE participation
- Anecdotal evidence suggests many barriers in marketplace for small businesses and MWBEs
- Based on the findings, the city can continue to use race and gender-conscious measures to remedy identified disparities.
**Disparity Study Phase II**

- **Phase II Goals:**
  - Identify CBI Policy and program enhancement opportunities to address the disparities identified in the Study
  - Implement CBI Policy and program recommendations

- **Internal and external stakeholder engagement:**
  - Economic Development Committee
  - CBI Advisory Committee
  - City staff and leadership
  - Community (MWSBEs, Primes, Partner organizations)
### CBI Policy Assessment

#### Key CBI Policy Provisions

<table>
<thead>
<tr>
<th></th>
<th>Current CBI Policy Language</th>
<th>BBC’s 2017 Disparity Study Policy Considerations</th>
</tr>
</thead>
</table>
| **Annual Citywide Aspirational MWSBE Prime Goals** | • Goals established by category (i.e., construction, services...) and by department  
• Exempt contracts are excluded  
• For Construction and Goods categories, applies only to informal contracts | • Consider 20.9% as basis for annual aspirational MWBE goal  
• Continue efforts to unbundle contracts |
| **MWSBE Subcontracting Goals** | • Construction contracts of $300,000+  
• All other contracts of $100,000+  
• Can set multiple goals | • Expand use of subcontracting goals to address identified disparities  
• Consider separating the use of SBE and MWBE subcontracting goals  
• Continue counting MWSBE participation towards subcontracting goals |
| **SBE Designated Contracts** | • When feasible, can designate certain contracts for solicitation only to SBEs | • Expand SBE Designated Contracts Strategy (i.e., Sheltered Market Program) |
| **SBE and MWBE Certification & Eligibility** | • SBE certification requirements established by CBI Policy  
• MWBE certification requirements established by State of NC; CBI Policy requires significant business presence in CSA | • Consider establishing business size and personal net worth thresholds for MWBEs |
| **Mandatory Subcontracting Requirements** | • Council can establish mandatory subcontracting requirements for construction contracts  
• Use of Good Faith Efforts required  
• Contractor required to subcontract the work to other third party subcontractors if can’t meet subcontracting goal with MWSBEs | • Consider implementing mandatory subcontracting requirements |
| **Data Tracking and Reporting** | • CBI will report MWSBE utilization | • Implement centralized diversity management software (in process) |
Phase II Approach

- Evaluate program enhancements suggested by BBC
- Legal review of NC statutory requirements
  - MWBE certification
  - Sheltered Market Program
  - Narrow tailoring measures
  - Mandatory subcontracting
  - NC Historically Underutilized Business Statute(s)
- Review best practices of other MWSBE programs
- Economic Development Committee discussions and input
- Internal and external stakeholder engagement
- Community forum(s)

Phase II Timeline

<table>
<thead>
<tr>
<th>Winter</th>
<th>Evaluate Disparity Study Report findings and recommendations</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Engage stakeholders on report findings and receive feedback on program and policy enhancements</td>
</tr>
<tr>
<td>Spring</td>
<td>Economic Development Committee discussions and input</td>
</tr>
<tr>
<td></td>
<td>Refine considerations and recommendations</td>
</tr>
<tr>
<td></td>
<td>Host community forum(s) seeking input on draft recommendations</td>
</tr>
<tr>
<td>Summer</td>
<td>ED Committee review and recommendations on new policy and program enhancements</td>
</tr>
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<td></td>
<td>Strategy Meeting presentation</td>
</tr>
<tr>
<td></td>
<td>Council Action (as needed)</td>
</tr>
<tr>
<td>Fall</td>
<td>Implement new policy and program enhancements</td>
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<td></td>
<td>Stakeholder Information Sessions</td>
</tr>
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<td></td>
<td>City Staff Training</td>
</tr>
</tbody>
</table>
QUESTIONS?
**Requester:** Council member Mitchell  

**Staff Resource:** Debra Campbell  

**Committee:** Economic Development  

**Statement of Issue:**  
- To address the issue of upward mobility for people with employment barriers, the City of Charlotte funded a workforce development program Partnership for Inclusive Employment and Career Excellence (PIECE).  
- Review and assess economic trends to determine if any changes are needed.  

**Deliverable:**  
- Recommended program changes, if any, regarding talent development and training.  

**Latest Developments:**  
As a result of the discussion at the February 5, 2018, Strategy Session, the item was referred to the Economic Development Committee.  

