

## ACTION REVIEW

The City Council of the City of Charlotte, North Carolina convened for Action Review on Monday, April 22, 2019 at 5:03 p.m. Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Larken Egleston, Julie Eiselt, James Mitchell, and Braxton Winston II.

**Absent Until Noted:** Councilmembers Dimple Ajmera, Ed Driggs, Justin Harlow, LaWana Mayfield, Matt Newton, and Greg Phipps

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### ITEM NO. 2: AGENDA OVERVIEW

**Mayor Lyles** said we are going to do two closed sessions prior to starting this meeting.

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### ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

**Councilmember Harlow arrived at 5:04 p.m.**

**Marie Harris, Strategy & Budget** said there are two items that are being pulled by staff; Item No. 19, CMPD Freedom Drive Roof Replacement is pulled for rebid so you will see that coming forward in future months. Item No. 26, Airports Council International Membership. It is an annual membership, and it was being treated like it is a contract and it is not a contract.

**Councilmembers Mayfield and Newton arrived at 5:05 p.m.**

**Councilmember Winston** said Item No. 24 a separate vote.

**Councilmember Driggs arrived at 5:06 p.m.**

**Councilmember Eiselt** said the question I had on Item No. 10; does this effectively extend the term of the financing for whatever the underlying vote was?

Ms. Harris said no ma'am, it is purely for interest rate change.

Ms. Eiselt said how do we know this will save us money if we don't know what the interest rates is?

Ms. Harris said just based on what the old rate is and the current rates available we are confident that we will.

**Councilmember Ajmera arrived at 5:07 p.m.**

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### ITEM NO. 7: CLOSED SESSION

Motion was made by Councilmember Egleston, seconded by Councilmember Harlow, and carried unanimously to go into closed session pursuant to G.S. 143-318.11(a)(4) to discuss matters related to the location of industries or businesses in the City of Charlotte including potential economic development incentives that may be offered in negotiations and pursuant to G.S. 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease.

The meeting recessed at 5:08 p.m. to go into closed session in Room 267. The meeting returned to open session at 5:41 p.m. in Room 267.

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**ITEM NO. 3: CHARLOTTE REGIONAL VISITORS AUTHORITY UPDATE AND STRATEGY**

**Councilmember Phipps arrived at 5:45 p.m.**

**Phil Reiger, Strategy and Budget Director** said you all will recall during the Financial Partners discussion that you had asked the Charlotte Regional Visitors Authority to come give you an update. I want to introduce Tom Murray, CEO of the CRVA to do that, and I think we are going to start off with a little video.

**Tom Murray, Charlotte Regional Visitor's Authority** said before I talked about budgets I thought I would talk about something more fun. We just wrapped up the NBA All-Star Game and the team produced a two-minute video that I will share with you and I will talk about some budget details about that. I think you will enjoy seeing this. Mr. Murray played a short video.

**Mayor Lyles** said I have so say for all of us I know that Tom didn't do it and Marcus didn't do it and I certainly didn't, but the people that showed the hospitality for those three days we owe them a great depth of thank you and just being a part of our City. I can't tell you how much we appreciate everyone that worked to make this possible and especially those that volunteered, sat on the street corner and made sure everybody knew where to part, what restaurant was open and everyone at the Airport and all the individuals that work in the hospitality industry. None of that is possible; we just get to enjoy the fruits of many laborers and I really want to say thank you to all of them.

Mr. Murray said the Hornets and the CRVA acted as co-leaders of the event. So, we shared the management of the budget. We ultimately were the organization if we went over budget that would have had to fund any excesses over budget. I'm really pleased to say that between our team, the City, and the Hornets we actually finished under budget by half million dollars so \$500,000, and I'm here to present to Marcus a check, this doesn't happen very often, we are going to give him a check for \$357,000. We gave a smaller check to the County because you made a bigger contribution and we will put this contribution back into the place where we got it, but I just wanted you to know that we are really pleased that the All-Star Game was, not only a great event for our City, but the team managed it really well. So, thank you.

Thank you for having us here to talk about budgets. We are in the middle of a process of doing our budget and will presented to our Board in the May and June months, but I thought I would give you a bit of overview of how our budgets are done and based on looking at our 2019 and what I think is going to end up happening in our 2020 budget. Everything we do from a budgeting process really starts with what we hope we will achieve in the future which is in our vision and who we are, which is in our Mission Statement. As you can see, we have a pretty lofty Vision Statement. It is actually a new Vision Statement; we've been working off of an old Vision Statement for the last five-years. We finished that strategic plan, which in my career doesn't happen very often. So, I was very pleased that actually happened and we've now moved on to a much more aspirational vision and as you can see Charlotte will be recognized as the most sought-after city in the southeast is a big ask for us. So, we will have a lot to do to make that happen.

So, as we think about our budget we are actually thinking in five-year terms and thinking about the things it would take to get there. That is what our team is going for, but always remembering who we are and our core values and what our mission is. As you can see, our Mission is: Embracing an Inclusive Employee-First Culture, the CRVA is the Trusted Leader of Charlotte's Visitor Economy which Elevates Community Prosperity through Destination-Defining Infrastructure, Impactful Branding and Job Growth.

I know you can't see this; I just wanted you to know that we use Kaplan Norton Methodology. It is through strategic planning. We did it five-years ago, and now we've revised it, but our Board works closely with us. We have the Strategic Planning Board Committee and they've approved the Strategy Plan; it is created by a large team of executives. At the bottom of our

Strategy Plan is our core values, and the first bullet on the foundation is Cultivating Employee-First Culture. So, we operate in a culture where we want our employees to look forward to coming to work every day. We actually say we want them to be inspired to come to work every day so they will thrill our customers, and ultimately, we will have more customers.

Here is an overview of our budget, and I will break down into smaller pieces in a minute, but what you see is a balanced budget every year. We have about \$68.5 million in revenues and \$68.5 million in expenses. I will talk about where these revenues come from in the meantime and you can see where the expenses, but this won't be the last time you see it. So, I will move to further detail in a second. The operating revenue piece of this represents about half of all of what it takes to fund the Visitor's Authority, and that is revenue that we generate through the activities that the organization makes. Now, remember, we don't always act as a profit center; for instance, on some of these large events we don't make money, because we are trying to make sure that we can attract folks. So, we don't charge for the Convention Center and those kinds of things. That is where some of the external revenue comes from, but this revenue is from space rental fees, food and beverage, admissions, parking, advertising sales and lots of other areas. Here is a breakdown of those areas, so on the revenue side the Convention Center is about \$16 million. This year is a little bit slower, because we are going into construction at the end of this year, but last year and every year prior to that has been record years to the Convention Center. We did a little over \$18 million last year, this year is slightly less because of preparing for the construction and expansion of the Convention Center.

The NASCAR Hall of Fame is \$7.8 million; Bojangles' Coliseum and Ovens Auditorium together are nearly \$7 million, and both buildings are doing extraordinarily well now. Their revenues are doubling what they were just a few years ago. So, we are real excited about their success, and our relationships with the Pack and with the Checkers have been real important. Visit Charlotte generates revenues with things like memberships and when we manage housing for folks and those kinds of things and then we manage our parking garage and the Caldwell Street Parking Lot, and those are the revenues from that area. We allocated it back into the Convention Center and the Hall of Fame; that is what the allocation number means. Then we had expected to lose \$250,000 in our budget in the NBA All-Star Game, but we actually didn't lose that at all. So, that will help us make our 2019 budget. We get renovation fees that we charge on tickets at Ovens Auditorium for \$5 million renovation we did back in the early 2000's, so those fees will go back to pay off the debt of the renovation. The Spectrum Center, we get a commission as part of our contract with Levy, but we actually pay them more than that back for this commission. So, it is actually an expense for us after we get done. That is what our earned revenues are made up of. Then our external support is the other half of our revenue stream, and it comes from our financial partners, the City of Charlotte and Mecklenburg County. The Hornets refund us for any of our expenses when we operate the Spectrum Center; it is a net neutral for us, they refund us exactly what our expenses are that are needed to run the facility. We also get reimbursed for our work at the Welcome Center at Charlotte Douglas International Airport.

