

AGENDA

Meeting Type:	WORKSHOP
Date:	01/08/1996

City of Charlotte, City Clerk's Office

CITY COUNCIL WORKSHOP

Monday, January 8, 1996

Agenda

5:00 p.m. 2015 Plan Update

6:00 p.m. Dinner - *Report ON* Storm Activity

6:15 p.m. Charter Commission: 1) Consideration of December 19, 1995 Action and 2) Request by Mayor to Appoint Two New Members

6:45 p.m. Community Safety: Status of Teen Curfew Enforcement

7:15 p.m. Community Safety: Implementation of False Alarm Ordinance

7:30 p.m. Council Retreat Agenda

8:00 p.m. Adjourn

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: 2015 Plan for Charlotte-Mecklenburg

COUNCIL FOCUS AREA: The 2015 Plan will address issues in each focus area.

KEY POINTS (Issues, Cost, Change in Policy): Charlotte is in store for tremendous change in the next 20 years. Given current assumptions, an estimated 815,000 people will be living in Charlotte-Mecklenburg in 2015, that's approximately 250,000 more than today. However, there are current indications that an accelerating increase in people and jobs outside Mecklenburg is taking place.

Such trends, and the realistic assessment of the mounting problems associated with metropolitan urban sprawl and an expanding population, alert us to the fact that the changes we will experience may not be positive. If Charlotte-Mecklenburg continues to develop and urbanize without changing its current course, our long term economic prosperity and quality of life may be in jeopardy. We need only look at other major metropolitan areas ahead of us in their evolution to see how the choices these communities made or didn't make influenced their ultimate livability and competitive economic position.

Charlotte's window of opportunity for adjusting current trends and development patterns is narrowing. The decisions we make in the next decade will be critical to our ultimate urban form. The *2015 Plan* will provide the information, and begin the discussions that will help focus our attention on the most critical issues. The Plan will also help us become more strategic in putting our energy where it will make the most significant difference in shaping our future.

The *2015 Plan* document will:

- assess growth assumptions set forth in the *2005 Generalized Land Use Plan* and extend the projections to the year 2015;
- identify and clarify key community issues;
- establish/affirm goals to achieve our vision as a successful livable community in the decades ahead
- provide policy direction related to the issues and goals; and,
- link City, County, and private sector initiatives to identified community objectives.

OPTIONS: N/A

COUNCIL DECISION OR DIRECTION REQUESTED: For information only. The *2015 Plan* is part of the Planning Commission's approved work program. The completed plan is expected to be presented for Council decision during the Summer, 1996.

ATTACHMENT: *Planning the Future of Charlotte-Mecklenburg: The 2015 Plan.*

PLANNING THE FUTURE OF CHARLOTTE- MECKLENBURG: THE 2015 PLAN

PROJECT OVERVIEW

The 2015 planning process began with the production of the *2015 View* document, and will result in the Spring, in a long-range planning agenda for Charlotte Mecklenburg. Through this planning process, we will identify priority issues that must be addressed as we plan for continued economic growth and excellent quality of life in the next decade and beyond. Community goals and strategies to address these issues will also be developed as we go through the plan development process. The intended outcome of the *2015 Plan* process is consensus on a community planning agenda and implementation direction for the next decade. Shorter term action steps will also be developed, and incorporated into appropriate work plans, to address immediate priorities.

PROJECT GOALS

- *Evaluate Where We Are Going:* The *2015 Plan* process is our chance to step back from the day in, day out planning we do, and take a hard look at where we are going. Are we heading in the right direction? If yes, what do we need to continue doing? If no, what can we do to change our course?
- *Coordinate Our Work Efforts:* The *Plan* will allow us to coordinate work in the various areas we are involved -- regional considerations, growth management, economic development, transportation/transit, City-Within-A-City, neighborhoods, environment -- into a focused and integrated "big picture" agenda.
- *Gain Community Understanding and Endorsement of Planning Agenda:* Including the community throughout the plan development process will help to ensure that the *Plan* reflects a consensus on community issues.
- *Assess Previous Assumptions:* The *Plan* will assess the progress we have made on addressing key planning issues in light of change since 1985, when the *2005 Plan* was adopted. It will affirm and/or adjust growth projections, planning goals, policies, and strategies for an extended time frame (2015).

PROCESS

The 2015 planning process is designed to involve a wide cross-section of the community within a very compressed time-frame (four months). Along with community input, the process encourages involvement of City and County staff as key players in issue identification, discussion and plan development.

Major components of the *2015 Plan* development include: production of the *2015 View* document; City/County Staff Kick-Off; Community Orientation and Education Sessions; Focus Group Issue Identification Sessions; Staff Research; Staff Discussions of Focus Group Findings; Community Questionnaires; Advisory Work Group Discussions; and, Community Planning Symposium. More details on each of these components is provided below.

- *2015 View Document*: Planning staff produced this document in March, 1995. It updates growth projections to the year 2015; assesses each of the goals set forth in the *2005 Comprehensive Land Use Plan*; discusses key issues in continuing our current course of development; and, suggests goals to pursue to ensure economic competitiveness and a high quality of life. The document is designed as a discussion piece to stimulate community dialogue.
- *Staff Kick-Off*: Each City and County Department was asked to appoint a staff liaison to the 2015 project. These liaisons, along with the rest of staff, were invited to the 2015 project Kick-Off event where City and County management endorsed the importance of this project and the need for interdepartmental participation.
- *Community Orientation/Education Sessions*: Approximately 250 citizens attended orientation/information sessions to learn about the *2015 Plan* and to prepare for follow-up focus group discussions of key community issues.
- *Focus Groups*: Fourteen focus groups, moderated by an independent marketing consultant, provided the initial phase of issue identification and goal development for the *2015 Plan*. These focus groups included over 150 participants from a cross-section of the Charlotte-Mecklenburg community. Findings from the focus group discussions will guide the development of the *2015 Plan*.

Product: Summary Report Of Focus Group Proceedings/Findings

- *Research (Gap Analysis)*: As a parallel process to the 2015, information from other initiatives is being collected and analyzed. Such initiatives include the *2005 Plan*; City Council Focus Areas, County Priority Theme Areas; *2015 Transportation Plan*; *Community Sourcebook*; and, Committee of 100. The collected information will be analyzed based on issues and goals developed in the 2015 process to determine "gaps" in public and private programs which must be filled to realize the goals set forth in the *2015 Plan*.

Products: 1) Matrix of issue area/goal and related initiatives;
2) Narrative describing how each initiative addresses the identified issues
Schedule: On-going; initial draft due late January

- *Staff Discussions with Advisory Work Groups:* Discussions will be led by key planning staff to understand community issues and develop appropriate responses. Groups of citizens chosen, primarily, from each of the focus groups, will assist planning staff in refining issues and developing consensus on the priority areas.

Product: Reports Summarizing Discussion of Each Issue/Goal Area

Schedule: Reports completed by mid to late February

- *Community Questionnaires:* A questionnaire will be developed following the completion of all focus groups. The questionnaire will be distributed during early January to gauge response to issues raised in the focus groups.

Schedule: Questionnaires to be distributed in January. Results to be discussed in Staff and Advisory Work Group meetings in late January/February.

Product: Questionnaire and Summary of Responses

- *Community Planning Symposium:* A spring symposium will provide the forum to present the draft plan and to receive additional comments.

