

**MECKLENBURG COUNTY
BOARD OF
COMMISSIONERS
RESOLUTION
CREATING THE CITY OF
CHARLOTTE LAW
ENFORCEMENT SERVICE
DISTRICT**

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”)); and

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

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the City entitled “2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte Mecklenburg Police Department” to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager has recommended the creation of separate law enforcement service districts for each of the six (6) ETJ areas so as to provide the necessary flexibility for the Board of County Commissioners to set different rates in each area; and

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

- (1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESsDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

- (2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESsDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

- (3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of \$0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed \$0.2146 tax rate or an equivalent revenue neutral tax rate; and,

- (4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Charlotte City Council have approved an interlocal agreement between the City of Charlotte and the

County for the CMPD to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that certain portion of the ETJ of the Town of Huntersville that includes the McGuire Nuclear Plant; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016			
Area	Calls for Service (includes Emergency, Urgent, Immediate, & Routine Calls)		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
Charlotte ETJ	27690	25750	19044
Cornelius ETJ	40	36	54
Davidson ETJ	18	30	23
Huntersville ETJ	1022	961	1111
Mint Hill ETJ	3803	2909	1870
Pineville ETJ	1169	1287	794
<i>Total</i>	<i>33742</i>	<i>30973</i>	<i>22896</i>

WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located; and,

**Average Response Times for Different Priority Calls
Mecklenburg County Unincorporated Areas 2014-2016**

Area	Priority	Average Response Time in Minutes		
		2014	2015	2016
Charlotte ETJ	1 (emergency)	8.8	8.8	9.2
	2 (urgent)	14.6	14.7	15.6
	3 (immediate)	17.7	17.7	18.9
	5 (routine)	33.3	31.8	33.9
Cornelius ETJ	1 (emergency)	n/a	11.6	10.3
	2 (urgent)	n/a	34.5	23.6
	3 (immediate)	28.1	23.8	24.7
	5 (routine)	43.9	33.1	37.3
Davidson ETJ	1 (emergency)	n/a	8.0	n/a
	3 (immediate)	26.8	26.7	26.4
	5 (routine)	30.4	n/a	n/a
Huntersville ETJ	1 (emergency)	10.3	10.5	9.7
	2 (urgent)	17.2	17.7	17.5
	3 (immediate)	22.4	21.3	21.5
	5 (routine)	39.9	35.1	37.1
Mint Hill ETJ	1 (emergency)	9.4	9.4	9.2
	2 (urgent)	14.1	13.2	15.0
	3 (immediate)	17.3	16.8	18.0
	5 (routine)	31.2	29.4	30.8
Pineville ETJ	1 (emergency)	8.9	9.5	8.7
	2 (urgent)	14.8	14	14.8
	3 (immediate)	16.9	16.4	18.6
	5 (routine)	30.6	28.4	29.4

*n/a means there were no calls that met the criteria for calculating response time

; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the City of Charlotte, as reflected in Attachment A, to become effective July 1, 2018.

Adopted the _____ day of _____, 2018.

Clerk to the Board

APPROVED AS TO FORM:

County Attorney

**Attachment A:
Map of the City of Charlotte LESD**