Our sources of funding are from the Convention Center Fund, Tourism I, and NASCAR Hall of Fame Dedicated Funding, and we use those funds not just to operate some of the facilities, but also to do capital renovations, long-term and short-term capital on the buildings. These are the breakdowns of the external support; \$8 million into the Convention Center, \$2.5 million in extraordinary capital, NASCAR Hall of Fame \$4.9 million, Bojangles' Entertainment Complex \$400,000; most of these are capital. Visit Charlotte \$16 million, that is not capital, an additional \$2 million in marketing, which we call reputation recovery. Film Commission \$300,000, we run it for \$450,000, but we get a subsidy to do that, and we also get \$150,000 from the County. Airport Visitor Information Center and the Spectrum Center, those are our external support revenues.

The way our expenses work, about a third or 36% are sales and marketing. About 12% are for governance we call it: Administration, Business Support, Accounting, Human Resources, IT and those types of things and then 52% of those operating expenses are for running venues. Here are our operating expenses \$11.8 million in marketing, \$10,500,000 for sales, \$2.2 million for Human Resources and Payroll, nearly \$5 million for General and Venue

Administration and Business Support and \$32 million for operating all the facilities that we operate, the Convention Center, Bojangles' Entertainment Complex, and NASCAR Hall of Fame. That all adds up to nearly \$62 million in expenses that we operate under. These are some of the capital numbers; \$6.7 million in capital in our 2019 budget; \$635,000 in ordinary capital for the Convention Center, \$2.5 million in extraordinary capital and \$3.6 million in the NASCAR Hall of Fame for a total of \$6.7 million.

So, what does FY20 look like? FY20 looks like we are going to be a little bit slower, because we will be under construction and parts of the Convention Center will be closed. We are going to stay open but there will be rooms that will be un-useable; So, we are expecting a seven percent to 10% drop in revenues. The good news is we are still pretty busy, and a lot of people still want to use the Convention Center. So, we are going to have to manage the construction and the noise around that really carefully, but we are excited and we think that drop is manageable in our plans. We will dip into the fund balance in the next two years So, like the City we hold a 16% fund balance or 16% of our operating costs fund balance as a reserve for difficult times. We will slightly dip into that, but we've planned well for this period of times, and we have what we think is sufficient funds to get through the next two years of construction, and I will show you that in more detail in a second. We think we will be back above the operating reserve again in FY22 when the Convention Center expansion is complete. The great news is the new space is being booked quickly already; people have high interest in this space, and we've got a lot of business on the books for post construction period.

Here is what I was talking about the fund balance; the red line is the projected 16% reserve, and as you can see we have been planning ahead of time because we were at the \$16 million in reserve. We are only going to dip down into just below the 16% reserve, so our planning has been strong; we've been well prepared for this period of time, and I think we are well prepared to face the construction that will start in June. We also have under construction the connector facility between Owens Auditorium and Bojangles' Coliseum, and we think that will be done by the end of the year. It is going well, but we also have been doing a lot of playing in mud because of the rain that we've all had as you can imagine. That is it for my presentation about what makes up the CRVA budget, and I'm happy to entertain any questions.

**Councilmember Mayfield** said I'm trying to get some clarification on- You noted that the NBA ASG divisional transfers, we have a negative that we are accounting for of \$250,000 which you said we actually didn't.

Mr. Murray said this was our 2019 budget, and we anticipated losing money in the All-Star Game, but we did much better through work of cost control and also with the help of the Hornets and their sponsorships we raised more money than we had anticipated, so that was very good.

Ms. Mayfield said I'm trying to see where that was identified in the later slide when you went through. I'm trying to figure out where we actually show what the actual amount was.

Mr. Murray said we didn't show it in later slides, because we left operating revenue So, this was the first slide with operating revenue in it. That slide that you are talking about was the detail slide for operating revenue and there are no further slides for operating revenue after that.

Ms. Mayfield said okay, maybe I'm the only one not understanding why we wouldn't have, since we have some actuals, why we wouldn't list what the actuals are if we identified that we through we would have a loss but in actuality we had a surplus.

Mr. Murray said we ended up breaking even so we are at zero.

Ms. Mayfield said that is what would be helpful.

**Councilmember Driggs** said they haven't updated the numbers yet.

Ms. Mayfield said right, I get that but still if you are going to do a presentation and if we have it identified then I just wanted to see if it was in here, so therefore I asked the question.

**Councilmember Bokhari** said one of the things we talked about in our last Retreat across multiple categories of which CRVA was one, was a greater level of transparency into what I will call a portfolio report, a view of assets, spend, expenses, performance and things of that nature. On this front, I think what would be helpful is; it was good to see some of those numbers, but it would be helpful to see almost a lineup of venue by venue, because we saw an individual venue breakout in what you just showed us there \$16 million Convention Center, \$7.8 million NASCAR Hall of Fame but then we see a single bucket of venue expenses, so really being able to lay out these venues side by side with the expenses. Which ones are over performing, and which ones are in the red? Things like that to help us kind of get a better line of sight into the assets across the City and their performance. Does that make sense?

Mr. Murray said yes, it doesn't work well with us. Two things: one, when I got here seven years ago we combined the Authority into one P&L and in part you take advantage of making sure we collaborate with each other. For instance, today the marketing team markets at the NASCAR Hall of Fame, the Convention Center actually cleans and sets up the NASCAR Hall of Fame, the kitchen team in the Convention Center runs the kitchens in Bojangles' and Ovens, and there is a lot of co-mingling of expenses in order to do that and in order to kind of stop the silos that we had in the past where people kind of competed against ourselves internally we no longer recorded each venue separately.

I can tell you that each of them also have complicated funding sources; as you know they have revenues and then they have external funding, as I just talked about as well. So, we measure our cash flow at the bottom based on our one CRVA approach and as you can see all the revenues offset all the expenses in our facility. That is how they work; the Convention Center loses money, but it is getting close to breaking even. The NASCAR Hall of Fame and Bojangles and Ovens all about breakeven, but our business is not to be for profit; our business is to try to make sure that we are offering the best services to our community and supporting the visitor economy.

Mr. Bokhari said I certainly don't want to create work for the sake of work especially when you've created centers of excellence in some areas to cut out some of that. Maybe we can take it off line but I think there is still value to seeing things that can be lined up and then then seeing these kinds of centers of excellence that perform across multiple areas with a rough breakdown of percentages, because it looks good from this perspective as broken even, but this whole external and capital funding bucket is net new money that will fluctuate over years that is not revenue based.

Mr. Murray said each department does have its own expense budget. So, I can certainly walk you through those expense budgets. They are not pure P&L's, because there is so much allocation that is not done.

Mr. Bokhari said understood, I think it is just a matter of after asking around on multiple topics, this just being one, we just have a very limited line of sight and a true portfolio report and performance at an asset level is something that anyone in a private sector company doing things similar to this would be doing. So, the more you can help us achieve that we would appreciate it.

Mr. Murray said I will be happy to do that; I will just also remind you that we have a really strong Board that takes that very seriously. I have one of the members of my Board here, Tom Sasser. I actually had more planning on coming at the earlier presentation, but others were unable to make it. My Board Chair just had a baby So, we are a little bit shorter than I would have thought, but we have a Budget and Finance Committee that reviews the budgets in great detail and then the Board also reviews it in great detail just so you know there is outside scrutiny also of the operating team as well. We review the budgets with them and the financials on a monthly basis.

**Councilmember Mitchell** said as a financial partner with the City, how much do we give you for marketing dollars?

Mr. Murray said the marketing dollars is a pre-prescribed formula and is \$16.2 million between sales and marketing for Visiting Charlotte and the marketing team.

Mr. Mitchell said so, we give you \$16.2 million.

Mr. Murray said yes.

Mr. Mitchell said you mentioned the renovation of the Convention Center; I think it is 19 events we already have booked. Can you share with Council just as information; give us a list of those 19 events we already have booked.

Mr. Murray said I will be happy to do that. I have them in another presentation, but I don't want to misquote my team.