Schedule: Late April, 1996

Product: Draft 2015 Plan to include:

- Introduction: Plan Purpose and Overview of Planning Process
- Vision Statement
- Growth Estimates and Projections
- Assessment of 2005 Plan/Implementation
- Discussion of Identified Issues and Priorities
- Plan Goals and Recommendations
- Strategies/Action Agenda and Roles of Implementing Agencies
- Implementation

- *Briefings, Approval and Review:* Staff will work with the 2015 subcommittee of the Planning Commission throughout the plan development process. The Commission will also have opportunities to review, comment, and eventually approve the 2015 Plan.

City Council and County Commission will be briefed on the project in early January, 1996, and will be updated each month. Representatives from each body will be invited to participate in the discussion of issues at the Spring Planning Symposium. Following the Spring Symposium, the 2015 Plan will go through the public hearing process with City Council and County Commission. The approved 2015 Plan document will be incorporated into our work plans.

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: Consideration of December 19, 1995 Action on Composition of Charter Commission and Appointment of New Members

COUNCIL FOCUS AREA: Restructuring Government

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

- On December 19, 1995, Council discussed the composition of the Charter Commission.
- The Council voted 6-4 to appoint from 6 to 16 additional members to the Charter Commission, with an equal number appointed by the Council and the County Commission, with an amendment that they cannot come from southeast Charlotte.
- Mayor McCrory vetoed the Council action. According to Council's Rules of Procedure, vetoed items automatically appear on the next Council agenda and require seven affirmative votes to pass.
- On December 28, Mayor McCrory sent Councilmembers a memo indicating that three current members of the Charter Commission have volunteered to resign to allow more representation from across the county. Two of these members are Council appointments; one is a Mayoral appointment.
- Mayor McCrory has asked Council to appoint two new members of the Commission to replace the two members who have resigned. The Mayor will be appointing a replacement also.

COUNCIL DECISION OR DIRECTION REQUESTED: As required by the Council's Rules, Council is asked to reconsider the action of December 19. Further, Council is asked to consider the Mayor's request to appoint two new members of the Charter Commission to allow broader representation.

ATTACHMENTS: December 28 memo from Mayor to Council
Minutes of December 19 discussion

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**OFFICE OF THE MAYOR
MEMORANDUM**

December 28, 1995

TO: City Council
County Commission
Charter Commission
O. Wendell White
Gerald G. Fox

FROM: Pat McCrory *Pat*
Mayor

SUBJECT: Charlotte-Mecklenburg Charter Commission

Since I have been in office, several concerns have been expressed regarding the current representation on the Charlotte-Mecklenburg Charter Commission. As I stated during the recent City Council discussion, I, too, hoped the current commission would be more representative of the entire county, especially the West side.

In the spirit of the excellent community relations our city has enjoyed, both past and present, three current members of the commission have volunteered to resign to allow for more representation from across our county. These three are Eric Locher and Ralph McMillan (City Council appointments), and Bill McCoy (Mayor appointment). To replace these members with a wider representation, I ask that the City Council take immediate action to replace Eric Locher and Ralph McMillan at the City Council Workshop on January 8, so that these new members can attend the next Charter Commission meeting on January 11. As Mayor, I will replace Bill McCoy. I have also asked Mr. McCoy, who is with the Urban Institute, to continue attending the meetings as an ad hoc advisor to assist with methods to gather public input.

This solution achieves two goals. First, the Charter Commission will now be representative of citizens from throughout our county. Second, it avoids adding additional voting members to an already large board attempting to gather public input, seek resolutions, and make recommendations. As Mayor, I will continue to oppose any efforts to increase the size of this commission.

Again, I would like to thank Eric Locher, Ralph McMillan and Bill McCoy, and I ask that the City Council and County Commission move forward with our process to ultimately let our citizens decide our form of government for the future.

ITEM NO. 12 - DECEMBER 19TH MEETING

DISCUSSION ON COMPOSITION OF THE CHARTER COMMISSION; APPOINT ONE COUNCILMEMBER TO THE PERFORMING ARTS CENTER BOARD OF TRUSTEES.

[Motion was made by Councilmember Wheeler, seconded by Councilmember Rousso,]
[and carried unanimously, to appoint Councilmember Cannon to the Performing Arts]
[Board of Trustees.]

Councilmember Greene stated he asked that this come before Council, however the Charter Commission was constituted between the time of his election to Council and the swearing in. He said he had some real problems during the process of this Commission, based on the people who were being nominated, some of which he knows and some he does not know. He said he would not deny that all of them are honorable men and women, but what the Commission turned out does not look like Charlotte. If the Council is truly going to come up with a Charter that represents this community and is something this community wants, which they can develop a consensus around, it should be more representative of Charlotte. He believes there should be folks - and he is not talking about just black folks, but female folks, folks from west Charlotte, folks from north Charlotte, folks from the University area, etc. When he looks at this he sees 19 white men, and there are lots of honorable white men around, he sees 3 white women, and there are lots more honorable white women around, he sees 3 black males, and there are lots more honorable black men around as well as honorable black females. He said he was concerned that this represents one part of the community and does not grab the whole community and say get to work on something that will shape Charlotte for the next century. Mr. Greene said this is his concern and he would like for the Council to address this and have some discussion on those particular points.

Councilmember Spencer said she has the same concern as Mr. Greene and does not know whether trying to do anything to change the decisions the Council has made is the solution, but it seems to her the Council has learned something out of this, which is that they need to define a process for appointments, such as these, before they begin making nominations. She feels they had so many nominations for this Commission that when it came time to vote the votes created the choices they have, and as Mr. Greene said, they are all fine people, but they did not create very diverse choices. She said if the Council is going to have a report come back that has credibility with the community she believes a more diverse board will make that easier. The lesson she has learned from this is that they need to be a little more thoughtful about their process in the future for appointing people and examining what kinds of talents they have on boards and the kinds of geographic representation they have and whether they feel they are meeting the mark.

Councilmember Majeed stated he was shocked when this slate was selected, and thought something was going to be done about it. He thought an amendment was going to be made to address the issues they are discussing, but that has not come forth and he believes they need to address that. Mr. Majeed said this is something that is very important to the future of the City and County and he hopes they can get some solutions very fast.

Councilmember Scarborough stated the 19 persons which Mr. Greene referred to earlier all live in southeast Charlotte. She said if they are going to have a credible recommendation come back, they need to make this board a more diverse board.

[Motion was made by Councilmember Scarborough, seconded by Councilmember Majeed,]
[to add 16 additional members to the Charter Drafting Committee to make this a more]
[diverse board; ask the County Commissioners to appoint 7 of the 16, the Council appoint]
[7 and one would be appointed by the Mayor and one by the County Commission Chair]

Councilmember Majeed said he would second that and somehow they have got to work this out. He said they cannot undo what they have done, but he believes there needs to be some amendment to this, unless they can come up with something to give them the kind of change they need to reflect the kind of diverse situation which has been addressed.

Ms. Scarborough said one of the problems is that they do not have anyone representing the towns, except Buz Hamilton from Mint Hill. She hopes Council will consider her motion and send it to the County Commissioners for the same identical issue to see if they can get a better diverse board.

Councilmember Cannon stated he wants the public to understand that this is not a black/white issue because they want diversity, regardless of color, for consideration throughout the City. He hopes they will not just consider this for this particular board, but that they pay close attention to other boards and/or committees as they consider the same thing and look for a diverse group of people to represent the City.

