

Asheville City Council
Public Safety Committee

3:30 p.m. November 26, 2012
4th Floor Training Room, Municipal Building

AGENDA

1. Approval of September 24, 2012 Meeting Minutes 3:30
2. Staff Presentations (No Action Necessary)
 - A.) Traffic Enforcement Program—Lt. Chris Young, APD (10 minutes) 3:35
 - B.) Code Purple—Heather Dillashaw, Homeless Initiative Coordinator, City of Asheville (20 minutes) 3:45
3. Unfinished Business
 - A.) No items scheduled.
4. New Business (Action Necessary)
 - A.) Car Sharing—Ken Putnam, Director of Transportation (15 minutes) 4:05
 - B.) Pub Cycle—Ken Putnam (15 minutes) 4:25
5. Public Comment (5 citizens, 3 minutes each)
6. Adjourn 4:35

Upcoming Agenda Items for the Public Safety Committee to Review:

1. Police Department Firing Range Update (December 2012)
Civil Liberties Resolution-- TBD
Leads Online Ordinance-- TBD
Police Department Bouncer Training—TBD
Graffiti -- TBD

STAFF REPORT

TO: Public Safety Committee Date: November 26, 2012

FROM: William J. Anderson, Police Chief PREPARED BY: Capt. Tim Splain

VIA: Jeff Richardson, Assistant City Manager

SUBJECT: Overview of APD Traffic Enforcement

Summary Statement: The purpose of this presentation is to provide an overview of APD traffic enforcement strategies and the traffic crash reduction program.

Review: The APD Patrol Division and Traffic Safety Unit work to enhance highway and street safety in the City of Asheville by participating in the North Carolina Governor's Highway Safety Program (NCGHSP), conducting strict enforcement of motor vehicle laws, educating citizens about traffic safety related issues and systematically working to reduce traffic crashes in high-crash zones.

Vehicle speed is one of the major causes of traffic crashes and traffic complaints in Asheville. APD receives many citizen complaints about vehicle speed on residential streets and in school zones and responds to each complaint. In a manner consistent with our community policing philosophy, officers from the Patrol Division or Traffic Safety Unit (TSU) will make contact with the citizen or school to become fully aware of the nature of the complaint. A strategy to validate and resolve the complaint is then formulated depending on whether the complaint is previously known or an emerging issue. District Patrol officers and Traffic Safety Unit officers will conduct joint enforcement on the problem area, sharing information, problem-solving and documenting their actions in a master file.

APD uses two speed trailers to make motorists aware of their speed as they travel through the monitored area in hopes that citizens will become more compliant with the posted speed limit. The overall desire of traffic enforcement is changing driving behaviors and making citizens more aware and cautious on the roadways. A solar-assist message board is also used to provide warnings or informational messages to motorists in enforcement areas. City of Asheville Traffic Engineering routinely assists APD by positioning a pole-mounted RADAR speed sign and traffic data collection unit in an area to allow motorists to see their speed and collect speed data for every vehicle that travels through the monitored area. The traffic data collection unit

allows for data analysis and complaint validation, documenting the speed of drivers over a period of time.

Patrol officers and Traffic Safety Unit officers are certified in the use of, and equipped with speed measuring devices to conduct speed enforcement. APD uses RADAR speed detection units, VASCAR time – distance units to measure speed and LIDAR laser speed detection units to determine the speed of vehicles and take enforcement action. Each speed measuring device is a separate certification that an officer must stay proficient with and recertify on at regular intervals.

Traffic Safety Unit officers collaborate with the City of Asheville Community Relations Division to produce at least one public service announcement for each quarter. These PSA's can address broad issues like texting and driving, aggressive driving or back to school reminders. Other specific PSA's have been produced to address specific traffic issues like aggressive motorcycle driving on Town Mountain or highlighting the current traffic crash reduction areas. Community education and crime prevention are key principles in APD's community policing philosophy. The PSA's provide a mechanism to reach a large majority of our Asheville population and educate them about traffic safety concerns.

Every six months, the three Patrol Districts and the Traffic Safety Unit analyze the traffic areas in Asheville that suffer the highest number of traffic crashes, injuries and property damage in the previous six month period. Three high crash areas (one from each patrol district) are selected for a traffic crash reduction campaign. Patrol District officers and Traffic Safety Unit officers determine a community education and enforcement strategy that is aimed at reducing the number of traffic crashes in that area. In some instances, City of Asheville Traffic Engineering or the North Carolina Department of Transportation become involved where roadway designs or signage seem to contribute to the traffic crash issues. Past traffic crash reduction efforts have lowered accident rates between 4% and 58% in the designated areas.