Mr. Mitchell said we always hear about the free events, so we have five at Bank of America Stadium; I think we have about 20 at BB&T Ball Park, and I think part of Memorial Stadium we have about five. So, how does that work? Who owns those? Does the City own those, and we work in partnership with CRVA? I think a lot of us sit around here, and we don't realize we have free events to be creative and use those. Is that in your responsibility?

Mr. Murray said yes, we manage those events on behalf of the City in part, because the money that was generated that freed up those event days was tourism money. So, the tourism money kind of follows the trail to our organization because we manage the tourism authority for the City, and so, we've been overseeing that plus our sales team is the team that books most of those events in conjunction with our partners like the Panthers and the Hornets and the Knights. We keep a good track of all the events and the use days; we've got a schedule that I'm happy to share with you if you would like to see it and can show you exactly how those event days are being used. As you know this year we will have two soccer matches, and we have the Labor Day Football Game and the Belk Bowl, so we will have four in the Panther Stadium this year.

Mr. Mitchell said so, the Panther is five free events?

Mr. Murray said right.

Mr. Mitchell said BB&T is how many free dates?

Mr. Murray said I'll have to get back to you, but I think it is 15.

Mr. Mitchell said then part of Memorial Stadium.

Mr. Murray said we don't have any at Memorial Stadium right now, because we didn't do the deal you may be thinking about right.

Mr. Mitchell said no, no, we put money in the turf, so what free dates will we have. I thought part of what we bought was three to five dates.

Mr. Murray said it is in the new deal with the artificial turf, which hasn't been put in yet So, that will be five I think, but I will verify that for you.

Mayor Lyles said I really would like for us not to say free days; I'm trying to find a name, because we have the use of the facility, but the cost of the facility also weighs in on it. So, you get a day but you still have to pay for the lights, the security. It is rent free but not free, because you have to pay for some things. I just wanted us to think about what we call it instead of free days, because I think when we say that people think we mean it is free.

Mr. Mitchell said you still have costs associated with it. So, Tom, what is your strategy to replace the CIAA beginning in 2021?

Mr. Murray said we have been booking into those years for quite some time now, and we continue to go after more and more events. There are not many events like the CIAA, and so specifically replacing it on those dates may or may not be achievable, but we are continuing to try to book volumes bigger than we are. The good news is we are above pace in our bookings already for those future years. One could argue that would mean that the business is going to be higher than we've had in previous years of the economic impact and we will wait to see how that works. Obviously, if we can land another piece of business like that the team is working on other extraordinary events like that. As you know, we host a number of extraordinary events, but most of them don't repeat in the same city year after year, and so there are not many like theirs that repeat in the same city. We also will be going back after the CIAA; again, after they are done in Baltimore, and hopefully we will be able to earn them back as well. I'm confident that the visitor economy will recover from that but we certainly would love to have that piece of business back for many reasons.

**Councilmember Eiselt** said what does the Crown Ballroom hold; how many people?

Mr. Murray said it depends on what you are seating is.

Ms. Eiselt said the maximum.

Mr. Murray said if you were having dinner for instance that is 2,200 or something like that. It depends on what kind of staging you have and all those kinds of things.

Ms. Eiselt said then upstairs in the Ballroom it is 1,800?

Mr. Murray said there is the Richardson Ballroom that is slightly less about 1,800 and then 2,200 in the Crown Ballroom which is part of the new NASCAR Hall of Fame development. We also do dinners downstairs in the exhibit hall. We did one for 12,400 you may remember for AKA. We actually hosted Center City Partners dinner down there this year which was really fun and a really cool exhibit down there for about 800.

Ms. Mayfield said with the expansion, since we say the maximum for the Crown Ballroom is 2,000, with the expansion what is the anticipated?

Mr. Murray said we are not expanding the ballroom capacity; we are expanding breakout space, which in our survey of our competitiveness versus cities like Nashville and Austin, was the number two reason why we lost business, because we didn't have enough breakout space in the Convention Center. So, we are reacting to what our customers are telling us and investing in ways to make that we continue to remain competitive. So, those are smaller meeting rooms; there will be two that are 10,000 square feet, but they also can be sub-divided. In total, we will add 90,000 square feet. The Crown Ballroom is 40,000 square feet, and the Richardson Ballroom is 35,000 square feet.

Ms. Mayfield said in comparison of the newest convention centers or other upgrades, you are still comfortable that 2,000 is the max number that is needed for a big venue event?

Mr. Murray said we would love to in a further period of time expand into a larger space but we are not there yet, but something that would be much more flexible for instance, we are talking about a flexible ballroom that could be sub-divided and used as classroom and/or be opened up to larger space. We don't have specific plans for that today; it is not what showed up on comp set. I will tell you locally that this year we were pushing full on all these big events like the Foundation of the Carolinas and some of the other events we hosted this year, the Police Foundation also filled both of those rooms that they were using as well.

Ms. Mayfield said so, we are looking at the anticipation in the next few years a request for funding.

Mr. Murray said it is part of longer term, and it is part of what we have to think about the long-term strategy with the Convention Center, which we are working with the City and Tracy

Dodson and thinking through that strategy, as well as long-term what do we need to make sure that we stay competitive.

Mr. Driggs said Tom, how does your audit work; are you part of the City's audit, or do you have a standalone?

Mr. Murray said we have a standalone audit and then our audit. Once it is produced, it is submitted to the City and then it balances with the City. That usually happens in the fall when the balancing act happens with the City and our auditor. Our current audit firm is CohnReznick.

Mr. Driggs said so, it consolidates then; it is consolidated in the City's consolidated [inaudible] right?

Mr. Murry said parts of it does.

Mr. Driggs said we also have access to a full set of your financial statements as a result of your audit?

Mr. Murray said sure.

Mr. Driggs said the other thing I just wanted to comment on; a lot of what comes to us has to do with capital account type of activity and I would say we are still often a little bit in the dark as to context. We will get a proposal that says we need \$50 million for Discovery Place; we get \$110 million for that and I personally don't have any sense of what the capacity is from our hospitality funds for those and I feel that more than the oversight of your operations, which I agree with you, your Board takes care, people do look to us for accountability about that So, I would love to see some improvement in the process to which we understand what is in the works and how your funding and capital expenditures are planned.

Mr. Murray said sure, I will tell you that those funds are controlled by the City and I work closely with the City, Tracy Dodson and the City Finance Team. They do the schedule of those funds, what they think the forecast of those funds are and on that chart which I have showed you before shows the expected uses of those funds over the near term.

Mr. Driggs said Mr. Manager, maybe this if for you or for Tracy, I don't know if others feel the same way but I just don't know what we are dealing with in terms of the opportunities the CRVA has and the prioritization process and the adequacy of the funding in those questions.

Ms. Eiselt said I think we have heard that before.

Mr. Driggs said it is a stuck record but that is how you get things done.

**Councilmember Winston** said part of the full process of the need to renovate the Convention Center was competition from other convention centers in other cities. You mentioned that there are already 19 dates being booked for the new expanded Convention Center. Is that accurate?

Mr. Murray said those are events, not dates.

Mr. Winston said could you kind of categorize, is this new types of events that are made possible by this renovation or are these events that we would have lost otherwise?

Mr. Murray said I think some of them wouldn't be able to be hosted in our building without the additional space. So, those events are ones that we were hoping to achieve by doing this expansion. I would say that is a true statement.

Mr. Winston said do you guys kind of forward look the way cities are changing the way, different types of events, different types of attractions that are drawing people to cities in



general? Is there any space in here where you are looking to expand outside of normal convention centers and sports arenas?

Mr. Murray said currently some of the events that we book are not at the Convention Center. As you know we book events like the All-Star Game in other facilities. We also book a huge amount of amateur sports that are using Parks and Rec facilities and private facilities around the county. It is actually one of the largest segments of business that we book over 700,000 room nights a year in that kind of event.

Mr. Winston said what kind of events?

Mr. Murray said amateur sports business.

**Councilmember Phipps** said have we fully utilized all of our reduced cost events? How have we been doing in actual using those dates?