**Document prepared on:**  
3/14/2018  

**Date of First Committee Discussion:**  
6/28/2018  

**Committee Discussion:** TBD  

**Next Steps:**  
- Committee begin discussion in June, 2018  
- Full Council action anticipated late summer early fall
## Displacement Assistance

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Harlow</th>
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</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Debra Campbell</td>
</tr>
<tr>
<td>Committee:</td>
<td>Housing and Neighborhood Services</td>
</tr>
<tr>
<td><strong>Statement of Issue:</strong></td>
<td>• Gentrification is significantly impacting low and moderate income residents ability to stay in their homes and neighborhoods.</td>
</tr>
</tbody>
</table>
| **Deliverable:** | • Develop a new program or expand the existing emergency relocation program that is currently designed to assist households being relocated due to a code violation with relocation expenses  
• Pilot program for six-month period then assess effectiveness  
• Assessment of neighborhoods experiencing or threatened by gentrification  
• Determine appropriate tools i.e rent and property tax subsidies to mitigate negative impacts of gentrification and displacement |
| **Latest Developments:** | • The Committee discussed a possible pilot displacement assistance program in October and November of 2017.  
• At that time, the Committee deferred this item to 2018 when a new Committee would be appointed following the November elections.  
• A similar initiative was identified at the February 5, Strategy Session as an item for Full Council consideration.  
• The item was referred to the H&ND Committee to be incorporated into the work the committee is doing on the pilot program. |
| Document prepared on: | 3/14/2018 |
| Date of First Committee Discussion: | 5/16/2018 |
| Committee Discussion: | TBD |
| **Next Steps:** | • The Committee will begin discussing in May/June  
• Anticipate full Council Action August/September |
Pilot Multi-Family Displacement Assistance Program

Housing & Neighborhood Development Committee
November 8, 2017

Briefing Objectives

› Continue the discussion on the September 25th City Council Referral:
  › The displacement of residents from privately-owned naturally occurring multi-family housing developments due to a qualifying event such as fire or redevelopment.
**Background: Who Needs Affordable Housing**

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Median Wage</th>
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</thead>
<tbody>
<tr>
<td>Customer Service</td>
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<tr>
<td>Health Aides</td>
<td>$10</td>
</tr>
<tr>
<td>Retail Sales</td>
<td>$10</td>
</tr>
<tr>
<td>Food Prep</td>
<td>$8</td>
</tr>
<tr>
<td>Laborers</td>
<td>$11</td>
</tr>
</tbody>
</table>


Source: NC Department of Commerce, prepared for the Charlotte-Mecklenburg Workforce Board.

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**Issue**

- Low to moderate income families living in rental units have historically been at risk of displacement for a variety of reasons.
- **Redevelopment of naturally occurring affordable housing, and emergencies such as fire, displacing multiple households at the same time.**
- Often these occurrences are unplanned; **moving and other expenses such as security deposits place burdens on households that are often already struggling.**
- Lack of awareness of available community services (landlords and residents) exacerbates the displacement event.
Current Voluntary Emergency Relocation Program

- Since 2011, the City’s Emergency Relocation Program has been serving households facing imminently dangerous housing conditions.
- Referrals made through Code Enforcement.
- Administered by Community Link (CL):
  - CL relocates households to vacant private sector units and promotes family self-sufficiency through housing counseling and financial literacy education
- Provides an average of $3,300 per household for:
  - Up to 3-week hotel stay
  - Security deposit and first month’s rent at new residence
  - Moving expenses
  - Storage costs during hotel stay

Proposed Pilot Multi-Family Displacement Program

- Partner with Community Link
  - Program Administration
- Upon referral, Community Link will:
  - Conduct a housing needs assessment – includes income and budget analysis.
  - Place eligible households into vacant private sector housing units that pass Housing Quality Standards required by HUD.
  - Assist households unable to sustain private sector housing with obtaining temporary housing and a spot on the public housing waiting list.
  - When time is of the essence, a Community Link social worker will be assigned to coordinate moving the household into a hotel while a new residence is located.
Proposed Pilot Multi-Family Displacement Program

- **Eligible Displacement Events (multi-family property):**
  - Redevelopment, and
  - Emergencies such as fire

- **Eligible to households:**
  - Earning 80% and below the area median income with priority given to households earning 60% and below AMI.
  - Having proof of being displaced from naturally occurring affordable housing due to redevelopment or emergencies such as fire.

- Relocation assistance for up to 100 households not to exceed $350,000.
- Provides a **maximum of $3,500 per household** for expenses such as:
  - Up to 3-week hotel stay
  - Security deposit and first month’s rent at new residence
  - Moving expenses
  - Storage costs during hotel stay

Program Partnerships & Funding Sources

- **Community Link**
  - Administrator and Service Delivery

- **Greater Charlotte Apartment Association**
  - Message displacements to membership in an effort to assist families with identifying available affordable units

- **City of Charlotte**
  - Community Development Block Grant
Committee Action & Next Steps

‣ Consider approval of the pilot Multi-Family Displacement Program up to $350,000 for households being displaced from privately-owned naturally occurring multi-family housing developments due to a qualifying event such as fire or redevelopment.

‣ Seek Council’s Approval at an upcoming Business Meeting.

‣ Communicate with and refer currently impacted households to Community Link and other resources to begin receiving assistance under current programs.