APD has ongoing partnerships with the Governor's Highway Safety Program (NCGHSP), Mothers Against Drunk Driving (MADD), SafeKids WNC, City of Asheville Traffic Engineering, NC Dept. of Transportation (NCDOT) and the Buncombe County District Attorney's Office. Through a holistic strategy of community policing, community education, roadway enhancement and redesign, traffic law enforcement and crash reduction, APD works to change the driving behaviors of motorists and make our streets safer for everyone.

STAFF REPORT

TO: Asheville City Council Public Safety Committee DATE: November 26, 2012
FROM: Scott Burnette, Fire Chief
CC: Jeff Richardson, Assistant City Manager
SUBJECT: Code Purple

Summary Statement: The purpose of the CODE PURPLE procedure is to provide a coordinated effort among Asheville and Buncombe County, North Carolina shelters and other organizations to provide emergency overflow shelter to people experiencing homelessness in the event of severe weather conditions.

In extremely cold conditions, the CODE PURPLE sites will provide shelter beyond their normal program capacity. CODE PURPLE does not include natural disasters such as hurricanes, flooding, or tornadoes; in these events, all citizens will be able to access services at the community disaster shelters.

Review:

CODE PURPLE Network sites are: ABCCM Veteran's Quarters, Homeward Bound A-Hope, Salvation Army, and Western Carolina Rescue Ministries. A CODE PURPLE is activated by the providers when the weather is forecast to be 32 degrees Fahrenheit or below, or when any weather conditions poses a risk to those sleeping outside.

The provider contacts the Asheville Police Department (APD) and 2-1-1 each day that a CODE PURPLE is declared. The City of Asheville will distribute information to the media and community utilizing the most effective tools each time that a CODE PURPLE is declared. APD telecommunicators will notify AFD and APD personnel that a CODE PURPLE has been declared. AFD and APD personnel will offer transportation to individuals sleeping outside to a CODE PURPLE network site. CODE PURPLE Network sites will make every attempt to serve everyone who presents to their site.

Asheville-Buncombe Homeless Coalition
CODE PURPLE PROCEDURE MANUEL

October 2012

Purpose of CODE PURPLE

The purpose of the CODE PURPLE procedure is to provide a coordinated effort among Asheville and Buncombe County, North Carolina shelters and other organizations to provide emergency overflow shelter to people experiencing homelessness in the event of severe weather conditions.

In extremely cold conditions, the CODE PURPLE sites will provide shelter beyond their normal program capacity. CODE PURPLE does not include natural disasters such as hurricanes, flooding, or tornadoes; in these events, all citizens will be able to access services at the community disaster shelters.

CODE PURPLE Network Sites:

- ABCCM Veteran's Quarters (overnight emergency shelter)
- Homeward Bound A-Hope (day center)
- Salvation Army (indoor space during the day & overnight emergency shelter)
- Western Carolina Rescue Ministries (indoor space during the day & overnight emergency shelter)

CODE PURPLE Network Partners:

- 2-1-1 Information Line (information and referral)
- ABCCM Steadfast House (transitional housing)
- American Red Cross (crisis services)
- BEACON members (crisis services)
- Helpmate (overnight shelter)
- Trinity Place (overnight shelter)

Please see Attachment 1 for CODE PURPLE Network Sites and Partners' contact information and specific agency services and rules.

Any changes made by CODE PURPLE Network Sites or Partners regarding contact information or services provided should be reported at the monthly Homeless Coalition Meetings, held the first Tuesday of every month at 12:30PM. (Contact Co-Chair Brian Alexander, brian@hbfoa.org, for more information)

Target Population

The target populations for CODE PURPLE are men, women, and children who are experiencing homelessness. However, we will not screen for (i.e. ask specific questions about) the extent of homelessness. No one will be turned away because they are not literally homeless.

When CODE PURPLE is called

CODE PURPLE will be called when the weather is extremely cold, specifically when:

- The temperature is projected to be 32 degrees Fahrenheit or below, or equivalent with the wind-chill factor.
- Other extreme temperatures that put people sleeping outside at severe risk for injury or death.

The above criteria are general guidelines and will be subject to the judgment of the CODE PURPLE provider team.

In the event of hurricanes, flooding, tornadoes, and other disasters, all citizens of Asheville and Buncombe County, including people experiencing homelessness, will be referred to sites in the community designated for such disaster response. Response to these disasters is not included in this CODE PURPLE procedures manual. Buncombe County Emergency Management may be contacted through Jerry Vehaun, ES Director, 250-6600, 164 Erwin Hills Rd, 28806.

How CODE PURPLE is called.