Mr. Murray said those free rent days are days that we have with our partners organizations and we book lots of events that don't use free rent days as well in their facilities if our client doesn't require them, but for the most part we have not used all of the free rent days with the Panthers in part because of the Convention Center So, we are averaging two to three a year and a couple years we did four. We have never done five in that period, but remember they were under construction and our window was January to June So, we were able to book events outside that window working with our partners in September and also in November. With the new administration we have been working very closely with them to try to book even more events and I'm working on numerous events that we could book into the facility in the future So, I'm pleased that the new ownership is very interested in continuing to book more events and more events that were out of our kind of opportunity zone in the past because of restrictions that the previous administration had on field use. I'm happy to share that schedule with you as well.

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#### **ITEM NO. 4: IMMIGRANT COMMUNITY COMMITTEE LESSONS LEARNED AND RECOMMENDATIONS**

**Federico Rios, International Integration Manager** said the first couple slides are just a recap; you all saw this at the last council meeting in reference to the purpose of the Committee and the fact that we went about meeting nine times in the community. These were the suggested actions that community members presented to us. Focusing in on the first three bullets, you will see much of this in the slides coming up in the presentation. This is recap and for those that are a member of the Committee you have seen these slides before. There is no new information per se in these slides. Councilmember Winston as well during our last Committee meeting saw these.

You will remember that we decided that it was necessary to phase this, to do this work in two phases So, at first we talked about having you all endorse the Manager to promote a citywide language access plan recognizing that time over time when we met in community we consistently heard the need for improved communication with City employees and personnel, then we also talked about being more proactive around community engagement and data regarding the diversity that we currently have in our staff. When you look at a language access plan this is review and what we are really talking about is standing up a plan that would ensure that whenever we show up in diverse communities we come recognizing the language needs of those communities and providing services and resources to address those needs appropriately in the language that is spoken.

So, to give you an update, I mentioned this again at the council meeting; the Language Access Plan is tied to the Americans with Disabilities Act in a really unique way. As our consultant Atura Solutions was coming to us asking for information related to access we brought up the fact that language access is also an access issue. They were kind enough to add to the survey they were conducting with us a piece around language ensuring that individuals as we are asking them questions around the accessibility of facilities and services with the City we are also accounting for the access issues that arise with language issues.

During this process we actually had a situation where we spoke with our Risk Management Department; there is policy currently in place that states when individuals come to Risk Management with an issue that they are to bring their own interpreter. That provides all types of challenges for us as a City when we ask people to bring their own person. We don't know the ability of that individual; we don't know the information that is being translated is accurate. So, in the midst of this process we found a situation that showed that we really need to do a better job in ensuring that we have accessibility to language in all of our documents and resources.

In this addition, we worked very closely with Human Resources, thank you Paula, thank you Sheila, to get out a citywide language access survey, and so we are actually going to map out what language resources; we currently have on staff with over 8,000 employees we recognized that many of them speak more languages than just English and looking at different ways that we can leverage that. One of those ways being a Cultural Concierge Program, where they would be able to serve as volunteers and representatives for the City of Charlotte in events and programs that focus on those particular communities in whose language they speak.

We are also starting a pilot within the Community Engagement Division. So, we are actually reviewing all the vital documents within that division to ensure that individuals are able to access resources and services in their language and that documents that they need to have access to are translated for them. Also, we've already begun the process of training staff on how to use language line so that as individuals need services they can easily access those services. We've also talked to CMPD and put in a data request around how many individuals currently on staff speak another language. We got this repeatedly in the community that we wanted to have account for how many individuals that work in our police department speak languages other than English.

I'm proud to announce that we will be creating a Civic Leadership Academy in Spanish. We've been doing Civic Leadership Academy for an extended period of time as a City. We are now moving to also do it in Spanish. We recognized as we went out into the community that there was a severe gap in the understanding of government and resources and how different forms of government interface. So, this will not only allow us to share information with Spanish speaking residents but it would also allow us to develop a pipeline of future leadership, individuals that we could consistently have communication with and ensure that they as representatives of the community can come to us with the services that they feel that they need. We hope to start this in this coming month.

Phase 2 of the recommended efforts, we talked about utilizing a racial equity tool and you will see a bit more about that. We also talked about expanding our efforts in recruitment of bilingual employees and exploring the creation of a Charlotte Compact. This is Granicus; it is actually what we currently use as a City when we are reviewing individuals for the purposes of being on a Board or Commission. This tool actually affords us a number of different demographic items related to all of the candidates. It tells us age, sex, race, and it tells us District. When we think about Boards and Commissions we know from conversations that we've had with our Chair, Councilmember Egleston, that there are commissions that he has been on that have had very little diversity. This tool, if implemented properly, if the information is shared with the individuals that make the decisions for Boards and Commissions, you all, can allow you to make a decision as to what individual is only best suited for the Board but how do we ensure that diversity is a focal point. This actually relates back to the Charlotte International Cabinet; you see the diversity of those individuals and the fact that we have all the different Districts represented on that Board.

Another shout out to Human Resources; they've done an excellent job of looking at different ways to attract individuals that speak other languages. This is an example; this is La Noticia newspaper from April 9, 2019, and it actually has a flyer in Spanish for one of our job fairs. We are making a proactive effort to ensure that individuals in our community are knowledgeable about the job fairs, the different events that we have going on in Charlotte that would attract those individuals to work for us. When we think of this recruitment effort we also recognize that in the Diversity, Equity, and Inclusion Report that I served on the

Steering Committee for and presented to you all several months ago, that it is important that the City Manager conduct an assessment of all of our front facing positions So, really looking at the individuals that work from a customer service basement representing the City of Charlotte and ensuring that we fill those gaps that we may have around multi-lingual needs.

In addition, the Department of Human Resources is working on creating an H1B Visa Program. We recognize that there are positions in the City of Charlotte that are incredibly difficult to hire for. We just do not have the talent pool within this Metropolitan Area or even broader looking throughout this region. So, creating an H1B Program not only allows individuals that have a really specialized skillset to potentially come on board but it gives us a policy, a platform by which to bring those individuals. We also had discussions with HR around marketing open positions a community events. So, looking at this Community Concierge Program as possibly a vehicle to ensure that when we go out to the Persian Festival or when we go out to different festivals in the community we have an individual that speaks the language, we have an individual that represents that community that is able to share about those opportunities that are available in the City.

In our prior discussion at the last council meeting I discussed this concept of a Compact; there are four states currently that have issued Compacts: Iowa, Florida, Texas and Utah. These are all states that have received bipartisan support around the creation of a Compact that really dictates the way in which they work with their immigrant community. It is a value statement; it shares with individuals how they feel about immigration, where their place is in it and how they will work with all community members to insure equity. We are currently working as charged by the Committee at starting a draft of a Compact for them to review, and we will present that to you in the coming weeks.

Next step for Council, we would desire as a Committee the endorsement of the City Manager to promote the city-wide language access plan; also, the endorsement to assess the current multi-lingual staffing for service oriented positions. Those front-facing staff members that are dealing with community members. We want to establish a timeline, as I've shared, at the next Council session when we report out. We will have a draft ready that will be reviewed by the Committee and brought forth to Council along with other items. We want to talk about future engagement efforts. One of the consistent things we heard in our sessions was the need for more know your rights presentations throughout the community. So, this is an opportunity for us to work with partner organizations, also around H1B Visas and the challenges that individuals that access that visa have. Then we would reconvene the Committee to finalize policy. I will share with you that on May 13, 2019 at the Business Meeting, we will present a list of recommendations for your perusal and determination on what direction we take moving forward.