‣ Review program in six months.
<table>
<thead>
<tr>
<th>Requester:</th>
<th>Council member Driggs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Resource:</td>
<td>Kim Eagle</td>
</tr>
<tr>
<td>Committee:</td>
<td>Environment</td>
</tr>
<tr>
<td><strong>Statement of Issue:</strong></td>
<td>The Storm Water program is not funded to support the current amount of projects that have been identified as qualifying for service. This leads to increasing customer wait times for storm drainage repairs.</td>
</tr>
</tbody>
</table>
| **Deliverable:** | • Council policy decision on scope and scale of the Storm Water program  
• Committee review of the development of a comprehensive Storm Water Plan to organize policies, regulations, ordinances, and projects to match funding availability |
| **Latest Developments:** | The Environment Committee has discussed the issue twice in Committee. |
| **Document prepared on:** | 3/14/2018 |
| **Date of First Committee Discussion:** | 2/19/2018 |
| **Committee Discussion:** | February 19 Information Presented:  
• Storm Water Services Program – Mike Davis, Chief Engineer, Kruti Desai, Storm Water Services Division Manager  
February 19 Key Discussion Points:  
• History of Committee referral, review of previous staff recommendations for policy changes  
March 5 Information Presented:  
• Storm Water Services Program – Mike Davis, Chief Engineer, Kruti Desai, Storm Water Services Division Manager, Darryl Hammock, Engineering Program Manager, Jennifer Smith, Deputy Director E&PM  
March 5 Key Discussion Points:  
• Overview of A, A, B, and C project types  
• Introduction of a $5 million, 5 year cost-share program for C requests  
• Modeling of various fee scenarios  
• Request for Action from Committee to remove C requests from repair list and create a pilot cost-share program. |
| **Next Steps:** | As a result of the Committee Discussion on March 5, Staff is refining the parameters of the potential cost-sharing program for C projects. The next Committee meeting is scheduled for March 26. |
Storm Water Services Program

City Council Retreat

February 2, 2018
**Policy Framework**

- Storm Water Services Program operates under federal Clean Water Act requirements
- General authority to operate a stormwater utility (North Carolina General Statute 160A, Article 16)
- Interlocal agreement with Mecklenburg County establishes operation of a single stormwater system
- Charlotte City Code Chapter 18, STORMWATER – Provides a system for charging fees based on the quantity of stormwater produced, including options for fee credits
- Pond and Dam Policy (2007) – Establishes criteria for when the City will maintain a pond or dam
- Pipe for Pipe Policy (1998) – Stipulates that the City will match existing facility type (pipe or ditch) with its maintenance projects
- Cost Share policy (1993) – Allows for citizens to share in the cost of the repair to expedite the project
National Perspective

- Overall, program is effective and efficient
- Charlotte is generally more suburban with more storm water infrastructure per capita
- Insufficient revenue to keep up with incoming requests
- Recommended a 4-tier rate structure

**Black & Veatch Storm Water Utility Survey (2016)**
- Responses to issues of increasing regulatory requirements, adequacy of funding, and cost recovery continues to indicate an “alignment gap” among program needs, cost of service, level of fees, and customer buy-in.

**Moody’s Rating Agency**
- Storm Water Services became first Aaa bond rated storm water utility.

---

**Purpose of a Stormwater Program**

- **Drain runoff from storms safely to streams** (Quantity)
- **Ensure runoff is as clean as possible when it reaches streams** (Quality)
Environment Committee

**Purpose:** Review the scope service for the Storm Water Services Program

**Meetings:** August 14, September 18, November 13

**Results:**
- No votes taken by Committee
- Discussion by Committee generally affirmed current practice of prioritizing most critical repair needs first.
- Committee considered options to eliminate lowest priority work, and work on private property that primarily benefits private property owners.
- Reviewed relationship of fees to repair backlog.
- Introduced concept of a Comprehensive Storm Water Plan to organize policies, regulations, projects, and communication strategies under one document.

Modeling for Fee Increases

- Storm Water Services projects its financial model for ten years into the future.
- Financial model assumes growth in fees to mitigate cost inflation and to grow capacity of the program.
- The FY 17 budget did not include a fee increase.

<table>
<thead>
<tr>
<th>FY 2016 Financial Plan Rates Actuals versus Projection</th>
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<tbody>
<tr>
<td>Estimated</td>
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<tr>
<td>$</td>
</tr>
<tr>
<td>FY 2016</td>
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<td>FY 2017</td>
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<td>FY 2018</td>
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<td>FY 2019</td>
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<td>FY 2020</td>
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<td>FY 2021</td>
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<tr>
<td>FY 2022</td>
</tr>
</tbody>
</table>
Policy Questions

1) How can we best align program service levels with funding levels.

2) Should lowest priority services be discontinued?

Look Ahead

• Continue implementation of projects with current revenue – February action upcoming to issue revenue bond anticipation notes.