Councilmember Jackson stated he would like to restate the purpose of the Commission, which is really to go out and listen to the community and report back to the Council what the community is saying. The Commission is not there to restart or come up with a new process or new Charter, but their task is to take the Charter, as it is written, and get the community's input, then based on the input, to give the Council a Charter that is reflective of that input, but still true to the principles that this process has been on from the beginning. He said the real folks this Commission is supposed to deal with is the public and the public will have the diverse opportunity to have an input. He said this committee could probably have been a lot smaller because if they do their job they will listen well and report well. When you start getting 30 and 40 people it becomes a zoo. He said he would encourage people to get informed, go to the public hearings and make sure their opinions and thoughts are heard through the public hearings. They have charged the Commission to be truthful to what the public has said to them and bring it back to the Council.

Mr. Jackson said everyone will have a say in this because in the end they will get to vote on it. There is plenty of opportunity to participate on the individual citizen level. He said regarding the practical side, if the Council is going to start this process after this body has been organized, put in place and started their meetings, now the Council is going to go back to the County Commission and ask them to do something that will probably not occur until the first of the year, if they decide to do it at all, which they are certainly not obligated to do. He said it took six months just to get an agreement on what they have now, so they are talking about delaying this three to four months. He feels by the time they could get this approved by both bodies, the Commission would already have community public hearings scheduled. This would change the entire schedule, which affects the ability to bring a conclusion, get the report to Council, get it on the ballot in November and meet all the other deadlines.

Mr. Jackson said if some members are dissatisfied they should make it up by the amount of involvement they get in the public hearings, but to redo the selection will affect the entire process and maybe kill it, period.

Mayor McCrory stated in the best of all worlds, he would like to have an extremely diverse committee regarding a lot of factors. He said he went to the meeting of the Commission last week and heard a lot of the discussion. One of things he is extremely pleased with regarding the Committee is there is an extreme diversity of opinion of people regarding the Committee. There are some extremely well qualified people with diverse backgrounds from academia to past political officials to lawyers, neighborhood activist, etc. He does wish there were more diversity regarding people from around the town, but the democratic system helped set that up. He said the County Commission decided their appointments by having each of the Commissioners appoint one person and it is interesting that some of them make appointments outside their own districts. He said that was the process that was allowed and followed. He would recommend the Council not approve the motion because it will set this back and he is pretty sure the County will not go along with this.

The Mayor said for the future, regarding committees to which they appoint a large number of people, the process is not right and they must come up with a new process. He feels this is a good issue for Council-Manager Relation Committee to deal with for future appointments to future committees. He encouraged the Council not to support this, with the understanding that they need to improve the process, and they need to proceed forward with this in order to meet the current schedule.

Ms. Scarborough stated if persons were to leave this committee, people would have to be brought up to speed and the process does not need to stop. She does not believe that appointing some additional people means that the process has to stop, it just means the people can catch up very early and keep on moving. Ms. Scarborough said if you have never walked in her shoes, how can you interpret what she means. The people who live in southeast Charlotte who will be going out to Cornelius or Huntersville, asking those people what they mean and interpreting it for them, cannot be done effectively because they have not walked in those folks shoes and have not live in those areas. She asked why not slow the process down because this is going to affect the people for the rest of their lives. If it means slowing the process down and doing it right, they have done it many times for many other things they have done in this Council Chamber. She said she is not suggesting they slow the process down, but maybe adding 16 members is not the right number, but they add some numbers to see diversity and ask that these people come on. She is sure the County Commission has noticed that this committee is not diverse, just as the Council has, and thinks they will be more than willing to appoint some additional people.

[Ms. Scarborough amended her motion by taking the number out and say they would add]
[some additional people to this committee.]

Mr. Greene said a phrase has crept into the language of the budget negotiations in Washington called "the train wreck" and maybe it is time for a train wreck here in terms of stopping this process. He said he could appreciate what Mr. Jackson is saying, but at this point the people on his side of town are not trusting the process and are not trusting somebody to filter what they have to say back to anyone because it has been filtered wrong for so long. He said they are talking about recreating Charlotte/Mecklenburg government and hopefully they will not have to do that for a very long time again. He does not see any problem with either slowing down the process and let them constitute it fairly in order to have a fair result. He believes it is necessary to do something and if Ms. Scarborough's suggestion is what they have on the table, then do that to make sure they will gather the consensus necessary to have an effective government.

Councilmember Reid said he could not support putting on 7 or 14 additional members and does not know what the correct number is, but does think they should be sensitive to the concerns expressed regarding this issue. He does not want to slow the process and wonders if they asked the Mayor to talk with the Chair of the County Commission and each of them (Mayor and Chair of Commission) appoint two people for a total of four. He said this would not increase it too much, but would go toward helping relieve the problem and would not slow anything up, if the Chair of the County Commission would agree and they would not have to wait on anything. It could just be done, because the vote on the County Commission could not be done until early next year.

Mayor McCrory stated he had discussed this concern with the Chair of the County Commission in an informal conversation. He said the Chair of the County Commission is against this process to begin with and wants to stop it at any point. If this would help stop the process, she would be glad to have an amendment come to the County Commission because they would love to have an attempt to stop this process from proceeding. He said that is the feedback he has received and he has talked with other members of the County Commission also and there may be one or two members who are considering not attending for several reasons.

Mayor McCrory stated the numbers regarding minorities, there are three minorities on the Commission and according to the county population, to make it equal to the population would make the number go to five.

Mr. Greene said minority, meaning black, to which the Mayor said yes, so they would be talking two to three additional people.

Mayor McCrory stated he went to the meeting last week and heard the diversity of opinion and discussion, including one of his own appointments, Jim Ross who is a minority. He said there is extreme diversity regarding party affiliation between Democrats and Republicans and in talking with Mayor Vinroot, he said he was more sensitive to that issue, trying to be sure there was no accusations of partisanship when making his appointments.

Mr. Jackson stated in the end both the County Commission and the City Council will vote on whatever is brought back, so if they disagree with the interpretation, because of where they live or the district they represent, did not get a fair hearing or is not fairly represented they have the chance to make a decision to change the document or kill it or whatever. He said the Council it supposed to be diverse geographically.

Mr. Reid stated some of the Councilmembers are very much in favor of consolidation in some form and is not sure he is. For those who are in favor of it, he would say they should be in favor of changing this a little so when it comes back there will be no reason for it to be killed because of that. Since he is opposed to it he hopes they do not change it so it will be another reason to oppose it when it does come back.

Mayor McCrory stated there are similar opinions on the other side who feel the same way and want to change it so they can kill it. He said he would like for the process to continue.

Ms. Spencer asked the City Attorney to clarify what the Charter Commission will bring back and what role the Council will have in changing what they bring back to the Council.

City Attorney, Mac McCarley, stated he did not recall the exact answer to that question.

Deputy City Manager, Pam Syfert, stated the charge which the Charter Commission has is pretty much like Mr. Jackson said. They are supposed to go out and have public hearings, some that will be televised, they are to take the input they get from the citizens and make any changes to the draft charge, that are appropriate, as defined by the citizen input and then bring back to Council their recommendations on a change to the Charter. Both the County Commission and the City Council has to approve the same Charter that would go to the voters.

Ms. Spencer asked if the Council has to approve the Charter the Commission brings back, to which Ms. Syfert said no, but the reality of it is that they would bring back to the Council a proposed change to the Charter only if they got enough input from the citizens that this was something the citizens wanted. She said the Charter Commission cannot set a referendum until they have a Charter that would go before the public.

City Manager, Wendell White, asked Ms. Syfert if she would speak to the membership? He said as he recalls there were three different combinations of the number and where the members of the new governing board would be.