**Councilmember Egleston** I know we've got to get down to the Chamber, So, there might not be as much time if someone has got some deep dive questions, but I would encourage everybody; next Monday we do not have a full council meeting, but we do have the final Immigrant Community Committee meeting will be here at 2:00 p.m. next Monday, the 29th of April and then as Mr. Rios mentioned we will bring from that Committee meeting a package of policy recommendations to the full Council on our next Business Meeting which is May 18, 2019, but I would encourage folks that are able to join us at the Committee meeting even if you are not on the Committee to dig more into this and ask questions or reach out to Mr. Rios or Ms. Yaffe or myself if you've got questions that we can help go through with you, or you can listen to Mr. Rios and Ms. Yaffe on Charlotte Talks tomorrow morning. I will be there as their body guard but we will be talking about that tomorrow morning as well. Please ask as many of these questions as possible before we bring it to the meeting on the 13th, because some of this stuff is complicated. We want this to be something that the full Council can support so we don't want to try to have to get into long winded explanations at a Business Meeting when we've got opportunities between now and then to answer any questions or concerns that anybody might have about these policy recommendations.

**Councilmember Newton** said I am huge supporter of the Language Access Plan and I'm behind you on that. You had mentioned that we are looking at retention and hiring of bilingual employees; are we going to be looking at CMPD data sets pertaining to that? I've

learned over the past couple weeks that we have, not just from the standpoint of bilingual employees, but we have a short fall in the number of Latino Officers in particular and in others. So, we learned through this process that we have a very diverse immigrant community, so beyond just Latino Officers I hope and in my opinion, we can look maybe one step beyond just bilingual but make sure that we have a Police force that reflects the communities in which they serve. We had a lot of discussion pertaining to our Legislative Agenda and a new Legislative Agenda item pertaining to immigration reform and I've heard you talk about the Compact. We have a lot of talk about potential letter from the Council, is that what is involved in the Compact, that letter, that Legislative Agenda item or if not, what happened to this idea of us talking about Legislative Agenda item? I thought we were making a lot of headway towards that, and I would hate to see not be reflected in any recommendations that we move forward with.

Mr. Rios said we just discussed this, actually myself and the Chair, earlier today. We will be bringing forward a recommendation around the Legislative Agenda, how we can move forward with some items related to that. In regards to the Compact, the Compact is actually an agreement between a, well in the case of all the four Compacts that have come out, it is an agreement between the General Assemblies of those states and large businesses in those communities. So, us standing up a Compact is really looking at establishing a framework by which we say we will govern ourselves in relation to our immigrant community, how we will work in tandem with that community, how we will ensure equity across the board for all residents. So, we would look to do the same, to create a document that serves as a sieve. Whenever we consider policy we are looking at whether or not it follows this moral statement that we've made through a Compact.

**Councilmember Mayfield** said when we go back to Granicus the only consistency in here, when you look at whether it is ethnicity or gender, this breakdown is 41% Caucasian applicant to 41% members; we have a major decline when you look at 33% African American applicant by only 18% of African American members. Even with the second page, when we break this down it would be helpful when you bring the information back and when we are looking at the entire community I don't want us losing the reality that the African American community here in Charlotte has historically faced a lot of obstacles with getting access to information as well. As we are breaking down the growth that we are seeing within our Asian, specifically Indian community as well as our African and all the other communities that we are paying attention to the fact that Charlotte is 30% African American and then it breaks down about 12% Latino, 10% Asian/Indian community and for whatever reason the other captures all other communities even though they are very different culturally. It will be helpful because unfortunately I have had conflicts every time the Committee has gotten together or even gotten into the community and Monday I'm not going to make that one either, because I've got to get on the road. It would be helpful to provide that information as well.

Mr. Rios said I think our use of the racial equity tool is not limited to just immigrant community members; we are really looking at each individual Board and Commission as they make the decision to say where is an opportunity to diversify what you currently have, not just in skill set, not just in District representation, but also gender and race.

Mr. Egleston said I also think a lot of the discussions we are having and it is easy to see why when we talk about a Civic Leadership Academy in Spanish and things like that. Obviously, a huge portion of our immigrant community is Spanish speaking Latino community, but we actually did at one of the community sessions hear from an African immigrant who said I don't feel represented. I know you included that in saying African American but African immigrants that we have a strong community of here. So, I think the goal of this work is not just to serve the Spanish speaking community but it is to serve what is a very, very diverse group of folks, both African American, African immigrants, Indian Americans, and we were happy to see that representation at some of our events was broader than just the Latino community.

**Councilmember Ajmera** said I want to be able to bring in some of the conversations that we have had at the Committee level around resources for naturalization process. I know we get a lot of request around where do folks go to get resources on citizenship exams, etc. I

did not see that but I know the presentation that you had done earlier to the Committee, which was more detailed, is that still in the pipeline?

Mr. Rios said yes, absolutely. Thank you for that question Ms. Ajmera; we have continually worked on the naturalization process as we shared in the prior Committee meeting. Emily Yaffe, the other half of my office actually convenes all of the naturalization providers in town and meets regularly to go over goals and where they are. We are also in tandem working with the volunteer to create a web page where all of that information can be shared, because currently that information is scattered throughout the web. We don't have one central location, so we are working on that. It did not come up often in the actual meetings in the community but we recognized that is a need.

Ms. Ajmera said I just wanted to make sure that doesn't fall through the cracks. The other point I had brought up was around contract opportunities for various immigrant owned businesses and I know that is still part of the ongoing conversation with ED Chair Mr. Mitchell, and I want to make sure that is also part of our next steps, because I did not see that in this presentation.

Mr. Rios said you will see that reflected in the next steps.

Ms. Ajmera said just one last thing that Mr. Newton had brought up was around the Federal Legislative Agenda. I hear that is an ongoing conversation and at some point we will also see that in an action item. Correct? Thank you.

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#### **ITEM NO. 5: COMPREHENSIVE PLAN UPDATE**

This item will be presented at a future meeting.

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#### **ITEM NO. 6: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS**

There were no outstanding Consent item questions.

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The meeting was recessed at 6:41 p.m. to move to the Meeting Chamber for the regularly scheduled Business Meeting.

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### **BUSINESS MEETING**

The City Council of the City of Charlotte, North Carolina reconvened for the Business Meeting and Public Forum at 6:48 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Julie Eiselt presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps and Braxton Winston, II.

**ABSENT UNTIL NOTED:** Mayor Vi Lyles

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### **INVOCATION AND PLEDGE**

Councilmember Driggs gave the Invocation followed by the Pledge of Allegiance to the Flag.

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## AWARDS AND RECOGNITIONS

### EARTH DAY PROCLAMATION

**Councilmember Harlow** read the following Proclamation:

**WHEREAS**, the City of Charlotte continues to place special emphasis on achieving a circular economy, along with a commitment to the development and implementation of a Strategic Energy Action Plan, directed toward a more sustainable future for all citizens; and

**WHEREAS**, we take pride in our spacious and abundant tree canopy, demonstrating an achievable link with our surroundings by strengthening the bond with Mother Nature and all her creatures; and

**WHEREAS**, all people on this earth, no matter their race, gender, income, sexual orientation, or national origin, have a right to a healthy environment; and

**WHEREAS**, it is necessary for citizens of our global community to develop green jobs and to build an innovative and equitable green economy to combat the global challenges; and

**WHEREAS**, expanding environmental education and climate literacy is vital to enhance awareness about the environment, inform decision-making, and protect future generations; and

**WHEREAS**, it is understood that sustainability will only be achieved by meeting the needs of the present without compromising the needs of future generations; and

**WHEREAS**, it is more important than ever to act locally and to cooperate internationally and defend the environmental progress that has been heretofore gained; and

**WHEREAS**, Earth Day is an annual reminder of the constant need for environmental activism, stewardship commitments, and sustainability efforts:

**NOW, THEREFORE**, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim  
April 22, 2019 as

### **“EARTH DAY”**

**in Charlotte and commend its observance to all citizens.**

\* \* \* \* \*

### CHARLOTTE CHECKERS HOCKEY TEAM

**Councilmember Egleston** read the following proclamation, followed by a short video:

**WHEREAS**, the City of Charlotte first hosted a professional hockey game at the Charlotte Coliseum, now known as Bojangles' Coliseum, in 1956 when the Eastern Hockey League's Baltimore Clipper's home rink was destroyed by a fire; and

**WHEREAS**, after experiencing the passion of the more than 10,000 enthusiastic spectators who packed the Coliseum, the team owner decided to move the team to Charlotte; and