• Begin development of a comprehensive plan

• Refine eligibility criteria for new projects

• Continue developing preventive maintenance strategies to extend life of existing infrastructure

• Update public communication strategies
Storm Water Services Program
City Council Environment Committee

February 19, 2018

Overview

**Presentation Outline**

1) Council Meetings and Environment Committee Summary

2) Program Overview and Current Challenges

3) Discussion
Recent Council Review

**FY18 Budget Process:**
- Council adopted a 0% fee increase
- Referred the Storm Water Services program to Environment Committee for a review of the scope of work

**Environment Committee (3 meetings):**
- Discussion by Committee generally affirmed current practice of prioritizing most critical repair needs first
- Reviewed relationship of fees to unfunded repair projects
- Introduced concept of a Comprehensive Storm Water Plan
- Committee considered options to eliminate lowest priority work, and work on private property that primarily benefits private property owners

**Council Retreat Feb 2, 2018:**
- Staff previewed budget challenges associated with the Storm Water Services program

Previously Requested Actions

On November 13, 2017, staff recommended the following actions to the Environment Committee:

**Action #1 (abbreviated) – ‘C’ Requests**

Sustain 2015 practice to no longer qualify classification ‘C’ requests and close requests that no longer require corrective action.

(Staff is evaluating a new cost share option to address requests from citizens still expecting service.)

**Action #2 – Private Property Benefit Only Projects**

Discontinue qualification of new projects for work that only benefits private property.
Storm Water Utility Comparison

Raftelis Report
• Completed in February 2015
• Provided a review of Storm Water Services scope and approach to funding
• Compared Charlotte to 13 peer cities

Key Findings
• Overall, program is effective and efficient
• Charlotte is generally more suburban with more storm water infrastructure per capita
• Insufficient revenue to keep up with incoming requests
• Recommended a 4-tier rate structure

Charlotte-Mecklenburg Storm Water Services and Charlotte Water
Purpose of a Stormwater Program

Drain runoff from storms safely to streams (Quantity)

Ensure runoff is as clean as possible when it reaches streams (Quality)

FY2017 Production

- **Invested $46.4 million** in managing and constructing projects to:
  - Repair failing storm drainage infrastructure
  - Reduce flood risks
  - Improve surface water quality

- **Completed:**
  - 84 minor projects
  - 188 maintenance projects
  - 10 major projects
  - 1 water quality enhancement project

- **Actively managed** 420 projects
Ongoing Challenges

Challenges

1) Aging drainage infrastructure to maintain

2) Continued development is adding to amount of drainage system

3) Community expectations are greater than available resources

Challenge 1: Maintaining Existing Drainage System

160,000 INLETS
3,800 MILES OF PIPE
2,400 MILES OPEN DRAINAGE
Challenge 2: Drainage System Growth

- Drainage system has doubled since 1993

Challenge 3: Community Needs Vs. Available Resources

- Storm Water Program seeks to address most critical needs first.
Challenge 3: Community Needs Vs. Available Resources

New Projects Qualified vs. Completed

- Projects Qualified
- Projects Completed

Minor Repair Example

Storm drains are exposed to stresses from large storms and age over time. These conditions weaken this infrastructure and are subject to failure.

- Pipe Failure on Private Property
- Sinkhole Forms and Pipe No Longer Functions
### Fee Structure

#### Single Family

<table>
<thead>
<tr>
<th>Tier I</th>
<th>Median</th>
<th>City</th>
<th>County</th>
<th>Bill Process</th>
<th>Total Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;2000 sq ft</td>
<td>1,673</td>
<td>$5.52</td>
<td>$0.77</td>
<td>$0.95</td>
<td>$7.24</td>
</tr>
<tr>
<td>37,112 accounts (20%)</td>
<td>60.5M SF of impervious (10%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tier II</th>
<th>Median</th>
<th>City</th>
<th>County</th>
<th>Bill Process</th>
<th>Total Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000 to 2999 sq ft</td>
<td>2,467</td>
<td>$8.13</td>
<td>$1.20</td>
<td>$0.95</td>
<td>$10.28</td>
</tr>
<tr>
<td>74,120 accounts (41%)</td>
<td>184.1M SF of impervious (32%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tier III</th>
<th>Median</th>
<th>City</th>
<th>County</th>
<th>Bill Process</th>
<th>Total Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3000 to 4999 sq ft</td>
<td>3,648</td>
<td>$12.04</td>
<td>$1.73</td>
<td>$0.95</td>
<td>$14.72</td>
</tr>
<tr>
<td>53,885 accounts (29%)</td>
<td>202.9M SF of impervious (35%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tier IV</th>
<th>Median</th>
<th>City</th>
<th>County</th>
<th>Bill Process</th>
<th>Total Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>5000 sq ft and up</td>
<td>6,034</td>
<td>$19.91</td>
<td>$2.96</td>
<td>$0.95</td>
<td>$23.82</td>
</tr>
<tr>
<td>19,034 accounts (10%)</td>
<td>130.9M SF of impervious (23%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Multifamily & Commercial