Ms. Syfert stated there are three different choices that are before the Charter Commission, and this will be something that goes out to the public for their input. There was the original principle one which had 8 districts and 3 at large, there was a proposal for equal districts and equal at large, which was the new government that would have 18 members, then there was the 6/6 proposal. There were three different proposals for how the government would look. Those would be part of the public hearing process and the Charter Commission would be charged at hearing what the citizens had to say and coming back with a recommendation to Council and the County Commission on that form of government. She said the Council does not have to accept what the Charter Commission brings back to them.

Councilmember Rousso stated he would like to amend the motion as stated by Ms. Scarborough to be as follows: up to 16 new members rather than a flat 16.

Ms. Scarborough stated she would accept Mr. Rousso's amendment.

Mayor McCrory stated he needed more clarification on what up to 16 means, to which Mr. Rousso said it was from 1 to 16.

Mr. Greene stated he would ask that they put a floor on that, which could be 6 with 3 apiece.

Mayor McCrory stated he hears the motion but has not idea how to explain it.

Ms. Scarborough stated the motion is as it has been amended, they would appoint from six to 16 members, meaning that the County Commissioner would appoint an equal number to Council.

If there are six members appointed, three would be appointed by the County Commission and three would be appointed by Council. If the number is 16, it would be 8 by each body. She feels the motion is very fair and hopes the Council will approve this and hopes the Mayor will not veto it and allow it to pass.

Mr. Jackson said if these six people are added and they are all happen to be white males from southeast Charlotte, would they add six more later or are they going to set a criteria. He asked how they are going to instruct the County Commission to do their selection to meet the desires of Council?

Ms. Scarborough stated she is asking that they not appoint anyone from southeast Charlotte.

Mr. Jackson asked Ms. Scarborough if she wanted to amend her motion so that no white males from southeast Charlotte would be included?

Ms. Scarborough said she wanted to amend the motion to say that no one from southeast Charlotte would be included, period.

Mr. Jackson said he would make sure the voters in his district understand that.

Ms. Scarborough stated they need people from other areas of Charlotte, other than the southeast, such as north and west and east.

Mayor McCrory asked the seconder of the motion if he will accept this last amendment to Ms. Scarborough's motion, to which Mr. Cannon said yes. (Mr. Cannon did not second the motion, Mr. Majeed seconded it).

Mr. Majeed said 6 is a number they are comfortable with so let's say 6 and go from there. He asked Ms. Scarborough if that is all right with her?

Ms. Scarborough said that is all right.

Mayor McCrory stated they have a motion and have had four different amendments.

Councilmember Baker stated he believes their operating rules say that when each Councilmember has had an opportunity to speak that they can call for the question, which he does.

Ms. Scarborough restated the motion - from 6 to 16 be appointed by the County Commissioners and the Council, with the amendment that they cannot come from southeast Charlotte.

The vote was taken on the motion and was recorded as follows:

YEAS: Councilmembers Cannon, Greene, Majeed, Rousso, Scarborough, and Spencer.
NAYS: Councilmembers Baker, Jackson, Reid and Wheeler.

Mayor McCrory stated he would veto this action which means this matter will be on the agenda at the next meeting for another vote.

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: Six Month Report on Enforcement of Child Protection Ordinance

COUNCIL FOCUS AREA: Public Safety

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

- First six months of enforcement have gone well.
- There have been 302 violations of the ordinance.
- There appears to be a high level of voluntary compliance with the ordinance.
- There have been no problems with locating responsible adults or increasing the workload for the Department of Social Services.
- Most curfew violations do not appear to be the result of child neglect.

OPTIONS:

COUNCIL DECISION OR DIRECTION REQUESTED: This item is for Council information only; no action is necessary.

ATTACHMENTS: Six Month Report on Enforcement of Curfew Ordinance

CHILD PROTECTION ORDINANCE
SIX MONTH UPDATE

Attached is an update on the first six months of the enforcement of the Child Protection Ordinance which was approved by City Council in February, 1995. Enforcement of the ordinance began May 15, 1995 after all police officers were trained in the legal and operational aspects of the ordinance.

The primary purpose of the Child Protection Ordinance is to reduce the opportunities for young people age 15 and under to become victims of crime or to become involved in situations where they might be exposed to criminal activity. The intent of the ordinance is to remove young people from "harm's way."

It is far too early to make any definitive judgments on whether or not the ordinance is effective but the first six months of enforcement have gone extremely well. During the first six months:

- There appears to be a high level of voluntary compliance with the ordinance.
- There have been no documented complaints regarding the enforcement of the ordinance.
- There have been no problems with locating responsible adults to take custody of curfew violators and there has been no negative impact on the resources of the Department of Social Services.
- Most parents whose children have been returned to the home by police officers have seemed grateful for the intervention.
- Police officers have accepted the ordinance as another tool to assist in developing positive interaction with youth.
- There has been some displacement of late night youth activity into the unincorporated areas of the County since the County Commission has not passed a similar ordinance for Mecklenburg County.

So far, most of the assumptions about the ordinance appear to have been correct. Violations occur in all parts of the city and appear to follow seasonal trends with a substantially higher number of violations during the summer months when school is out and the weather is warm. In November, there has been an average of one violation per night.

Council will receive a comprehensive report on the first full year of enforcement of the Child Protection Ordinance after May 15, 1996. This interim report contains:

- Facts and Figures on the Child Protection Ordinance
- Graphs Depicting Curfew Violations by Gender, Race and Patrol District
- Data on Offenses, Victims and Arrests for Youth Ages 15 and Under During the Restricted Hours
- Summary of Child Protection Ordinance Violations by Age, Race, and Gender
- Map with the Distribution of Curfew Violations in Charlotte

CHILD PROTECTION ORDINANCE
FACTS AND FIGURES

There have been 302 violations of the Child Protection Ordinance since enforcement began on May 15, 1995.

217 of the violators of the ordinance were male; 85 were female.

Most of the curfew violators (275 of 302) were between the ages of 13 to 15. The youngest violator was a six-year old girl out with a sibling who was also under age. The two did not meet any of the twelve exceptions outlined in the ordinance.

41.7% of the curfew violators were white; 54.3% were Black. The remaining 4% of the violators were Asian or Hispanic.

Curfew violations are spread fairly evenly over the twelve patrol districts. One exception is the Baker Two District which has had a large concentration of violations at the Arboretum. Another is the Charlie One District which has had only 1% of the violations due to the fact that most of the district is in the unincorporated area of the County.

108, or approximately a third of the curfew contacts, were generated as a result of 911 calls to the Police Department, an indication that there is a substantial level of citizen awareness of the ordinance.

On average, most curfew violators are less than 2.5 miles away from home.

Half of the curfew violators (152 of 302) come from single parent households.

Arrests of youth ages 15 and under for violent crime declined 37.5% during the restricted hours of 11:00 p.m. to 6:00 a.m. Arrests for burglary, larceny, vehicle theft, and arson declined 30.3% for the target age group during the restricted hours. Arrests for part two offenses such as non-aggravated assault, drugs, and disorderly conduct increased 63.3% for the target age group during curfew hours. All comparisons are with the same six month period in the previous year.

There was an 18.4% reduction in the number of youth under the age of sixteen who were the reported victims of violent crime during curfew hours when compared with the same period in the previous year. Youth victimization in property crimes and part two offenses rose 16.7% and 19.3% respectively.

For those reported crimes that occurred on the street, there was a 21.3% reduction in crime for the target age group during curfew hours as compared to the same period last year.

Nine of the violators of the Child Protection Ordinance had been victims of a crime at the time that they were picked up for the curfew violation.