**WHEREAS**, the team was renamed the Charlotte Checkers based on results of a community-wide team-naming contest; and

**WHEREAS**, after 21 years of games followed by 15 years with no games, the Charlotte hockey team re-emerged in 1992, and once again the community picked our team's name as the Charlotte Checkers; and

**WHEREAS**, in 2010 the Charlotte Checkers entered in to an affiliation with the National Hockey League's Carolina Hurricanes; and

**WHEREAS**, this season the Checkers won the Emile Francis Trophy as Atlantic Division Champions, the Frank S. Mathers Trophy as Eastern Conference Champions and the Macgregor Kilpatrick Trophy as the American Hockey League's regular-season champions; Checkers coach Mike Vellucci won the Louis A.R. Pieri Award as the American Hockey League's Outstanding Coach and Checkers goaltender Alex Nedeljkovic won the Aldege "Baz" Bastien Award as the American Hockey League's Outstanding Goaltender; and

**WHEREAS**, the Charlotte Checkers are currently in a best-of-five playoff series with the Providence (Rhode Island) Bruins, with the Checkers' home games being played at Bojangles' Coliseum Wednesday, April 24th; Friday, April 26th; and Saturday, April 27th (if necessary):

**NOW, THEREFORE**, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim that for the week beginning today, Monday, April 22, 2019, Providence Road will be referred to as

**"CHECKERS BOULEVARD"**

in Charlotte and commend its observance to all citizens.

\* \* \* \* \*

**PUBLIC FORUM**

**Mayor Pro Tem Eiselt** said some of you may recall that we have voted to change our rules so if we have more than 10 speakers signed up the time allotment will be two minutes per speaker. We do have 18 or 19 signed up tonight with a few that are on the waiting list.

**STS Transportation System**

**Charles Moore, 7509 Nutmeg Lane** said since we met last November, no-one from Special Transportation Management has ever contacted me. Even after I spoke to my Council Representative, still no-one has called. At that meeting, I requested a Committee of STS clients and drivers be formed to discuss grievances, operational changes and vehicle purchases with management but again to no avail. The new buses are rattle traps, ride like log wagons because the folks ordering them do not understand the design need but are poised to purchase more vehicles. Their excuse is that the new buses meet ADA requirements. Well, by that logic if the required ADA safety features were installed on it, so would my grandson's Red Flyer Wagon.

My question is STS has already squandered \$3 million taxpayer dollars on buses that are inefficient and ineffective and yet they did so and are ready to buy more buses but have not asked any input from the people that have to ride them. We have a possible solution; I would ask the City Manager to suspend CATS and STS management that used to drive home City vehicles. They should have to ride the STS on a daily basis and experience the same overall system problems as do we. Maybe if they get some skin in the game, they might make some changes. If they had to contend with our overloaded reservation system, late buses, lack of drivers, dispatchers who revenge themselves by adding calls to your buses routes so you were late as punishment for complaining on them, and lastly your system is just plain broken, maybe changes would be made. I bet if the City Manager had to ride STS, well we won't go there, bad Charlie. If they had to contend they would do something about it. Now, in the vain of the NCAA which recently graced out City, the ball is your court, and over 30,000 handicapped citizens depend upon STS.

**Strategies to End Involuntary Homelessness in Charlotte**

**Joel Segal, 4568 Randolph Road** said could everybody rise who believes that housing should be a human right, and we should end homelessness in our City, please rise. I am Co-Chair of the Alliance of More Progressives; I was formerly homeless in the 1990's due to a life-threatening health issue that I deal with, so this is very personal to me; the idea of ending homelessness is very personal to everybody in this audience. I was also the former

Director of Charlotte's Winter Shelter in 1991 and the Founder and Executive Director of Charlotte's Purse Strings for Housing and Jobs Program.

Let me tell you why we are here; we are all here tonight because there are thousands of people, especially families and children, who do not have access to affordable housing. I came here because of this young lady named Elisha Walker and her son who got into a car accident; she went to the shelter for three months then she got wrap around service, got an apartment. The funding ran out; this is an author of books. She has worked her whole life and like thousands of women and children and families, she goes through a circular economy of not having an economy, and that is housing.

So, we are declaring a homeless emergency in our City, and we are asking one request and that is for City Councilman Harlow; we the community would like to begin with you and also, we would like to include LaWana Mayfield, who in my opinion has an encyclopedic knowledge of housing, and we want to come up with a comprehensive plan and let Charlotte be the first City in the Country to end involuntary homelessness for people who don't want to be homeless, so they can work. I don't think anyone here would want to be in a shelter and you know what there are great programs in Chicago, I worked in Congress for many years on housing. There are great programs in Detroit; let's be a Queen City with a heart, and it is not that hard. You just got to build housing and provide services, but we cannot do it without your support, and we want to help you.

### **Code Enforcement**

**Davena Price-Farag, 11315 Dunbarrach Lane** said I'm here to talk to City Council to see if I can get code enforcement's rule on complaints against trash to be reduced from 10 days to something more like 24-hours or 48-hours. I have pictures of where I live; I live in the Scottsdale Townhomes, off of Providence Road behind Publix, and this has been an ongoing issue with the trash. It is abysmal, my view. This is what I pay \$1,400 for a month to look at. I pay \$1,400 for a three-bedroom townhome, and I chose to live in this area, because my daughter is an honor student and coming from another state I wanted to keep her in a school that would keep her challenged and engaged. I found that in Ballantyne, but I'd already signed a lease before I knew about the trash problem. I have called code enforcement twice myself and someone has also complained about this problem as well in less than a year's time. They come out, and they get 10-days, and they will clean it up long enough for the code enforcement officers to come see it and then the cycle repeats again. I'm just looking for real consequences and real action.

Mayor Pro Tem Eiselt said if we could get someone to respond on that to the specific issue, as to who is doing the littering, and we will get back to you on that.

### **Treated Unfairly by Bank of America**

**Howard Brown, 510 Winston Street** said I am a man of very few words, but I'm going to try to get my point across. I'm here because my mother; now, you can't tell her she's got civil rights. My mother worked hard for everything; she worked hard when she was able to. Right now, it is not what you say, it is how you say it. She had a safe box; I had no proof, but when I came across the proof of the safe box, it was denied, never had it. I went to Alma Adams, and as far as being represented, it looked like I've got to reach outside of these walls to be heard. My name is Howard Brown, P. O. Box 791341, and what I'm trying to achieve, I'm trying to find out where the contents of my mother's safe deposit box went, and I can't even get an explanation. They are the most arrogant people you ever want to run across. The bank ain't nothing but a symbol; that is all money is, ain't nothing but a symbol. Now you talking about money; anybody that can control the churches. They got the money, but a bank is just a drop in the bucket. I am not going to let them get away with what has been transpired.

### **Non-Profit Needs Building to Better Serve Community and Speaking More Frequently.**

**Belinda Mazyck, 6329 Dougherty Drive** said I am the President of the Big Super Tent Event, a City at large outreach. I live in Charlotte, North Carolina and I love this City and we



have been doing outreaches on my property for 15-years and we started in my garage and outgrew it and now we are outside with tents, tables, chairs and these events are big and we have 350 to 450 people head counting, with children included per event. That is 150 families registration confirmed times three in each household. We have families with good resources, activities, educational information, and network and volunteer opportunities. This includes hot meals for hunger relief, grocery bags for hunger relief on the go, clothes to protect the skin, personal care items to promote health, kitchen ware items towards to give kids hope and help them develop, a food gift card to take care of hunger relief up to a month, cleaning products for purification processes, resource bags for additional use for help such as educational information, ageing information, job information, coupons and other general use for household items. This is my fourth time here speaking since 2018 concerning a request for a building and support for our outreach from the City and currently there has been zero results. We partner with others to help fill in the gap, also local business corporations and others in our City and our neighboring counties support us. So, therefore we are asking the City and the Councilmembers to support us also for the service that we provide for our City there is no need for us to be outside when there are empty governments buildings that cost taxpayers money.

