

10/17/17 DRAFT

**MECKLENBURG COUNTY  
BOARD OF COMMISSIONERS  
RESOLUTION DECLARING INTENT TO ENTER INTO  
AN INTERLOCAL AGREEMENT WITH THE CITY OF CHARLOTTE FOR LAW  
ENFORCEMENT SERVICES**

**WHEREAS**, in 1993 the City of Charlotte (“City”) and Mecklenburg County (“County”) entered into an agreement entitled “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Consolidation Agreement”) which resulted in the City Police Department and the County Police Department being consolidated on October 1, 1993 as a City department – the Charlotte-Mecklenburg Police Department - having law enforcement jurisdiction throughout the entire unincorporated area of the County; and

**WHEREAS**, effective July 1, 1996 the City and the County entered into the “Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Current Agreement was terminated effective June 30, 2018 by the Board of County Commissioners at its April 18, 2017 meeting; and

**WHEREAS**; the County Manager and City Manager, and their staffs, have been negotiating terms for a new agreement with the City for the Charlotte Mecklenburg Police Department to provide law enforcement services within the extraterritorial jurisdiction (“ETJ”) areas of the City, the Town of Davidson (“Davidson”) and the Town of Mint Hill (“Mint Hill”); and

**WHEREAS**, at the Board of County Commissioners’ meeting on October 11, 2017, the County Manager presented to the Board the then current status of negotiations with the City Manager; and

**WHEREAS**, at that October 11<sup>th</sup> meeting, the County Manager agreed to provide to the Board for its consideration at its October 17, 2017 meeting a resolution authorizing the County Manager to negotiate the terms of a five (5) year interlocal agreement with the City, to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, and Mint Hill, consistent with a term sheet to be an exhibit to the Resolution; and

**WHEREAS**, this Resolution has been prepared consistent with the County Manager’s statement to the Board; now, therefore, be it

**RESOLVED** that the Mecklenburg County Board of Commissioners does hereby declare its intent to enter into a interlocal agreement with the City to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, and Mint Hill, consistent with the term sheet which is Exhibit A to this Resolution and authorizes the County Manager to negotiate with the City Manager the terms of such an interlocal agreement,

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and to bring back to the Board as soon as possible a fully negotiated interlocal agreement, consistent with the Exhibit A term sheet, for consideration for adoption by the Board.

Approved the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Clerk to the Board

APPROVED AS TO FORM:

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County Attorney

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## **EXHIBIT A**

### **CMPD EXTRATERRITORIAL JURISDICTION POLICING PROPOSAL KEY INTERLOCAL AGREEMENT TERMS**

#### **ACTION:**

Authorize the County Manager to negotiate an interlocal agreement with the City of Charlotte (“City”) for policing services in the Charlotte, Davidson, and Mint Hill Extraterritorial Jurisdictions (ETJ) of Mecklenburg County

#### **CONTRACT FRAMEWORK:**

- Contract Term: 5 years beginning July 1, 2018
- Contract Extension: Yes, with mutual agreement
- Early Termination Clause: Yes, with advance notification
- Base Fee: \$14,000,000 per year – includes \$100,000 Fund balance in FY19
- Property tax rates will be set individually for each municipality. (Tax rates will be set by the BOCC and is not part of the contract)
- Annual Fee Escalation: Yes
  - ✓ Formula: Annual, natural (excludes revaluation) ETJ property value tax growth above the County’s current general fund contribution
  - ✓ Elimination of the general fund subsidy
  - ✓ Fee escalation opportunity begins FY19
  - ✓ Fee Cap: Yes (to be negotiated)
  - ✓ Impact of Future Annexation: Cost to remaining ETJ will remain flat
- Service Level Commitments: Yes (to be negotiated)
- Reporting to the BOCC:
  - ✓ Semi-annual, in-person reports by the CMPD Police Chief beginning January 2018
  - ✓ Performance Data and Metrics: Yes (content and frequency to be negotiated)
    - Including but not limited to: crime rate, police presence, call response time, community engagement and other safety/security measures

#### **CONTRACT EXECUTION:**

With BOCC resolution, the County Manager will target the completion of the interlocal agreement for BOCC approval in calendar year 2017