



CHARLOTTE

Committee Chair Updates

Sept 8, 2020

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Committee Members: Ed Driggs (Chair), Julie Eiselt (Vice Chair), Dimple Ajmera, Malcolm Graham, and Renee Johnson

Committee Purpose Statement: The committee reviews and recommends policies to ensure the city has a strong and sustainable financial plan and maintains operational efficiency and effectiveness.

Committee Chair Update: The committee last met on August 18, 2020 and discussed the following:

- **Overview of Current Code of Ethics Policy**

Chairman Driggs discussed the need to improve the city's Code of Ethics Policy and process for addressing potential conflict of interests. Vice Chair, Eiselt made a motion: Recommend to full Council a change in policy language so that the word "investigator" in Sections D 1c, 2a, and 2b would be replaced with "independent outside council". Council member Graham seconded the motion. This change in language would indicate that the subject of a complaint is under review rather than under an investigation and to prevent abuse of the process. The motion passed; four council members voted yes (Eiselt, Graham, Johnson and Driggs), Council member Ajmera recused herself. Driggs addressed, Eiselt's and Johnson's concern about if the motion would retroactively address complaints or only address future complaints by stating that this would be determined in a future meeting if full council adopts the amended policy. Driggs asked that the committee staff to be prepared to frame a discussion regarding conflict and complaints policy at the next meeting.

- **Police Budget Review by Services Area**

Budget Director, Ryan Bergman, discussed how resources are being used in the Charlotte-Mecklenburg Police Department (CMPD) to promote safe communities and decrease violence in the city. Bergman presented a visual tool for how the police budget is organized to aid in the committee's referral. He also provided context around CMPD's share of services in Charlotte and Mecklenburg County. Sixty-four percent of residents' property tax bill goes to the County and 36 percent goes to the city, each are in charge of specific services. The County is responsible for services such as education, social services, public health and County Detention while the city services include the responsibility for police, fire, transportation, housing and solid waste.

In the presentation, the Budget Director recommended breaking out 911 and Animal Care from the rest of the Police budget because they are effectively standalone services. He also recommended breaking out School Resource Officers and Charlotte Aviation Police Officers because they are costs that are reimbursed and are not paid by City of Charlotte property taxes. The remainder of the budget was broken down into spending categories, with 86 percent part of personnel services, benefits, and insurance.

Out of the \$34.94 million in the operating budget for non-personnel, \$23.97 million is the amount that the department has true discretion for after accounting for things such as rent and internal technology charges. This \$23.97 million was broken down into 8 categories. Chairman Driggs asked where in the budget funding for things such as weapons would be and Bergman replied that these would be included under Department Supplies/Equipment. Chairman Driggs suggested that this would be one area to examine more closely given past considerations. Council Member Winston later also requested additional information on these expenses.

Bergman then talked about personnel allocations within CMPD. Out of 1,854 sworn officer positions, 1,425 are assigned to patrol divisions, 234 to investigative services, 106 to administrative support/leadership, and 89 to special services. A map with the allocation per patrol division was presented. Bergman then presented CMPD budget allocations outside of the General Fund, including grant programs, asset forfeiture funds, and capital investment plan items.

Council Member Watlington stated that she would like to couple the budget information and overhead to the organization's structure. She would like to have a better understanding of: overtime and the relation to response times and other performance measures; and police officer tasks to get an assessment of what may or may not warrant a sworn officer response to potentially achieve budget savings. Council Member Watlington also recommended researching if leveraging scale with procurement, not just within CMPD, but among other departments would result in savings. Chairman Driggs stated that coordination with Safe Communities in the future will be important to tie budget information with the policies and procedures that committee is working on.

- **Violence Prevention Data Matrix and Public Scorecard**

I&T Data Analytics Manager, Rebecca Hefner shared current data collection and evaluation efforts related to violence prevention work. Hefner focused on a framework of data informed decisions and evidenced based policies to address violence prevention. This requires collaboration among departments, agencies, and community partners to inform policy and program development and support comprehensive program evaluation. Some of the current actions taken include:

- Establish inter-agency data sharing team, the Violence Prevention Data Collaborative to do analysis, reporting and evaluation in support of community violence reduction, prevention, and intervention.
- Publish Violence Data Dashboard to publicly share violence-related information in a visual and easy to understand way.
- Build capacity for grassroots organizations to measure results of their work.