### **Economic Development Program Next Steps**

**Leslie Dwyer, 2528 Laburnum Avenue** said I was recruited by Mr. McColl's people 21-years ago after serving as an Independent Municipal Financial Advisor to Milwaukee taxpayers for the original financing of [inaudible] Park. You stopped it for a credit reason and it was never disclosed publicly. A Nations Bank [inaudible] was the leads bank, and economic development is the table for that is like sending a meal back at the Last Supper and being hired by the head chef to shut-up. I've been pursuing this project [inaudible] in economic development and previously red-lined neighborhoods with you and others since the MLS deal in 2017. Since your busy re-election season is here I'm giving the constituents the opportunity to host gatherings, so I can explain all of this. As I said in January the study 50th of 50 thing was the verdict that economic development is causing in town disparity, but the Task Force said it works and that is brought RNC here and this problem is systemic racism, and that is all bad, because it is adopted in this year's budget, but it is leveraged. So, what people don't understand is the Golden Rule never leaves the team; that is why you are forced to do that, because it is state authority. The analysis doesn't work, and it is something I wish I could have discussed with Mr. McColl 21-years ago, but we need to partner with Carolina Panthers to ensure that he helps us get, as a non-profit, a partnership to get dollar for dollar in taxpayer funding to target the red-line neighborhoods so that the stadium is actually colorblind, because I have a moral obligation to continue with this which means killing the bond stadium for the NFL stadium, killing the bonds as an expert, which also makes Charlotte the legal precedent on systemic racism. I don't think anyone would ever want to play for or against the Panthers if we miss an opportunity like this.

### **Violence**

**Shantinique Bright, 1343 Phil Oneil Drive** said on behalf of the students at UNC-Charlotte and Charlotte Mecklenburg NAACP I come here today to express the fear, trauma and hurt that the Charlotte community is feeling in light of many police brutality issues that have taken place. In addition, we are here to demand accountability for the violence our citizens are facing at the hands of our sworn CMPD Officers. In recent years an entire 365 days went by and the City of Charlotte where 100% of the people killed by CMPD were people of color. Now let me be clear for a second, I've met many outstanding CMPD Officers and I've even done a ride along however, we cannot allow a few bad applies to commit crime, high behind the badge and cause fear in our neighborhoods. It is evident that the implicit bias in our systematic racist society has been seen time and time again in our City. Because of that alone a transformation on this issue needs to happen. In recent elections myself and many students faithfully went to the polls to cast our vote and to contribute to some of you being elected into office that sit before us today. Further-more, we voted against City officials who we felt were not standing up for our civil rights and liberties. We find it interesting that at times our City Council and elected officials can put so much energy on issues such as Republican Convention but when people are being murdered in the streets by sworn officers being paid by our tax dollars and when neighborhoods are being gentrified [inaudible] and

school to prison pipelines are continually being expanded in CMS schools all we hear are whispers. Why is that?

### **Affordable Housing**

**Jade X. Jackson 9416 Grove Side Lane** said the Bible says truly, I say you do it to one of the least of these my brothers, you do it to me. There are approximately 5,000 children in the Charlotte Mecklenburg School System and roughly 1,700 adults that are homeless. A report from the UNC-Charlotte Urban Institute says homeless children develop four times as many respiratory infections and twice as many ear infections as children that are not homeless and four times more likely to have asthma. They are at a greater risk of death than non-homeless children. They also perform below grade level in math and reading, they have more absences in schools and change schools. I stand here as the State Co-Chair of the poor people's campaign national [inaudible]. We call for a moral country, we call for a moral Charlotte and we invite you to join us on Saturday at the Hall Marshall Annex at 2:00 p.m. It is our national and state emergency poverty and truth bus tour comes to Charlotte. We invite you to the rally as we uplift the homeless people and those impacted by gentrification. People, we have a national emergency and it is not at the borders; it is within the states of this country. It is right here in Charlotte. Yes, we cry out that we have an emergency. We demand an end to homelessness now, we demand an end to gentrification now, we demand a three-year rent increase freeze now. End our emergency now.

### **Feeding Homeless**

**Abigail Adams, 1003 McArthur Avenue** said I am here because I want to speak about the housing shortage in Charlotte, because I write everyday about this on Facebook. As a citizen who lives in Charlotte, North Carolina I am one of the low- income renters; there is always a shortage of housing for low income renters, but there is not a shortage of housing in Charlotte. I would like to state what I see every day when I ride by; there are houses and apartments being built all over this City but people can't afford them. So, I created what I call rent matching certification. This is where someone comes along and raises money or gives money where they pay 50% of a tenant's rent. The tenant's rent would never go over \$900; this means they get \$450 and someone will pay \$450. Rents matching certification shows that even though you are poor you are willing to pay 50% or half. This country seems to do more for the people who have nothing and who don't work. I am a low-income renter and it hurts me that I see people who live in bigger houses than I do but yet I have to pay my money. So, what I'm saying there is no shortage of housing in Charlotte; there is a shortage of people who want to pay. The landlords are not going to come down on the rent so I've decided since I'm a [inaudible] member, and you can see under my stage name Jute Box Queen 777. You will see a song that I write about myself as well as the people of Charlotte; it is called let us stand up for the man. This is what you are going to see on Jute Box from the [inaudible] member that knows we go out and dance and sing to every concert that comes to Charlotte but we are too lazy to go out and raise that same money to help our people. What I'm saying is I want to see a two-day concert. The City of Charlotte owns Spectrum and you can't even get them on the phone to ask them how much is the rent. PNC Arena is up to 19,000 or 20,000 seats but if that was Beyoncé coming here or JZ coming here they would say, Yo man what is up?

### **Business Training Program**

**James Lee, 3501 East Independence Boulevard** said it is always a pleasure to talk to this group. First of all, thank you Mayor Pro Tem for coming to the neighborhood, thank you Larken for coming to the Business Meeting. I want to talk to you about what we are doing in the hood; we are doing a business training program over there that we hope you guys will support because as everybody is saying here housing is a big piece of what is going on in Charlotte. , but along with that housing we need better jobs So, what we are doing in Grier Heights is we are developing a business training along with Charlotte Works; they are partnering with us. I actually met a gentleman upstairs from the Charlotte Regional Visitor's Authority, Michael and Tom and we are going to be doing some dynamic things in the neighborhood to try to get some better jobs for people that need better housing, because, as you know, we don't do good at housing in Charlotte or upward mobility. You know about

the research that has already been on our City. This is a great City and for these young people here, I'm really impressed that they are here to stand up for what is right, and you guys got to be hearing us. It hasn't been changed in the past; you guys have an opportunity. This Board has an opportunity to change, and I keep telling you and I will continue every time I come up here that you guys are the ones that can make us number one on the list of upward mobility and all of that affordable housing. You can do that, but you have to have the heart to want to do it. You have to have the heart to want to listen to what the people are telling you and like the gentleman was saying, you need to ride the bus and see what it is like. You need to come to where I live; you need to come to the dug out that I used to sleep in when I was homeless last year. You need to go to try to get some food in Charlotte at the soup kitchen. You need to go visit some of these places that your citizens are going in.

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### CONSENT AGENDA

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to approve the Consent Agenda with the exception of Item Nos. 19 and 26 which were pulled by staff and Item No. 24 which was pulled for a separate vote.

**Item No. 16: Resolution of Intent to Abandon Two Unopened Alleyways off of Karendale Avenue**

(A) Adopt a Resolution of Intent to abandon two unopened alleyways off of Karendale Avenue and (B) set Public Hearing for May 13, 2019.

The resolution is recorded in full in Resolution Book 49 at Page(s) 466.

**Item No. 17: Resolution of Intent to Abandon Two Unopened Alleyways Off of Outlets Boulevard**

(A) Adopt a Resolution of Intent to abandon two unopened alleyways off of Outlets Boulevard and (B) Set a Public Hearing for May 13, 2019.

The Resolution is recorded in full in Resolution Book 49, at Page(s) 467.

**Item No. 18: Animal Care and Control Dog Kennel HVAC System Enhancement**

Approve a contract in the amount of \$1,405,017.28 to the lowest responsive bidder Armstrong Mechanical Services, Inc. for the Animal Care and Control Dog Kennel HVAC System Enhancement project.