<table>
<thead>
<tr>
<th>Customer Base</th>
<th>Median</th>
<th>City</th>
<th>County</th>
<th>Bill Process</th>
<th>Total Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multifamily &amp; Commercial</td>
<td>NA</td>
<td>$143.73</td>
<td>$20.00</td>
<td>$0.95</td>
<td>$164.68</td>
</tr>
<tr>
<td>21,528 accounts</td>
<td>1,083M SF of impervious</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**Fee Scenarios**

**Impact to Outstanding Repair Request**

- **No Increases**
- **3% Annual**
- **8% Then 6% Annual**
- **9% Annual**
- **12% Annual**
Comprehensive Storm Water Plan

**Purpose**
Create a single document containing all Council policies governing Charlotte’s Storm Water program.

**Envisioned Components:**
- Scope of Work for Program
  - Infrastructure Repair (flood control)
  - Surface Water Quality
- Compilation of Existing Policies (e.g. Pond and Dam Policy and Pipe Policy)
- Regulatory Strategies
- Strategic Planning
  - Project qualification and prioritization
  - Asset Management
  - Communications and Education
- Financial Assumptions

**Discussion**

Discussion

[Charlotte-Mecklenburg Storm Water Services]
Purpose of Committee Review:

Review the Storm Water Services Program to determine if it has the correct scope of work and consider any possible changes.
Overview

Presentation Outline

1) Review of Previous Meetings

2) Overview of Minor Repair Projects (A’s, A’s, B’s, C’s)

3) Introduce a Cost Share Pilot Program

4) General Funding Options

Recent Council Activity

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/12/17</td>
<td>Budget Adoption</td>
<td>2nd consecutive 0% fee increase and referral to committee</td>
</tr>
<tr>
<td>8/14/17</td>
<td>Environment Committee #1</td>
<td>Review of program goals</td>
</tr>
<tr>
<td>9/18/17</td>
<td>Environment Committee #2</td>
<td>Review of unfunded projects: C’s and private property work</td>
</tr>
<tr>
<td>11/13/17</td>
<td>Environment Committee #3</td>
<td>Fee relationship to unfunded projects</td>
</tr>
<tr>
<td>2/2/18</td>
<td>Council Retreat</td>
<td>Preview of Storm Water Services budget needs</td>
</tr>
<tr>
<td>2/19/18</td>
<td>Environment Committee #4</td>
<td>Abbreviated program review</td>
</tr>
<tr>
<td>3/5/18</td>
<td>Environment Committee #5</td>
<td>Consider elimination of C’s as a modification to program scope</td>
</tr>
<tr>
<td>3/29/18</td>
<td>Budget Committee</td>
<td>Present funding options based on program scope</td>
</tr>
<tr>
<td>4/11/18</td>
<td>Budget Workshop</td>
<td></td>
</tr>
</tbody>
</table>
Previously Requested Actions

On November 13, 2017, staff recommended the following actions to the Environment Committee:

**Action #1 (abbreviated) – ‘C’ Requests**
Sustain 2015 practice to no longer qualify classification ‘C’ requests and close requests that no longer require corrective action.

(Staff is evaluating a new cost share option to address requests from citizens still expecting service.)

**Action #2 – Private Property Benefit Only Projects**
Discontinue qualification of new projects for work that only benefits private property.

Review of Previous Meeting

- Storm Water and Charlotte Water as separate functions
- Program underwent major review in 2015
- Challenges of a growing and aging system
Review of Previous Meeting (cont.)

- Needs are community-wide
- New work is outpacing production
- Fee scenarios can be modeled to predict impact on unfunded projects

Storm Drainage System Priorities

A1 Failing drainage infrastructure in publicly maintained streets and the public right-of-way

A Failing drainage infrastructure near or flooding of a house or commercial building as well as flooding of a publicly maintained street

B Other failing drainage infrastructure, pipe and stream blockages. Also, under certain conditions flooding of driveways, crawlspace and accessory structures
AI Service Request Classification

AI – Example Project

Sam Drenan Rd
- Metal pipe culvert (install approx. 1961) failed under a major street
- Less than 1 year to fix

Before

After
AI – Example Project

201 Crompton Street
• Roadway and shoulder caving in due to defective corrugated pipe culverts under street
• < 1 year to address

A Service Request Classification
A – Example Project

715 Plaza Walk
• Sinkhole in public right-of-way
• Caused by a failed storm drain system from street
• 3 years to address

Before

During

After

B Service Request Classification
B – Example Project

4706 Sahalee Ln
- Sinkhole caused by a collapsed 42” HDPE pipe
- 5 years to complete

Before

During

After

B-Example Project

1526 Alleghany
- Sinkhole developed in lower parking lot
- Reported in April 2013
- Private property
- Currently unfunded

Before

During

After
B – Example Project

8158 Rosberg Ln
• Reported sinkhole in 2014
• Called back in 2018 to report sinkhole larger
• Private property
• Currently unfunded

Projects by Classification

- Total Active Projects:
  - AI: 118 (29%)
  - A: 126 (31%)
  - B: 159 (40%)

- Unfunded Projects:
  - AI: 498 (42%)
  - A: 694 (58%)

Data as of 3/1/18
C Service Request Classification

No longer qualifying condition since July 1, 2015

Characterizing C’s

400 re-investigations that were sampled in 2016
- 20% were reclassified to A or B
- 50% were found to have no work necessary
- 30% remain C’s, vast majority on private property:
  - Half are blockages
  - Half are stream erosion
Examples where no problem is observed, or nothing that can be done to improve

Half of the C's are "no work necessary"

C's: No Work Necessary
Royston Rd / Bluff Wood Cove

C's: No Work Necessary
Tantilla Circle

Many nuisance problems qualified for service, earlier in the life of the program.