Hefner emphasized that the Dashboard can help inform council decisions pertaining to programming and allocation of resources. The Dashboard may also be utilized by CMPD to help reduce crime and prevent violence.

- **Prioritizing Projects Funded by Hospitality Revenues**

Chief Financial Officer, Kelly Flannery, discussed creating a process to decide which investments will be funded with the hospitality revenues to ensure transparency and to maximize funding resources. To ensure the most impactful use of hospitality revenue resources, each capital investment should be evaluated on the following principles:

- Provision of economic growth and financial stability
- Coordination of partnerships to leverage funds when applicable
- Demonstration of long-term investment in the city
- Maintenance in competitive condition of hospitality assets owned by the city
- Adherence to City Council policies

To address Council member Ajmera's financial policy question from the last meeting regarding what the appropriate amount of debt is to carry, Flannery said there are three different hospitality funds, each with varying uses. Next year's debt service will continue to be restricted

from the available fund balance. There are opportunities to be more restrictive. Other policies for consideration that Flannery introduced included:

- 50% or more of debt principal should be repaid within 15 years.
- Strive for operating expenditures to be 50% or less of total fund expenditures.
- Implement a recession mitigation strategy (percent restricted beyond the debt service).
- Create a maintenance reserve fund (amount earmarked annually for large or unexpected city asset repairs).

Flannery also introduced the concept of a Financial Policy Dashboard. The data supplied by the Dashboard will provide evidence that the city's policies are being adhered to and financial goals are being achieved.

Flannery discussed horizon investments, those potential investments without a financial plan and a lack of a refined scope, will be reviewed annually with Council. Current investments under construction should be updated quarterly to inform Council if there has been any change to scope, schedule, or funding to avoid surprises. Flannery said her next step would be to draft a policy reflective of what was discussed in this meeting.

Next Meeting: September 15, 2020 at 2:30

Current referrals:

Topic	Policy Question
Capital Projects funded with Tourism Funds	What are the policy options to prioritize tourism fund investments with community/city partnership to achieve the city's priorities?
Violence Prevention Data Matrix and Public Scorecard	What are Council's expectations to demonstrate the effectiveness of violence prevention measures with data?
Police Budget Review by Services Area	How are resources being used within Police to promote safe communities and decrease violence in the city?
Citizen Advisory Committee on Governance recommendations	What recommendations from the Citizen Advisory Committee on Governance should be adopted by Council?
Internal Auditors recommendations for improved management of capital projects	What directives should be in place to address issues raised in the Internal Auditor's report?
Internal Audit review of CARES Act funding	Review Internal Audit report on CARES Act funding
Review of Code of Ethics policy by the City Attorney	<p>What updates to the City's Code of Ethics Policy that were adopted in February 2015 are needed? Include specific reviews of:</p> <ul style="list-style-type: none"> • Strengthening the provisions of section 3.b. to make expectations more direct and clear • Streamlining the process for filing a complaint • Defining and strengthening meaning of "indirect" in (section 8.101) of City Charter • Clarifying requirements to ensure that anytime a CM is going to be involved in a transaction concerning the city that the Council be informed. • Considering provisions covering social media impacts on social behavior • Reviewing any changes needed to fully capture expectations within Charlotte's city charter, including definition of governance specific to Charlotte's charter.

Committee Members: Tariq Bokhari (Co-Chair), Braxton Winston (Co-Chair), Larken Egleston, James Mitchell and Matt Newton

Committee Purpose Statement: The committee reviews and recommends intergovernmental relations policies and relationship-building activities in the state and federal legislative and executive branches.

Committee Chair Update: Since the last Strategy Session, the committee held a joint meeting with the Mecklenburg County Intergovernmental Relations Committee on August 25 (Bokhari, Winston, Egleston, Mitchell and Newton) the meeting included a review of the 2020 state legislative session, a briefing on the work of the Charlotte Moves Task Force and receiving input from the public concerning the role of greenways in multimodal transportation connectivity.