There have been very few problems in locating responsible adults to take custody of the juveniles picked up under the ordinance. The longest period of time that a child remained in police custody was four hours. In that case, a youth from Columbia, South Carolina had told his mother that he was camping out with a friend down the street. He and the friend, who was sixteen, had then driven to Charlotte to attend a party. The mother drove to Charlotte to pick up the youth as soon as she was contacted by police. The Police Department had originally planned to keep an officer on duty at the Naomi Drenan Center to take custody of curfew violators if an adult could not be located but that has not been necessary.

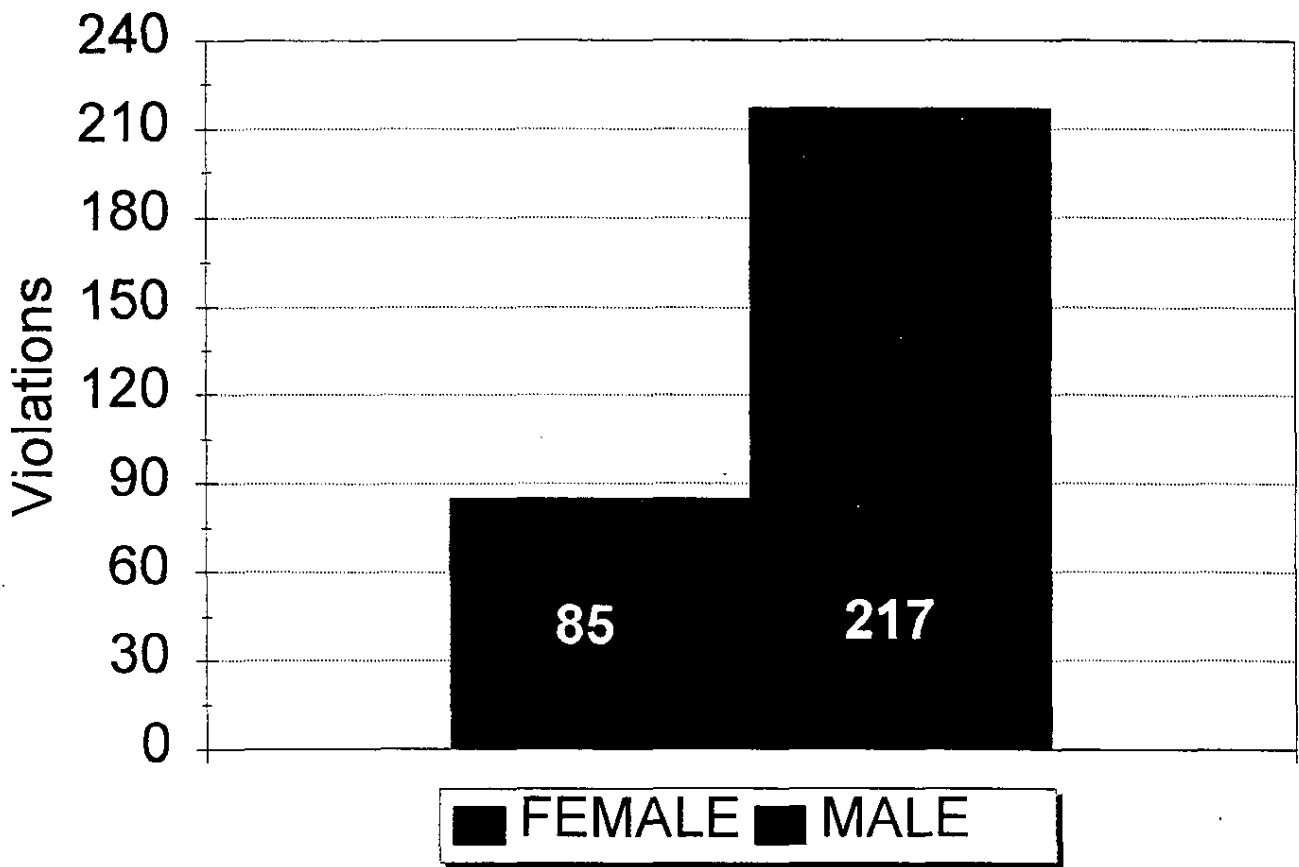
Only six cases have been referred to the Department of Social Services as a result of the ordinance and DSS has taken action in four of the six cases. It appears that the majority of the curfew cases are youth that have slipped out of the house without the knowledge of the parent as opposed to cases where there is evidence of serious neglect. Parents have seemed genuinely grateful that an officer returned the child safely to the home.

Three youths have been formally charged with curfew violations as a result of having violated the ordinance three or more times. None of the cases has been adjudicated in court. Two adults have been charged under the ordinance; one a parent, the other a babysitter. The babysitter had taken two children, ages 8 and 11, to a local bar where she left them in the car while she was inside the bar. A police officer found the children in a car in the bar's parking lot at 1:00 a.m., located the babysitter, and charged her with a violation of the ordinance. The case was dismissed in court.

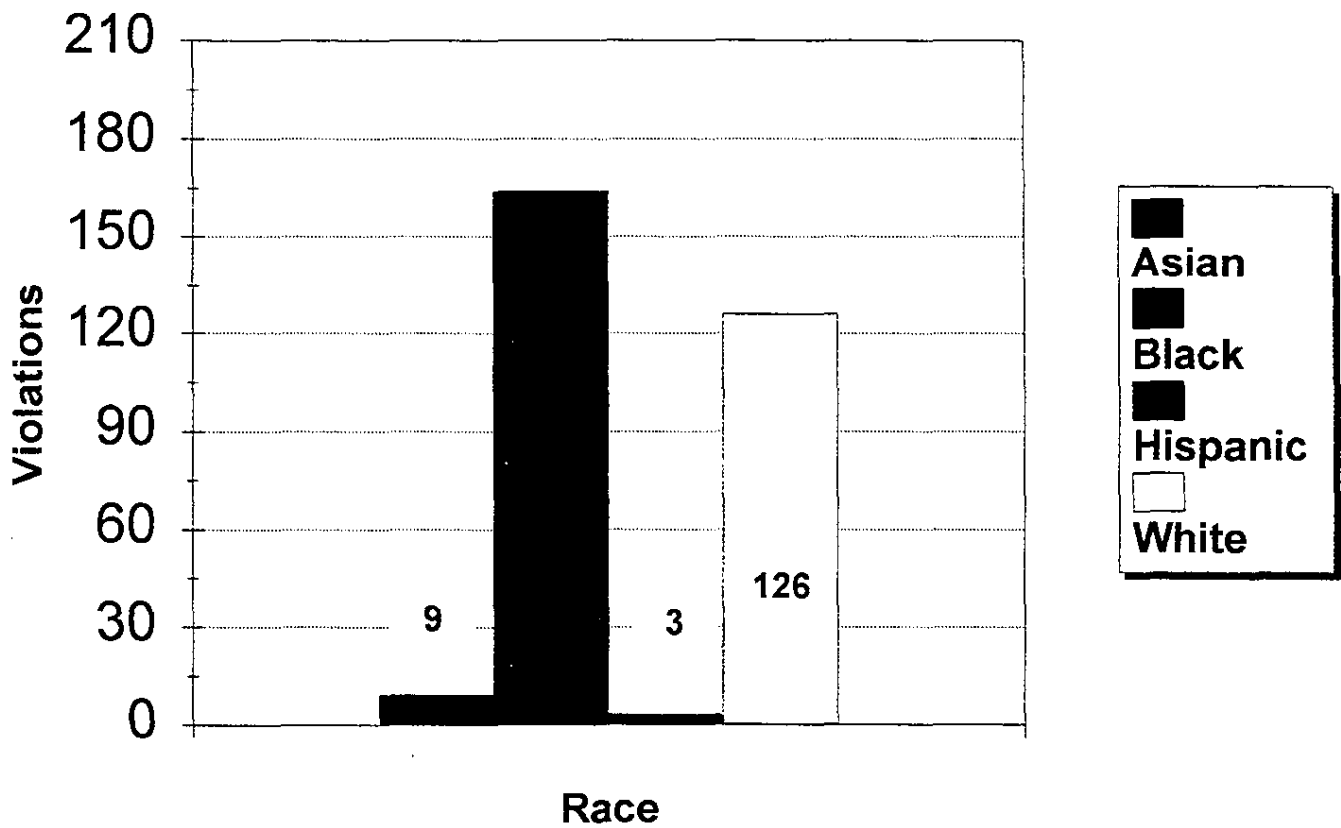
One youth has been charged with five violations of the curfew ordinance. His father has been arrested 39 times and his mother is addicted to crack cocaine. The youth himself has been arrested six other times, including two felony arrests. He was taken into court with a primary charge of auto theft and a secondary charge of a curfew violation. He was placed in a group home but ran away from that facility. Police were able to obtain a secure custody order for the juvenile and have targeted this child as one of the first youth to be included in the SHOCAP Program. Under this program, he will receive coordinated intervention from police, the courts, and social services agencies. This is one example of how the Child Protection Ordinance assists police in intervening in the life of a child.