Half of the C's are "No work necessary"
C’s: Examples of a Blockage

A small pipe blockage (left) was qualified, earlier in the life of the program.

Larger blockages (right) make up 15% of all the C’s.

C’s: A Healthy Stream
### C’s: Moderate Stream Erosion

**Eastbrook Rd**

Chain-link fences initially installed at edge of stream

Healthy streams shift over time and can undermine fences

A better solution is to move fences

---

These conditions are prevalent throughout Charlotte and other urban areas in the Southeast

About 10% of the C’s are for moderate stream erosion
C’s: Severe Stream Erosion
Barringer Road

Example of land-owner removed vegetation along a creek that has hastened stream erosion, harming surface water quality
About 5% of the C’s are for severe stream erosion

Risks in Repairing C’s

• Continuous stream erosion repaired at only the citizen-requested property can worsen conditions downstream
• Stream erosion should be addressed on a larger scale, on many properties to effectively address the problem
Citizen Interest in Low Priority ‘C’ Requests

Contacts by Citizens

• Storm Water Services receives over 2,000 contacts from citizens every year

• Staff responds to an average of 54 concerns annually that include a member of City Council

• 4 of these contacts relate to classification ‘C’ requests

<table>
<thead>
<tr>
<th>C Requests</th>
<th>All Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>4, 7%</td>
<td>54, 93%</td>
</tr>
</tbody>
</table>

Council–Citizen Contacts Regarding Storm Water Concerns Annually

Cost Share Program

• Propose $5M over 5 years be allocated toward a Cost Share Pilot Program for C requests (based on 8% fee increase)
  – Requires property owner to:
    • Share the total cost of the project
    • Donate easement, which then becomes future city maintenance responsibility

• Program Implementation
  – Evaluate and rank the C requests that have called in about the program since July 2015
  – Add program information to website
  – Initiate program in January 2019
  – Start projects as funding and resources allow
Value of Customer Requests

Current Value

$1,047,016,323

$1,000,000,000

$900,000,000

$800,000,000

$700,000,000

$600,000,000

$500,000,000

$400,000,000

$300,000,000

$200,000,000

$100,000,000

$0

$122,808,444

$267,595,629

$630,750,000

$1,047,016,323

$25,862,250

$1,000,000,000

$800,000,000

$600,000,000

$400,000,000

$200,000,000

$100,000,000

$0

Storm Water Financial Model

10-Year Projection

Account Growth
Fee Collection Rate
Operating Expenses
Debt Service
Transfers to Capital
Debt Coverage Ratio
Fund Balance
Impact of a Surcharge and Impact of Eliminating ‘C’s

Assumes Fee Increases of 8%, 6%, 6%,....

Fee Scenarios

Assumes no C’s
Modeling for Fee Increases

- Storm Water Services projects its financial model for ten years into the future.
- Financial model assumes growth in fees to mitigate cost inflation and to grow capacity of the program.
- The FY 17 budget did not include a fee increase.

<table>
<thead>
<tr>
<th>FY 2016 Financial Plan Rates Actuals versus Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated</td>
</tr>
<tr>
<td>$</td>
</tr>
<tr>
<td>FY 2016</td>
</tr>
<tr>
<td>FY 2017</td>
</tr>
<tr>
<td>FY 2018</td>
</tr>
<tr>
<td>FY 2019</td>
</tr>
<tr>
<td>FY 2020</td>
</tr>
<tr>
<td>FY 2021</td>
</tr>
<tr>
<td>FY 2022</td>
</tr>
</tbody>
</table>

Fee Equivalencies

These are not proposals; these are examples of how different funding methods compare for generating revenue:

- **1% Fee Increase**: $3.09 Surcharge, 0.0660 cent Property Tax, $638k
- **8.1% Fee Increase**: $25.00 Surcharge, 0.5337 cent Property Tax, $5.2M
- **7.6% Fee Increase**: $23.42 Surcharge, 0.5000 cent Property Tax, $4.8M
Recommended Action

Staff Recommendation

1. Remove ‘C’ requests from regular minor repair list, and

2. Create a pilot cost-share program for ‘C’ requests funded at $5M over 5 years. (Based on 8% fee increase)

Discussion

Discussion
## Requester:
Council members Phipps & Eiselt

## Staff Resource:
Kim Eagle

## Committee:
Environment

## Statement of Issue:
Litter is a common cause of complaints from Charlotte residents, and there is not currently adequate funding to provide crews to clean more frequently.