The US Congress will reconvene on September 8 to resume work towards enacting a fifth emergency relief measure. Negotiations between the Administration and Democrats broke down in early August and they were unable to reach their goal of enacting a relief measure by mid-August. The US Congress will also have to pass a continuing resolution to ensure the US government remains operational after September 30, which is the beginning of federal fiscal year 2021.

The General Assembly reconvened on September 2 for a two-day session to appropriate the remaining coronavirus relief fund dollars that the State has available. Since the US Congress did not enact a fifth emergency relief measure before September 2, the General Assembly will not be able to appropriate any of the remaining funds to replace revenues lost due to the pandemic. The anticipated areas of focus in the two-day session include funding for unemployment assistance, health care, education, child care, and broadband.

Next Meeting: September 21, 2020.

Current referrals:

Topic	Policy Question
Nuisance abatement (regulation and challenges)	Identify ordinances or laws that can be adjusted to streamline the nuisance abatement process
Citizens Review Board Process and Subpoena Power	Develop a legislative strategy to advance granting Subpoena Power for the CRB
Criminal Justice Advisory Group (CJAG) participation (Effectiveness review based on city participation: is it appropriately managed and resourced)	Define the city's role in collaborating on the Criminal Justice Advisory Group (CJAG) as well as opportunities to collaborate with Mecklenburg County on re-entry

Committee Members: Larken Egleston (Chair), James Mitchell (Vice Chair), Dimple Ajmera, Renee Johnson and Victoria Watlington

Committee Purpose Statement: The committee reviews and recommends policies to make neighborhoods safe, healthy and inclusive; including policing, fire protection, and the environment.

Committee Chair Update: The Committee met on August 18, 2020 and on Tuesday September 1, 2020 (*all members were present*) and discussed the following.

August 18, 2020 City Manager Marcus Jones provided an update on violence interruptions. The intervention efforts underway include:

- 1) Cure Violence will be present both virtually and in person in a few weeks.
- 2) The City will partner with Atrium for a Hospital Based Violence Intervention Interruption Program and the County for a Street Based Violence Interruption Program.
- 3) Staff will unveil the Community Violence Data Dashboard.

Chief Johnny Jennings shared that CMPD's Policy Team has continued to meet with the architects of the "8 Can't Wait" Initiative. They have met standards for the Reporting Requirement with Body Worn Cameras, Tagging and Reporting, as well as the Signal Sidearm. They have also met the Duty to Intervene Standard. Chief Jennings reported that all patrol officers have received Signal Sidearm equipment.

City Clerk Stephanie Kelly made a presentation that provided an overview of the Civil Service Board (CSB) and Citizen Review Board's (CRB) purpose, membership, counsel and types of complaints they review. Individuals who need assistance completing an appeal request can contact the Community Relations Department. Additionally, the Mecklenburg County Bar has 15 attorneys who will provide pro bono legal assistance in completing the form. The form is available in several different languages.

Attorney Cary Davis, Counsel for the Citizens Review Board, noted that the following areas are still being discussed in order to strengthen the Citizens Review Board:

- Subpoena power (CMPD supports the request for officers to appear at evidentiary proceedings, but would like for the same condition to be applied to civilians before consenting)
- "Justified but potentially preventable" disposition (for situations where the shooting itself may have been justified but police actions escalated the situation unnecessarily);
- Jurisdiction to review Neglect of Duty violations (Duty to Intervene now incorporated into CMPD's policy, but the Citizens Review Board does not have jurisdiction to hear this category). Would require City Ordinance to be amended to include this new category

Mr. Ryan McGill, Civil Service Board Chair, shared highlights of their work, as well as their interactions and engagement with CMPD. He also spoke regarding their subpoena power authority. Mr. McGill shared recommendations made by the Civil Service Board members some of which would require state level approval such as having the CSB act as an appeals board for CRB. As well as the recommendation for officers to live in Charlotte to promote more connection with the communities they serve.

Deputy Chief Stella Patterson and Lt. Jason Helton provided an overview of the training and education provided by CMPD, as well as the work they are doing externally with some of their partners. The State of North Carolina requires 640 hours of Basic Law Enforcement Training. CMPD's curriculum is 1,040 hours.