Curfew Violations By Gender

May 15, 1995 to November 30, 1995

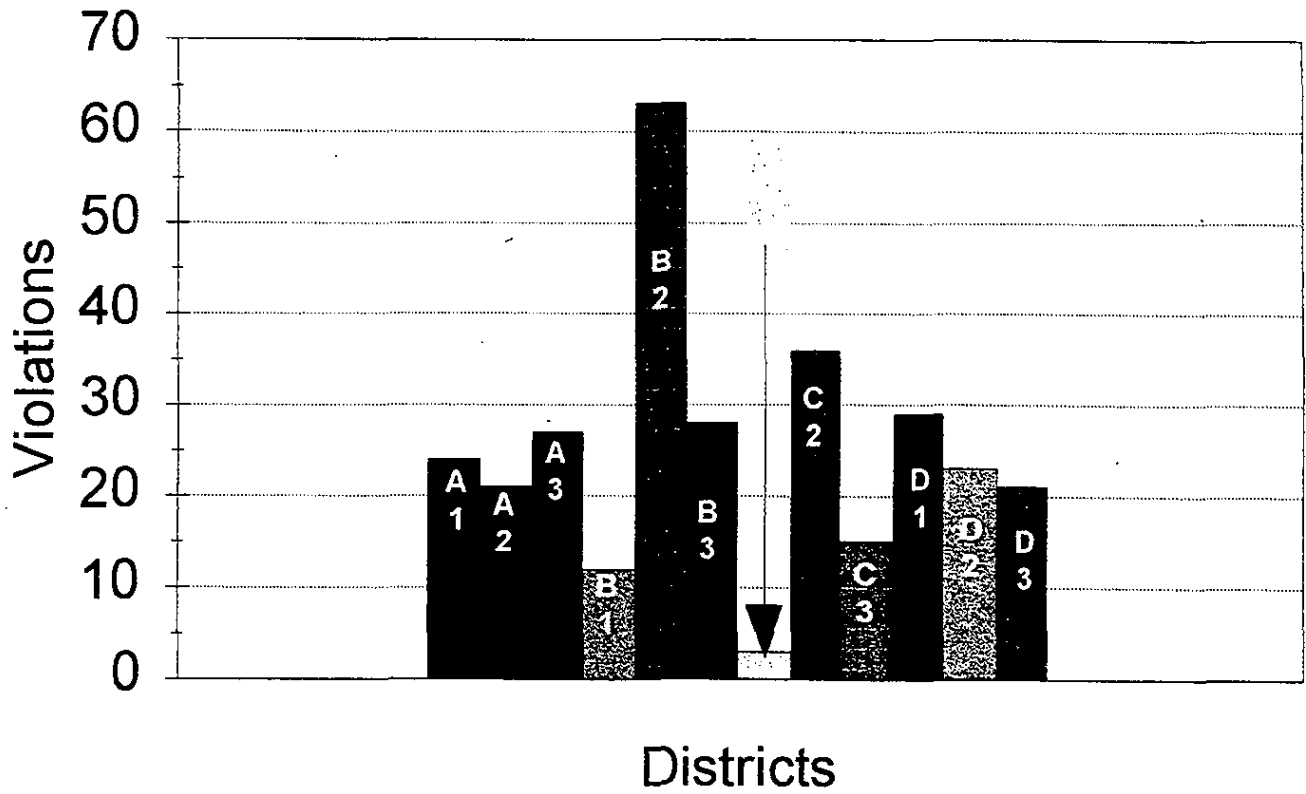


Curfew Violations By Race May 15, 1995 to November 30, 1995



Curfew Violations By District

May 15, 1995 to November 30, 1995



**Juvenile Arrests Reported to the Charlotte-Mecklenburg Police Dept.*
May 15-Nov. 30, 1994-1995**

Juvenile Arrests (by UCR category)**:	May 15 - November 30, 1994		May 15 - November 30, 1995		% Change in No. Reported to Police between 11PM and 6AM
	Total No. of Arrests	No. Arrests Reported between 11PM and 6AM	Total No. of Arrests	No. Arrests Reported between 11PM and 6AM	
Homicide/Manslaughter	1	0	3	0	NA
Rape	3	0	6	1	NA
Robbery	33	5	24	1	-80.0%
Aggravated Assault	69	3	58	3	0.0%
Violent Index Total	106	8	91	5	-37.5%
Burglary	65	6	55	2	-66.7%
Larceny	349	21	377	18	-14.3%
Vehicle Theft	55	6	36	3	-50.0%
Arson	20	0	5	0	NA
Property Index Total	489	33	473	23	-30.3%
Non-aggravated Assault	371	15	398	33	120.0%
Fraud	5	0	3	3	NA
Embezzlement	2	1	1	0	-100.0%
Stolen Property	36	8	25	5	-37.5%
Vandalism/Damage to Pro	77	7	72	6	-14.3%
Concealed Weapon	16	2	15	2	0.0%
Prostitution/Vice	0	0	1	1	NA
Sex Offense	8	0	6	0	NA
Indecent Exposure	3	0	1	0	NA
Drugs: Manufacture/Sale/D	25	2	24	2	0.0%
Drugs: Possession	64	6	75	12	100.0%
Gambling	0	0	0	0	NA
DWI	0	0	1	1	NA
Liquor Violation	3	0	6	2	NA
Disorderly Conduct	185	4	125	9	125.0%
Trespass	53	4	55	3	-25.0%
Other Statute/Ordinance	289	24	323	45	87.5%
Traffic	27	6	26	5	-16.7%
Part 2 Arrest Total	1164	79	1157	129	63.3%
Total-All Categories	1759	120	1721	157	30.8%

*Totals in this chart include juvenile arrests made in Mecklenburg County made by any agency and listed in the Charlotte-Mecklenburg Police Department automated records system.

**Note: Arrests are classified by the highest charge, according to the guidelines of the Uniform Crime Reporting Program (UCR).