## Deliverable:
- Staff review of potential changes to current practices and additional funding requirements to improve perception of street cleanliness.
- Areas to pilot new initiatives to improve outcomes could include: state versus city street responsibilities and funding impacts, use of community engagement and volunteer resources such as Keep America Beautiful, enhanced collaboration between CATS, code enforcement and Solid Waste Services, Storm Water.

## Referred By:
City Council

## Date of Referral:
3/5/2018

## Overview of Work Plan:
**Timing:**
- The topic will be introduced in the April Environment Committee Meeting.
TO: Marcus Jones, City Manager

SUBJECT: War on Litter Framework

DATE: 3/19/2018

**Issue:** Litter has been observed or reported along select public streets and private properties within the City

**Framework for War on Litter Work:**

The following areas will be explored via the Environment Committee:

**Recent Service Delivery Enhancements:**

1. Neighborhood Garbage Collection Program (SWS & CDOT)
   - SWS and CDOT have partnered to create this pilot program which accommodates requests from neighborhood and merchant organizations to install additional collection bins
   - Bins locations are subject to approval
   - Program requires an annual fee of $250 for weekly SWS collection
   - NoDa pilot program is underway

2. Government Alliance for Racial Equity (GARE) Clean City for All Pilot Program (SWS)
   - The desired outcome is consistently clean city streets and rights of way through targeted resource allocations for litter removal and street sweeping.
   - The goal is to improve the litter index rating to that of South Charlotte, the area that scored the most favorable rating.
   - Pilot will focus on East Charlotte, the area that scored the least favorable rating on the 2017 Keep America Beautiful Litter Index.
   - Additional resources will be needed to ensure other areas are not negatively impacted.

**Other Areas for Discussion:**

1. Explore opportunities to effect regular cleaning of state-maintained roads
2. Work with CATS to evaluate opportunities for enhanced litter collection opportunities at bus stops
3. Encourage additional participation in the Adopt-a-City Street program
4. Engage Keep Charlotte Beautiful to explore and make recommendations regarding potential pilot programs which may include incentives or penalties to reduce use of common litter elements including plastic straws and water bottles, styrofoam, cigarette butts, Charlotte Observer and other newspaper advertising supplements and plastic bags.
Current Approach for Litter Collection

1. Rights of Way Cleaning (SWS & E&PM)
   - City-wide litter picking (SWS)
     - 11 – 2 person crews and community service workers
     - Service to City’s 2,476 street miles (4,952 curb miles)
     - Routes/frequency determined by trash patterns, service request calls and staff field observations
       - 2 times per day:
         - CBD
         - 5 Points
         - CATS Blue Line
     - Service provided along City Rights-of Way
       - No service on State-maintained streets (budget & staff eliminated FY2006) or private property
   - Litter removal as part of landscape maintenance activities (E&PM)
     - Contracted service
     - Coverage/Frequency
       - 3 times per week:
         - Landscaped areas at 5 Points and W Trade/Wesley Heights Way intersections
         - Settlers Cemetery
       - 2 times per week:
         - CATS Blue Line Extension – in median areas only along N Tryon St
       - 1 time per week:
         - Central Business District – median only
         - City building properties (serviced by Landscape Management) and Cemeteries
         - CATS Blue Line along S Blvd – in medians only
         - CATS Blue Line along Old Pineville Rd – track side road shoulders only
           (May be less often depending on the terrain)
       - Every 2 weeks:
         - Medians outside Central Business District, city and state roads, no road shoulders.
         - South Corridor signature intersections – medians and road shoulders
         - City installed – landscaped areas along connectivity paths between neighborhood streets, landscaped dead ends, landscaped rights-of-way
       - Litter was removed by the City every two weeks on state road grass medians. The City gave back 14 grass medians to the state beginning July 1, 2015. No road shoulders were included.
2. Street Sweeping (SWS)
   • City-wide street sweeping
     o 12 - 1 person crews
     o Sweepers average 60,000 linear miles annually
     o Routes/Frequency
       ▪ CBD – Daily
       ▪ Non-CBD – Quarterly
       ▪ As-needed – service request calls and staff field observations
     o Service provided on City streets
       ▪ No service on State-maintained streets (eliminated FY2006) or private property