In 2008, the County began hosting Crisis Intervention Team Training as in-service training for CMPD officers, dispatchers, and non-emergency police services personnel that have been with the department for 1 – 2 years. CMPD launched the Community Policing Crisis Response Team in April 2019.

Additional Trainings outlined were:

- De-Escalation and Cultural Competency
- Professional curriculums for leadership development
- Racial Equity Institute Training in partnership with Race Matters for Juvenile Justice (RMJJ)
- Communicating Law Enforcement Actions and Responsibilities (CLEAR) Workshops for community members
- An eight-week Citizens Academy

Chief Johnny Jennings presented details of the Rules of Conduct Policy. He emphasized that all employees are expected to maintain professional standards in their conduct on and off duty. All complaints of rules of conduct are investigated by Internal Affairs. Any employee arrested or charged with a crime must notify the Chief of Police within 48 hours. Additionally, suspended or revocation of a driver's license must be reported to the Chief of Police.

Motion and Vote:

Council Member Watlington made a motion, seconded by Council Member Mitchell, to update the City's ordinance to enable Neglect of Duty violations to be reviewed by the Citizens Review Board. The motion carried unanimously. The motion will go to the full Council for discussion and consideration.

September 1, 2020 The City Manager reported that the first meeting with Cure Violence occurred on August 31st and the community assessment has begun. Updates on the report of information collected will occur at each Safe Communities Committee and the Strategy meeting.

Federico Rios shared that the Community Input Group last meeting hosted Samuel Marcossan, University of Louisville Professor of Law, who presented on Constitutional Law as pertains to the government and protests, and First Amendment rights.

Michael Turner, Professor and Chair, UNC Charlotte Dept. of Criminal Justice, highlighted areas of concern Community Input Subgroup #4 had regarding the CMPD Rules of Conduct:

- They felt there was ambiguity in the language around Policy #11 Intervention and "Manifest Injustice" and that clarity was needed to identify the difference between insubordination and accountability.
- They would like for the Associations policy to be expanded to include verbiage to prohibit officers from engaging with persons involved in criminal activity, are under criminal investigation or indictment, or who have a serious criminal record or are members of or affiliated with racial or white supremacist groups, except as required to do their job.
- They requested additional research for Policy #2 Arbitrary Profiling and more robust language to protect against racial/gender/religion/sexual orientation profiling.
- They recommended a change to Policy #43 that would require CMPD's body worn cameras be on when interfacing with the public and there should be penalties when violated.
- They suggested making the consequences known to the public when there are violations.
- The Subgroup felt that CMPD's Code of Conduct pertaining to fitness of duty should also include mental health screenings and officers should not be held back or discriminated against for seeking mental support.
- Lastly, the Subgroup is concerned about the potential for officers who have been disciplined for abuse of power to still be promoted and how that information is shared across departments.

Don Thomas, Executive Director, My Brother's Keeper Charlotte-Mecklenburg, spoke on behalf of Community Input Subgroup 3's feedback on CMPD's Community Engagement and Youth Programs. Mr. Thomas shared concerns, improvement opportunities, factors of consideration and proposed changes to consider relating to youth programming. The group recommends an external audit of youth programs to determine their effectiveness, scalability and whom they are serving. They would like for CMPD to consider expanding partnerships with proven grassroots organizations like CMS' Turning Point Academy. The group is advocating for a program that is affordable, targets hot spot areas, and managed outside of CMPD. They propose funding be paused for all programs until the audit is completed. The group is also encouraging more community events that promote positive engagement with young people and law enforcement.

The City Manager, Mr. Rios and Lacey Williams, Community Relations Manager with the Office of Equity, Mobility and Immigrant Integration, gave an overview of the City's Jumpstart Grant and the Neighborhood Board Retreat Funds, emphasizing the numerous youth programs funded through external groups, as well as those implemented by the CMPD, City and the County. The Chief noted that a lot of the CMPD youth programs are funded by monies that are specifically for use by law enforcement.