**Offenses with Primary Victim under 16 years of Age (Juvenile)
Reported by the Charlotte-Mecklenburg Police Dept.*
May 15-Nov. 30, 1994-1995**

Offenses with victims under 16 of age (by type of crime):	May 15 - November 30, 1994		May 15 - November 30, 1995		% Change in No. Reported to Police between 11PM and 6AM
	Total No. of Cases	No. Reported to Police between 11PM and 6AM	Total No. of Cases	No. Reported to Police between 11PM and 6AM	
Homicide/Manslaughter	0	0	0	0	NA
Rape	30	4	41	4	0.0%
Robbery	49	10	67	8	-20.0%
Aggravated Assault	361	35	291	28	-20.0%
Violent Index Total	440	49	399	40	-18.4%
Burglary	9	3	21	6	100.0%
Larceny	248	7	260	8	14.3%
Vehicle Theft	2	2	2	0	-100.0%
Arson	1	0	0	0	NA
Property Index Total	260	12	283	14	16.7%
Non-aggravated Assault	710	51	790	53	3.9%
Fraud	1	0	0	0	NA
Embezzlement	0	0	0	0	NA
Vandalism/Damage to Property	11	1	10	0	-100.0%
Sex Offense	200	8	149	19	137.5%
Indecent Exposure	16	0	14	1	NA
Offense against family	129	14	176	22	57.1%
Other offenses	105	14	105	10	-28.6%
Part 2 Offense Total	1172	88	1244	105	19.3%
Total-All Offenses	1872	149	1926	159	6.7%

*Note: Offenses are classified by the highest charge, according to the guidelines of the Uniform Crime Reporting Program (UCR). Totals in this chart include only cases reported in the jurisdiction covered by the Charlotte- Mecklenburg Police Department.

**Offenses and Non-criminal Incidents with Juvenile Victims*
Reported Between 11PM and 6AM by Type of Crime and Location of Incident
May 15-Nov. 30, 1994-1995**

Location Type Listed on Report	May 15-Nov. 30	May 15-Nov. 30	% Change
	1994	1995	
Single Family Dwelling**	124	146	17.7%
Multifamily Dwelling**	75	104	38.7%
Other Housing Type**	9	13	44.4%
Public Building	4	4	0.0%
Commercial Building	7	16	128.6%
Total Inside Building:	219	283	29.2%
Vehicle Lot/Structure	6	6	0.0%
Property Outside a Dwelling	10	14	40.0%
Property Outside a School	0	2	NA
Public Park/Playground	1	3	200.0%
Other Outside Area	44	23	-47.7%
Total Outside Areas:	61	48	-21.3%

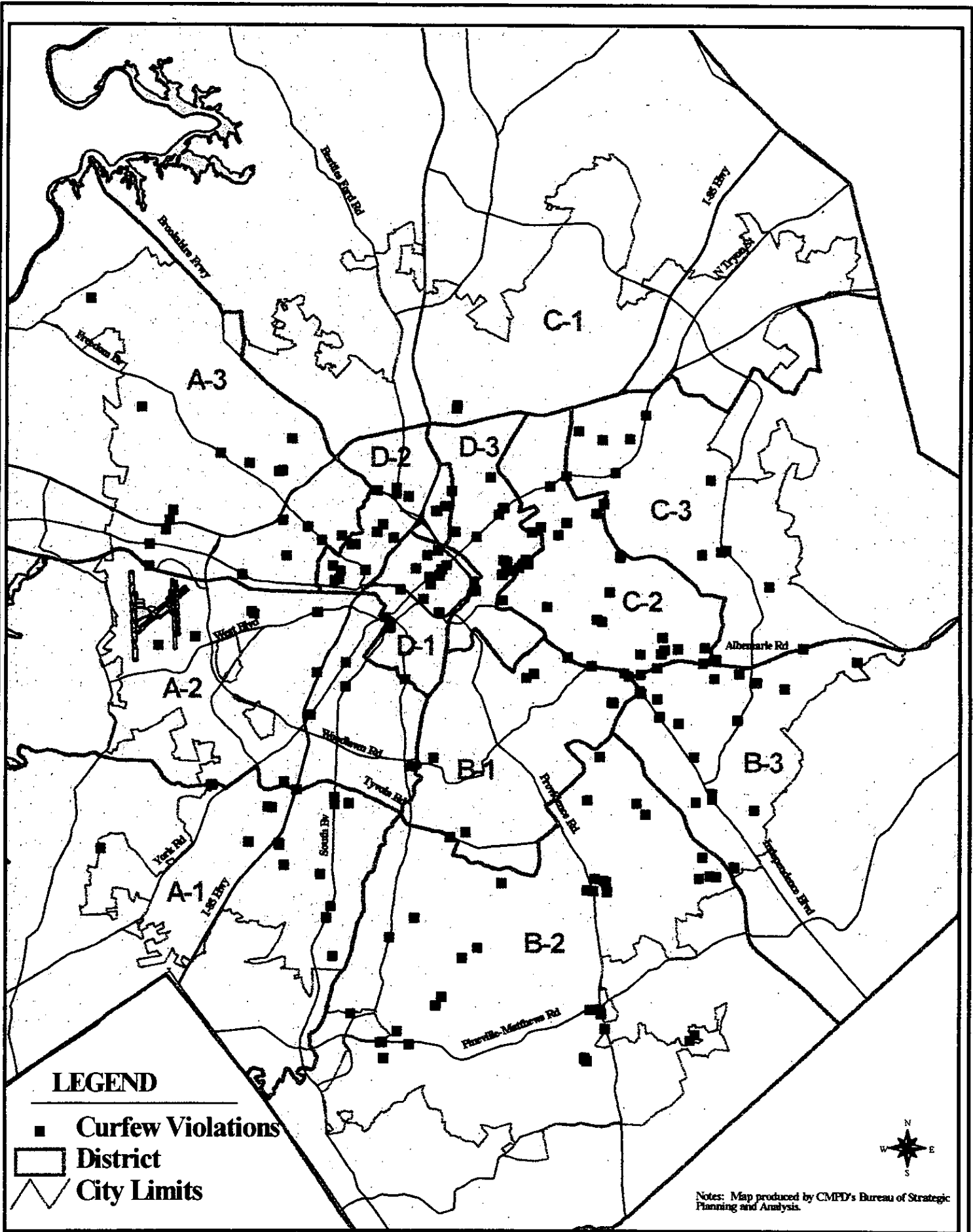
*Totals in this chart include only cases reported in the jurisdiction covered by the Charlotte- Mecklenburg Police Department. Non-criminal incidents such as missing persons are also included in these totals.

**This does not specify whether the victim lived in the same residence as the location of the offense. Also, some cases involve a first meeting with the suspect at another location. For example, the victim may have met the suspect on the street and then been taken inside the structure (dwelling, business, etc.) where an assault took place.

**Youth Protection Ordinance
Violations by Race/Gender (Summary)**

20-Dec-95

Race	Female	Male	Total
Asian	2 2.35%	7 3.23%	9 2.98%
Black	39 45.88%	125 57.60%	164 54.30%
Hispanic	1 1.18%	2 0.92%	3 0.99%
White	43 50.59%	83 38.25%	126 41.72%
Grand Total:	85	217	302



Distribution of Curfew Violations in Charlotte, North Carolina

COUNCIL WORKSHOP AGENDA ITEM SUMMARY

TOPIC: Update on False Alarm Ordinance

COUNCIL FOCUS AREA: Public Safety

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

- In July 1995 Council approved the False Alarm Ordinance.
- There will be approximately 90,000 alarm calls in 1995 with at least 98.5% for false alarms.
- This ordinance is intended to promote responsible use of alarm systems and to reduce the number of false alarm calls that police must respond to.
- The ordinance requires the registration of all alarm systems; sets up a graduated series of fines for each false alarm, beginning with the third false alarm in the permit year; and establishes a penalty for failure to register an alarm system
- Alarm billing and tracking system has been outsourced to a private company, EDS, which will recover its costs through the fines and penalties generated by the ordinance as opposed to direct payment by the City.
- EDS and the City will begin a massive public education effort around February 15.
- Police officers will receive training on the ordinance prior to the anticipated May 1, 1996 implementation date.
- County and Mint Hill asked to pass similar ordinances for uniformity throughout the Police Department's jurisdiction.