Staff Supported Volunteer Efforts

1. Keep Charlotte Beautiful (HNS)
   • Housing & Neighborhood Services staff administer Keep Charlotte Beautiful (KCB), a Keep America Beautiful affiliate established in 1974
     o The KCB committee is a 20 person Council and Mayoral appointed committee created to:
       ▪ Make recommendations to City council, and the private sector, with respect to the containerization of man-made trash; and
       ▪ Implement the “Action Research Model Project” a pilot project for community-wide removal of litter year round which became the Adopt-a-City Street Program (AACS)
         • AACS requires volunteers to adopt at least 1-mile of city-maintained street and to conduct clean-up events at least 3x’s per fiscal year
         • AACS currently supports over 206 active organizations who have adopted over 200 miles of City-maintained streets
         • Trash & recycle bags, litter sticks, gloves and safety vests are provided
         • 1306 KCB volunteers collected 22.43 tons of litter in FY17, a 66% increase over FY16
       ▪ KCB also administers the annual Litter Index:
         • Once per year, trained KCB Board members and volunteers visit 70 predetermined locations throughout the City to measure the presence of roadside litter, rating each street section on a scale of 1 (low litter visible) to 4 (significant litter visible).
         • Index results are used as a tool to communicate the City’s success in preventing visual blight through litter prevention efforts to City officials, Solid Waste Services and interested residents.
         • The index and is an annual requirement through Keep America Beautiful and is reflected in a Solid Waste Services Balanced Scorecard metric.
         • FY17 results indicate that visible litter is at a 7-year low

2. Adopt-a-Highway (NCDOT)
- Adoptions are limited to state maintained roads excluding interstates
- Requires 4 year commitment, 4 clean-ups per year (min)
- 2 mile minimum required for adoption
## Comparative Practices for Street Sweeping

### Street Sweeping Frequency – Local Government Survey

A 2005 survey of 120 local governments in 32 states and 4 Canadian provinces identified street sweeping frequency levels among respondents.

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Central Business District Frequency</th>
<th>Outside Central Business District Frequency</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Austin, TX</td>
<td>Monthly</td>
<td>Six times per year</td>
<td>On scheduled street cleaning week, avoid parking on streets, remove empty trash and recycling carts, and remove other obstacles such as basketball hoops.</td>
</tr>
<tr>
<td>Baltimore City, MD</td>
<td>Downtown District swept daily; Central District swept weekly</td>
<td>Monthly</td>
<td>Monthly sweeping based on four city quadrants. Parking restriction signs in place for Central District and Downtown.</td>
</tr>
<tr>
<td>City of Columbus, OH</td>
<td>Weekly</td>
<td>Recurring as-needed basis</td>
<td>Parking restriction signs in place for Downtown district and other various neighborhoods.</td>
</tr>
<tr>
<td>City of Raleigh, NC</td>
<td>Daily</td>
<td>Three times per year</td>
<td>State Streets Excluded.</td>
</tr>
<tr>
<td>City of Greensboro, NC</td>
<td>Monthly</td>
<td>Four times per year</td>
<td>State streets included in sweeping. Includes public parking lots. Service available to private developers for a fee</td>
</tr>
<tr>
<td>City of Durham, NC</td>
<td>Weekly</td>
<td>Recurring as-needed basis</td>
<td>State streets excluded. Funded by storm water fees.</td>
</tr>
<tr>
<td>City of Charlotte, NC</td>
<td>Daily</td>
<td>Recurring as-needed basis</td>
<td>State streets excluded. Street sweeping issues may be reported by calling CharMeck 311.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Requester:</strong></th>
<th>Council member Egleston</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff Resource:</strong></td>
<td>Kim Eagle</td>
</tr>
<tr>
<td><strong>Committee:</strong></td>
<td>Environment</td>
</tr>
<tr>
<td><strong>Statement of Issue:</strong></td>
<td>Loss is occurring in the City’s tree canopy due to the impacts of the aging canopy and new greenfield and infill development.</td>
</tr>
</tbody>
</table>
| **Deliverable:** | • Review the recommendations from the UDO stakeholder process that is tasked with reviewing the Tree Ordinance to ensure the recommendations are adequate given the pressures on the tree canopy.  
• Evaluate if green roofs and other unique approaches can be incorporated into the tree ordinance. |
| **Referred By:** | City Council |
| **Date of Referral:** | 3/5/2018 |
| **Overview of Work Plan:** | **Timing:**  
• This topic will be introduced into the committee this fall in conjunction with the work occurring with the Unified Development Ordinance. |
<table>
<thead>
<tr>
<th><strong>Requester:</strong></th>
<th>Council member Driggs &amp; Mayor Lyles</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff Resource:</strong></td>
<td>Kim Eagle</td>
</tr>
<tr>
<td><strong>Committee:</strong></td>
<td>Environment</td>
</tr>
<tr>
<td><strong>Statement of Issue:</strong></td>
<td>Evaluate impacts of the implementation of the Post Construction Control Ordinance (PCCO) for Storm Water.</td>
</tr>
<tr>
<td><strong>Deliverable:</strong></td>
<td>• Review the recommendations from the UDO stakeholder process that is tasked with reviewing the PCCO to ensure the recommendations are appropriate.</td>
</tr>
<tr>
<td><strong>Referred By:</strong></td>
<td>City Council</td>
</tr>
<tr>
<td><strong>Date of Referral:</strong></td>
<td>3/5/2018</td>
</tr>
<tr>
<td><strong>Overview of Work Plan:</strong></td>
<td><strong>Timing:</strong> • This topic will be introduced into the committee this fall in conjunction with the work occurring with the Unified Development Ordinance.</td>
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