Lead City Attorney, Police, Jessica Battle made a presentation on Protest and the First Amendment. She stated that the First Amendment guarantees the right to free speech and the right to peaceably assemble. Once an assembly becomes unlawful based on a state or federal law, law enforcement can take necessary action to disperse the event or arrest individuals. She explained the time, place, and manner restrictions that government can institute. She also provided clarification on speech versus expressive conduct. Expressive conduct becomes an assault when the person has the imminent fear of bodily harm or that a battery might occur. Attorney Battle stated that CMPD's role is to keep the peace, but they also have a duty to respond to calls for service related to First Amendment activities such as noise complaints, injury to people, or damage to property. Attorney Battle emphasized that each situation is different and that the law enforcement response will be based on specific facts and the totality of circumstances. It could range from education, citation, or removal of violators. She reviewed changes being made to CMPD directives for when dispersal orders are made to include frequently repeating the orders.

Motion and Vote:

Council Member Ajmera made a motion, seconded by Council Member Johnson, to move forward with a comprehensive external CMPD audit to evaluate all funds received by CMPD and analyze effectiveness of usage versus intent. Council members Mitchell, Watlington, and Egleston voted No. The motion failed. The Budget and Effectiveness Committee will continue with the referral to review the police budget by services area and how resources are being used within Police to promote safe communities and decrease violence in the city.

Request was made by CM Winston for staff to take a deeper dive into the Police oversight models from Austin, Seattle, Kansas City, and how those models could be implemented in Charlotte.

Next Meeting: September 15, 2020 at 11 a.m.

Current Referrals

Topic	Policy Question
Establish evidence-based violence reduction framework	Option review of programs to reduce violence in priority for impact and funding
Scrutinize and adjust Police spending and policy	Recommend ways to further optimized use of available resources

Topic	Policy Question
Community Discussion group to glean input from the community in promoting community safety	What feedback from public input sessions on policy and procedure regarding de-escalation of tense situations and managing crowds of protestors should be incorporated into changes?
De-escalation Practices and Protests	What should the city's approach be to increase communications and ensure accountability? What is the City's role to further progress in increasing community trust?
Study national best practices for police reform	What are some best practices in policing services that the city can implement?
Review CMPD policy alignment with "8 Can't Wait" initiative	What additional aspects of the "8 Can't Wait" criteria should be included in policy changes?
Police services audit	What core services accomplish CMPD's mission?
Review enforcement data	Based on current enforcement data, what policy changes are needed?
Violence Prevention Strategy	What is an advanced a holistic violence prevention strategy?

Committee Members: James Mitchell (Chair), Tariq Bokhari (Vice Chair), Dimple Ajmera, Malcolm Graham and Renee Johnson

Committee Purpose Statement: The committee reviews and recommends policies to create a thriving economic climate where businesses are connected to highly skilled talent and technologies.

Committee Chair Update: Since the last Strategy Session the committee met on August 10, 2020 (James Mitchell, Tariq Bokhari, Renee Johnson and Dimple Ajmera– Malcolm Graham was absent) and discussed the following:

Review of Committee Referral Topics

Tracy Dodson gave an overview of the Workforce & Business Development Committee's current (1-3), referral topics to address the Safe Charlotte focus recommendations (4-7) proposed by Mayor Lyles and new topics (8-9). They include:

1. Opportunity Zones and Corridors Policy alignment
2. Workforce Development Strategy
3. Tax Increment Grant (TIG)
4. Workforce Development Plan to reduce high unemployment
5. Workforce development policy (criteria required for when city funding is included)
6. Workforce Plan for Corridors of Opportunity
7. Strengthening workforce development within Diversion program
8. Youth Employment Policy
9. Further promoting African American business opportunities

Staff will come back to the Committee with recommendations to address policies around Safe Charlotte Focus.