- If the weather seems cold, get information from the National Weather Service as a basis for CODE PURPLE determination.
- Providers contact United Way's 211 Community Information Line and the Asheville Police Department's non-emergency line – 252-1110 -- each day that CODE PURPLE is enacted.
- Send a press alert to the media each day that the CODE PURPLE is enacted. The press alert should include:
 - Date and Time alert was written
 - State that CODE PURPLE has been enacted for that day

CODE PURPLE network partners are welcome to communicate their CODE PURPLE status in any way that works, such as posting on the agency website or putting up purple flags/posters in the windows of the agency.

Services:

- CODE PURPLE Network Sites will make every attempt to serve everyone who presents to their site.
- If the CODE PURPLE Network Site at which a person or family presents does not serve a particular population, offer a needed service, or is at capacity, then the staff at that site will refer the person or family to another appropriate site, either a CODE PURPLE network site or network partner.

The site staff will immediately call the site to which a person or family is referred to let them know that a person or family has just been referred to them and pass along any important information to the person or family in order to ensure a successful referral.

- Public Safety Officers assisting people who have no place to sleep inside will be asked to take them to a Code Purple Network Site. All CODE PURPLE network and partner sites will accept persons throughout the night if accompanied by a Public Safety Officer.
- If a CODE PURPLE Network Site is over capacity and can not serve anyone else, the site should contact other Network Sites to alert them. If other Network Sites also can not accommodate for the need, an emergency CODE PURPLE Network Site meeting should be called immediately to determine if additional emergency action needs to be taken.

Standard Rules for CODE PURPLE

Each CODE PURPLE site agrees to:

- Accept high/intoxicated persons as long as they abide by other rules
- Accept mentally ill and physically disabled individuals
- Accept individuals regardless of race, religion, national origin, or sexual orientation
- Make participation in religious activities voluntary

Guests, while on the premises of a CODE PURPLE site:

- Will not use, sell, or have in their possession, alcohol, illicit drugs or pornography
- Will refrain from violence, threats, and personal or racial slurs
- Will refrain from sexual activity
- Will not steal from the CODE PURPLE site, staff/volunteers, or other guests
- Agree to abide by all rules of relevant CODE PURPLE site

If he or she does not abide by the rules, a guest may be segregated, transported to another CODE PURPLE site, have the police contacted on his/her behalf, or asked to leave at the discretion of the person in charge at the particular site.

Independent Decisions Made By Each Site

Each CODE PURPLE site will determine its own policies in regard to the following:

- Hours of Operation
- Food Service (if and what to serve)
- Volunteer Recruitment and Training
- Security
- Zoning
- Supplies
- Maintenance of Facility
- Budget
- Services to Non-English Speaking Guests
- Barring Guests
- Additional Rules to the Standard CODE PURPLE Rules (Above)

Ongoing Communication

A monthly CODE PURPLE update will be provided by Code Purple Network Sites Partners at Homeless Coalition meetings, held the First Tuesday of every month. (To get on the mailing list, contact: brian@hbofa.org) Agencies in the “Code Purple Network” will discuss and resolve any issues as they arise during monthly Homeless Coalition Meetings.

This CODE PURPLE procedure manual will be reviewed by the Homeless Coalition and all listed CODE PURPLE Network Sites and Partners each fall and updated as needed.

CODE PURPLE Sites

AGENCY	CONTACT	POPULATION	CODE PURPLE Services
Western Carolina Rescue Mission	Micheal Woods mike@westerncarolinarescue.org 254-1529	Men, women, children	Overflow night beds; daytime chapel space
Veterans' Restoration Quarters	Ron Kennedy and Michael Reich Michael.reich@abccm.org 299-8701	Men	Overflow night beds
Salvation Army	Sue Hollifield Sue.Hollifield@uss.salvationarmy.org 253-4723	Men, women, children	Overflow night beds
Homeward Bound	Asia James asia@hbofa.org 252-8883	Men, women, children if necessary	A HOPE Day Center open 7 a.m.-Noon every day

STAFF REPORT

To: Public Safety Committee Date: November 26, 2012
Via: Gary Jackson, City Manager
From: Ken Putnam, PE, Transportation Department Director
Subject: Car Sharing

Summary Statement: The consideration of a resolution supporting staff (traffic engineer) to designate certain on-street parking spaces for car sharing purposes on an as-needed basis and for staff (traffic engineer) to designate certain off-street parking spaces (surface parking lots and parking garages) for use by specific car share companies on an as-needed basis.

Review: City Council's current strategic operating plan includes an objective to "study alternative options for parking, to include the creation of a downtown trolley". The Downtown Master Plan (DMP) also mentions this objective as well as an action step to dedicate some public parking spaces for use by shared-car services in order to expand mobility choices and reduce the need for downtown residents to own cars.