OPTIONS:

COUNCIL DECISION OR DIRECTION REQUESTED: This item is for Council information only; no action is necessary.

ATTACHMENTS: Status Report on False Alarm Ordinance

IMPLEMENTATION OF FALSE ALARM ORDINANCE

INTENT OF ORDINANCE

- To reduce the number of false alarm calls that require a police response and divert police resources from more pressing community priorities.

- To promote the responsible use and maintenance of alarm systems.

STATISTICAL BACKGROUND

- The Charlotte-Mecklenburg Police Department will receive approximately 90,000 alarm calls in 1995. At least 98.6% of these calls will be for false alarms. These percentages are consistent throughout the department's jurisdiction.

KEY PROVISIONS OF THE ORDINANCE

- The ordinance requires that all residential and commercial alarm systems be registered with the City and that the owner display a decal showing that he has a permit for the alarm system.

- The ordinance allows two free false alarms per system per permit year and then establishes a series of graduated penalties beginning with the third false alarm. Penalties begin at \$50.00.

- The ordinance establishes a civil penalty of \$100.00 for failure to register an alarm system.

ADMINISTRATION OF THE ALARM TRACKING AND BILLING SYSTEM

- The alarm billing and tracking system has been outsourced to Electronic Data Systems (EDS) which will handle all of the registration of alarm systems, tracking of false alarms, and billing and collection of fines and penalties.

- EDS will recover its costs through a designated share of the fines and penalties generated by the ordinance over the seven year life of its contract with the City. The City will have no direct costs for the implementation of the billing and tracking system.

- The Police Department has designated a police officer as the Alarm Systems Coordinator. This officer will act as the City's liaison with EDS and will handle all appeals of fines as designated under the ordinance's appeals process. Salary for the

Alarm Systems Coordinator will be paid by EDS.

PUBLIC INFORMATION CAMPAIGN

- The City and EDS will begin a massive public education campaign around February 15.

- The public information campaign will use both electronic and print media and will make use of all of the City's routine vehicles for information including inserts in water bills, information on the Government Channel, Police Beat Live, and City publications.

- There will also be public service announcements and billboards.

- Alarm companies will distribute information packets to their current subscribers and will distribute registration forms with the sale of each new alarm system.

POLICE TRAINING

- All police officers will be trained in the legal provisions of the ordinance as well as the operational procedures to be followed by the Police Department in enforcing the ordinance. A training team, headed by the Alarm Systems Coordinator, is being established to conduct the training and make presentations to any group requesting them.

COORDINATION WITH COUNTY AND MINT HILL

- The County Commission has been asked to pass a similar alarm ordinance and the same request will be made of the town of Mint Hill. This would insure consistent handling of false alarm calls throughout the Police Department's jurisdiction and help to achieve the goal of better utilizing police resources.

IMPLEMENTATION DATE OF ORDINANCE

- The anticipated implementation date for the false alarm ordinance is May 1, 1996.

***COUNCIL WORKSHOP
AGENDA ITEM SUMMARY***

TOPIC: Council Retreat Agenda

KEY POINTS (Issues, Cost, Change in Policy): Review the proposed retreat agenda; add or delete any issues for discussion; review the questions under each issue for discussion

COUNCIL DECISION OR DIRECTION REQUESTED: Approval of the retreat agenda

ATTACHMENTS: Proposed Agenda

City Council Retreat
AGENDA
Thursday, February 8 - Saturday, February 10
Pine Crest Inn, Tryon, NC
PROPOSED

Thursday, February 8, 1996

- 5:30 p.m. Arrive (Check In Available at 3:00 p.m.)
- 6:30 p.m. Social
- 7:00 p.m. Dinner
- 8:00 p.m. Opening remarks by Mayor and Retreat Planning Committee
- 8:30 p.m. Discussion of Policy Issues and Priorities

"If you could accomplish your goals over the next two years, with no restrictions, how would the City be different or change?"

(This is an informal session designed to outline vision statements.)

Friday, February 9, 1996

- 7:45 a.m. Breakfast
- 8:30 a.m. Review Picture of the Future (Attachment #1)

Ask if there are changes to the Picture

How do we proceed with consolidation; functional and political?
Should there be competition in Police and Fire services?
Should all City services be put up for bid?

Present material from last year's retreat and a picture of the future with staff questions.

(Allocate 30 minutes for staff presentation; 30 minutes Council discussion)

Council Action: Approve the picture of the future as the framework for policy and management decision making.

10:00 - 10:15 a.m. Break

10:15 a.m. Review of Council Focus Areas

Ask for each focus area:

"Is this a priority for local government planning and action?"

"Are the goals consistent with the picture of the future?"

"What is the role of the city in the plan or in action steps - Leader? Partner? Broker?"

"What are the priority action steps in the focus plan? What successes do you want to see in 2 years?"

The material will include the focus books; the staff will prepare an evaluation of the plans and action steps that should be reviewed by Council prior to the retreat.

(Allocate 15 minutes for each focus area presentation; have Committee Chair lead the presentation; Council discussion for each area - 30 minutes.)

Discuss Public Safety, CWAC, Economic Development

Council Action: Approve the continuation of the focus area as a community plan; approve or amend any action steps.

12:30 - 1:30 p.m. Lunch

1:30 - 2:15 p.m. Continue Focus Area Plan discussion

Discuss Transportation

2:15 - 3:00 p.m. Break

3:00 p.m. Continue Focus Area discussion

Discuss Restructuring Government

"Are the strategies in Restructuring Government consistent with Council policies? the picture of the future?"

"Are the financial and budgetary goals consistent with Council's program and fiscal objectives for the next fiscal year?"

"What are Council's expectations for the Capital Program?"

Presentation will include 4 year financial projections (FY94-FY97); report from Revenue Committee; 2nd year Operating Budget and Capital Budget/Planning Process. Allocate 45 minutes for staff presentation and 75 minutes for Council discussion.

5:00 p.m.	Free Time
6:00 p.m.	Social
6:30 p.m.	Dinner
7:30 p.m.	Fireside Conversation

Saturday, February 10, 1996

7:45 a.m.	Breakfast
8:30 a.m.	Discussion of any additional Focus Planning Effort
	"Are there other community plans that Council would like to develop?"

Presentation will include a neighborhood problem solving model (30 minutes), including information on the storm water utility needs and financing.

(At Workshop, determine if any other topics are to be added.)

Council Action: Request the City Manager to prepare a needs analysis for any new focus area.

10:15 a.m.

Break

10:30 a.m.

Discussion of Coliseum Issues

12:30 p.m.

Lunch

1:30 p.m.

Wrap Up

"Does the City Manager have sufficient direction for the focus plans and the Operating and Capital Budgets?"

Mayor to conduct this session (1 hour)

2:30 p.m.

Adjourn

Notes:

Prior to retreat:

- 1) Brief new Councilmembers on Focus Plans and prior year financial projections.
- 2) Brief Council Committee Chair on Focus Plan issues for discussion.