Open for Business – Survive and Thrive Initiatives

Tracy Dodson gave an update on the Survive Budget that was adopted in May. She shared with the Committee that not all the Survive Initiatives had been implemented and presented staff's recommendations to move forward:

- Given the time constraints to develop and implement a training program, reallocate \$1.5M budget for Intensive Career Cohorts into Thrive Strategy
- Roll over remaining \$250,000 for Workforce Partner Support Grants into Thrive Budget
- Selection of a partner to establish a Small Business Accelerator has not yet occurred, recommends rolling over \$500,000 into Workforce Innovation Fund in Thrive Budget

Laura Smith, Foundation for the Carolinas, provided an update on the Access to Capital Initiative. Ms. Smith shared information on the program application and businesses who had submitted or started their applications. To date, the Foundation has received 5, 772 applications of which 3,405 applications were for requests totaling \$42.88 MM. The Foundation has given out 760 awards totaling \$8,095,000 for micro and small businesses. Data was also shared on grants awarded by geography, race and gender.

Holly Eskridge shared with the Committee recommendations and next steps which include opening a new application period August 11-30 for all eligible applications in the award selection. The Foundation will continue to provide assistance for businesses to complete their applications. Their new community outreach strategy includes engaging international small business navigators, an in-person clinic, Zoom meetings, and marketing and promotion for the new application cycle. The YMCA locations and notaries will still be available.

Ms. Smith affirmed the Foundation's goal to get the money out as quickly as possible and make it a priority to work with applicants in the error queue. The Committee expressed their concern to address the error rate and to spend the CARES Act dollars by the end of October.

VOTE: Councilmember Ajmera made a motion and Councilmember Bokhari seconded to support staff's recommendations on the Survive Initiatives. The vote was 3:1 Mitchell, Ajmera and Bokhari with Councilmember Johnson voting no, and Councilmember Graham was absent for the vote.

Holly Eskridge provided a breakdown of the initial budget programming costs for the Foundation for the Carolinas. In order to extend the Access to Capital Program until October 16th, there will be an extension cost of \$383,000, to hire navigators and pair them with the YMCA and to hire additional people for the call center and to review applications.

Tracy Dodson provided an update on the Thrive Initiative from the July 14th meeting. She discussed the Thrive evolution for the Workforce Resiliency to put residents back to work through training and job creation to Business Innovation and Resiliency to ensuring small businesses are ready. Ms. Dodson shared information on a \$5 million proposal to establish a Food and Beverage Relief Fund Restaurant and \$3 million for Hospitality/Hotel. The Committee received information outlining funds to support each program and suggested putting the \$8 million into a new fund and open it to all industries to apply for the Access to Capital Grants that have been affected by COVID-19.

VOTE: Councilmember Ajmera made a motion and it was seconded by Councilmember Johnson for staff to move forward and work with the Foundation for the Carolinas to establish a new fund for the \$8 million for Access to Capital Grants that would include all industries affected by COVID-19. The vote was 3:1 with Mitchell, Ajmera and Johnson. Councilmember Bokhari voted against the motion and Councilmember Graham was absent for the vote.

The Committee discussed having a joint meeting with the County's Economic Development Committee and the City's Workforce & Business Development Committee. Staff will work with the County to coordinate schedules. The Tax Increment Grant presentation was deferred to the September 14th meeting.

The meeting adjourned at 1:44p.m.

Next Meeting: September 14, 2020 at 2:00p.m.

Current referrals:

Topic	Policy Question
Opportunity Zones and Corridors Policy alignment	Integrate workforce and business development policies within the Opportunity Areas
Workforce Development Strategy	What should be the city's specific role be in advancing upward mobility through workforce development? Identify a policy for collaborations to link the city's efforts more strongly with other workforce development service providers
Tax Increment Grant (TIG)	Develop policy options to allow TIGs to be used to promote economic opportunities
Workforce Development Plan to reduce high unemployment	Identify policy options for the city to reduce unemployment

Topic	Policy Question
Workforce development policy (criteria required for when city funding is included)	Develop processes to promote workforce development opportunities through city funded programs
Workforce Plan for Corridors of Opportunity	Develop policy to promote workforce development and opportunities within the Opportunity Areas
Strengthening workforce development within Diversion program	Develop options to advance Workforce development in diversion programs (This could apply to all programs from transit to housing).
Youth Employment Policy	Recommend a holistic approach from training to job placement for our youth
Further promoting African American business opportunities	Develop options that will focus on advancing opportunities for African American businesses