The DMP Transportation Sub-committee explored both ideas and concluded that a primary obstacle for a downtown trolley is money including capital and operating funds. They also felt that there would be direct competition for the funds with the current transit system. The sub-committee favors the concept of car sharing and the U-Haul Company has approached the City with a program that only requires the City to provide on-street parking spaces and the enforcement of the spaces (The City would also fabricate, install, and maintain the appropriate sign needed to identify the parking space). Staff shared the potential program with the Downtown Commission and received their support during February 2012.

The City's Legal Department then performed extensive research and concluded that the City is authorized to reserve on-street parking spaces for car sharing purposes generally but not to specific car share companies. Although staff (traffic engineer) has the authority to designate and/or restrict on-street parking spaces (according to the code of ordinances), the Legal Department recommends City Council approval as well because the potential parking spaces are located in the public right-of-way and there could be a revenue loss. They also concluded that the City is authorized to reserve off-street parking spaces (surface parking lots and parking garages) to specific car share companies. City Council approval is recommended for the off-street parking spaces since there could be a loss of revenue.

Fiscal Impact: The fiscal impact for a car sharing program within the public right-of-way would be the value of a metered on-street parking space and the cost to fabricate and install an appropriate sign to identify the parking space. Based on revenues collected during FY 2011-12, that value equals \$1,400 per metered parking space (equals \$500 per parking space in the parking garages). The estimated cost to fabricate and install an appropriate sign is about \$50.

Recommendation: Staff recommends that the Public Safety Committee endorse and move forward to City Council for consideration a resolution supporting staff (traffic engineer) to designate certain on-street parking spaces for car sharing purposes on an as-needed basis and

for staff (traffic engineer) to designate certain off-street parking spaces (surface parking lots and parking garages) for use by specific car share companies on an as-needed basis.

STAFF REPORT

To: Public Safety Committee Date: November 26, 2012
Via: Gary Jackson, City Manager
From: Ken Putnam, PE, Transportation Department Director
Subject: Trolley Bike Tour Service (Pub Cycle) Franchise Agreement

Summary Statement: The consideration of an ordinance granting a franchise agreement for the operation of a trolley bike tour service (pub cycle) within the City of Asheville.

Review: City staff has been working with a citizen that is interested in starting a trolley bike tour service (pub cycle) within the City of Asheville under the business name of Peech Development, Inc., dba Amazing Pubcycle. Initially, the service would only be allowed in the Central Business District (CBD) and only on city-maintained streets that have a posted speed limit less than 35 mph. It is the responsibility of the citizen to confirm with the North Carolina Department of Transportation (NCDOT) that the vehicle can be operated along state-maintained streets within the Central Business District (CBD).

By definition, a trolley bike or party bike, pedibus, cycle pub, beer bike is a multi-passenger human powered vehicle. It is sometimes mistaken for a larger scale pedi-cab, but it is not since it is powered by the passengers while the steering and braking is controlled by a driver who does not provide pedaling power. The vehicle that will be used for this specific business is a pedal-assisted motorized electric vehicle that is licensed with the North Carolina Division of Motor Vehicles as a slow moving vehicle. The vehicle travels at about 6 to 8 mph and has the ability to travel at 25 mph.

The business model includes several themed tours for customers to choose including, but not limited to, a morning spin class, a progressive dinner tour, a brewer-man tour, corporate events, singles mixers, and various fundraisers. The tours would follow specific routes that have been pre-approved by the Transportation Department. Initially, the hours of operation would be between 3:00 pm and 3:00 am Monday through Friday and no restrictions on Saturday, Sunday, and City Holidays. The City reserves the right to change the hours of operation at its sole discretion with a 30-day notice.

The citizen has worked closely with several City departments including the Planning Department, the Transportation Department, the Legal Department, the Asheville Police Department, and the Economic Development Department and at this time, all concerns have been addressed. The citizen is very committed for the business model to be successful and he intends to work closely with staff to make any necessary tweaks during the first year of operation.

The Downtown Commission gave general support for the concept of a trolley bike tour service at their meeting on November 9, 2012. They suggested that the citizen contact the Chamber of Commerce as to the feasibility of using the Chamber as its beginning and ending points since ample off-street parking is available.

This action complies with the City Council's Strategic Operating Plan in the Job Growth and Community Development Area by supporting diversified job growth and business development.

Fiscal Impact: There is no known fiscal impact for the subject franchise agreement.

Recommendation: Staff recommends that the Public Safety Committee endorse and move forward to City Council for consideration an ordinance granting a franchise agreement to Peech Development, Inc., dba Amazing Pubcycle for the operation of a trolley bike tour service (pub cycle) within the City of Asheville.

Attachment
(1) Digital Photo



Pub Cycle Example