**Summary of Bids**

Armstrong Mechanical Services, Inc.	\$1,405,017.00
Cam-Ful Industries, Inc.	\$1,672,680.00

**Item No. 20: Storm Water Repair and Improvement**

Approve a contract in the amount of \$4,075,727.68 to the lowest responsive bidder United of Carolinas, Inc. for the Storm Water Repair and Improvement Fiscal Year 2019 project.

**Summary of Bids**

United of Carolinas, Inc.	\$4,075,727.68
Onsite Development, LLC	\$4,084,051.00
Blythe Development Company	\$4,334,956.25

**Item No. 21: Mallard Creek Wastewater Treatment Plant Reliability and Ultraviolet Improvements Construction Manager at Risk Construction Phase**

Approve a guaranteed maximum price of \$4,014,899 to Crowder Constructors, Inc. dba Crowder Construction Company for the purchase of wastewater treatment equipment needed for the construction services of the Mallard Creek Wastewater Treatment Plan Reliability and Ultraviolet Improvements projects.

**Item No. 22: Engineering Services for Water and Sanitary Sewer Relocations and Improvements.**

(A) Approve contract with the following companies for engineering services for water and sanitary sewer relocations and improvements for an initial term of three years: Hinde Engineering, Inc.; Kimley-horn and Associates, Inc., STV Incorporated dba STV Engineers, Inc. and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 23: Blue Line Extension Design services Contract Amendment**

(A) Approve contract amendment #10 for \$1,358,000 to STV Engineers, Inc. for design and construction administration services for the Blue Line Extension project, and (B) Authorize the City Manager to further amend the contract consistent with the Blue Line Extensions project budget and scope for which the contract was awarded.

**Item No. 25: Airport Cooling Towers and Water Chillers**

(A) Approve a contract in the amount of \$1,168,977 to the lowest responsive bidder Baltimore Aircoil Company, Inc. for the purchase of four 2000-ton cooling towers in support of the Terminal Lobby Expansion Project, and (B) Approve a contract in the amount of \$2,359,797 to the lowest responsive bidder Carrier Corporation for the purchase of four 2000-ton chillers in support of the Terminal Lobby Expansion Project.

**Summary of Bids**

Baltimore Aircoil Company	\$1,168,977.00
Pace-Adams/SPX	\$1,243,635.00

**Item No. 27: Set public Hearing for Airport 2019 General Airport Revenue Bonds and 2019 Bond Anticipation Notes**

(A) Adopt an initial finding resolution and authorize the Chief Financial Officers to make appropriate application to the Local Government Commission for issuance of General Aviation Revenue Bonds not to exceed \$235,000,000 and revenue bond anticipation notes not to exceed \$145,000,000, and (B) Adopt a resolution setting a public hearing for May 28, 2019 for this financing as required by internal Revenue Service regulations.

The resolution is recorded in full in Resolution Book 49, at Page(s) 468-472.

**Item No. 28: Public Auction for Disposal of Surplus Equipment**

(A) Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus, (B) Authorize said items for sale by public auction on May 11, 2019, and (C) Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.

The resolution is recorded in full in Resolution Book 49, at Page(s) 473-479.

**Item No. 29: Municipal Records Retention and Disposition Schedule Update**

Approve the updated North Carolina Municipal Records Retention and Disposition Schedule.

**Item No. 30: Refund of Property Taxes**

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$4,697.77.

The resolution is recorded in full in Resolution Book 49, at Page(s) 480-481.

**Item No. 31: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record of the minutes of February 25, 2019 Business Meeting, March 4, 2019 Strategy Session and March 6, 2019 Budget Workshop.

**PROPERTY TRANSACTIONS**

**Item No. 32: Property Transactions – Hinsdale-Tinkerbell Drainage Improvements, Parcel #21.**

Acquisition of 958.02 square feet (.022 acre) in Temporary Construction Easement, plus 1,579 square feet (.036 acre) in Utility Easement, plus 859.73 square feet (.02 acre) in Existing Drainage accepted as Storm Drainage Easement at 5523 Sharon Road from Margaret C. Reardon and Matthew G. Nobles for \$20,000 for Hinsdale-Tinkerbell Drainage Improvements, Parcel #21.

**Item No. 33: Property Transactions – Hinsdale – Tinkerbell Drainage Improvements, Parcel #35**

Acquisition of 165.89 square feet (.004 acre) in Storm Drainage Easement, plus 720.07 square feet (.017 acre) in Temporary Construction Easement, plus 364.93 square feet (.008 acre) in Utility Easement, plus 383.51 square feet (.009 acre) in Existing Drainage accepted as Storm Drainage Easement at 5624 Warewhip Lane from James M. Osborne and Maria L. Osborne for \$29,300 for Hinsdale-Tinkerbell Drainage Improvements, Parcel #34.

**Item No. 34: Property Transactions – Hinsdale-Tinkerbell Drainage Improvements, Parcel #65**

Acquisition of 960.02 square feet (.022 acre) in Storm Drainage Easement, plus 1,463.57 square feet (.034 acre) in Temporary Construction Easement, plus 1,917.97 square feet (.044 acre) in Existing Drainage accepted as Storm Drainage Easement at 3415 Cotillion Avenue from Patrick K. Speckman and Susan C. Speckman for \$57,360 for Hinsdale-Tinkerbell Drainage Improvements, Parcel #65.

**Item No. 35: Property Transactions – Little Sugar Creek Tributary Trunk Sewer to North Tryon Street, Parcel #6**

Acquisition of 16,882 square feet (.388 acre) in Storm Drainage Easement, plus 15,661 square feet (.36 acre) in Sanitary Sewer Easement, plus 36,052 square feet (.828 acre) in Temporary Construction Easement at 200 Wadsworth Place from Don R. Reid and Lisa P. Reid for \$303,050 for Little Sugar Creek Tributary Trunk Sewer to North Tryon Street, Parcel #6.

**Item No. 36: Property Transactions – NC-51 Sidewalk (McAlpine Creek to Ridgeloach Place), Parcel #25**

Acquisition of 29,561 square feet (.679 acre) in Temporary Construction Easement at 4100 Pineville-Matthews Road from C & J. Enterprises, Inc. for \$118,970 for NC-51 Sidewalk (McAlpine Creek to Ridgeloach Place, Parcel #25.

**Item No. 37: Property Transactions – Sardis Lane Bridge Replacement, Parcel #3**

Acquisition of 2,034 square feet (.047 acre) in Fee Simple, 600 square feet (.014 acre) in Storm Drainage Easement, plus 5,892 square feet (.135 acre) in Temporary Construction Easement at 7221 Carosan Lane from Alan Midlam and Sandra Meier-Midlam for \$26,800 for Sardis Lane Bridge Replacement, Parcel #3.

**Item No. 38: Airport Property Transaction – 7407 Steel Creek Road**

Acquisition of 11.209 acres at 7407 Steele Creek Road from Steele Creek Presbyterian Church at Pleasant Hill for \$5,140,000 for Airport Master Plan – Expansion.

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**ITEM NO. 24: AIRPORT RUNWAY REHABILITATION AND TAXIWAY REMOVAL**

Motion was made by Councilmember Egleston, seconded by Councilmember Bokhari, to approve a contract in the amount of \$14,848,240 to the lowest responsive bidder Blythe Brothers Asphalt, LLC for the Runway 18L/36R Rehabilitation and Taxiway C7 Removal project.

**Councilmember Winston** said I pulled this for a separate vote because I'm going to vote against it, and it relates to the contractor who is receiving this contract. This is in relation to

the conversations that we've had in the past. I know we have to give our contracts to the lowest responsive and responsible bidder, but we have talked about figuring out ways to score some of these contractors and hold them accountable.

A couple weeks ago I was passing through the intersection of Seventh Street and Central Avenue, and this contractor was doing a repaving job, and they were violating rules. They did not have CMPD controlling traffic; they basically had a worker that had a shovel in one hand and was waving traffic along and had closed a turning lane. I'm uncomfortable with giving somebody a multi-million-dollar contract, and we don't know if their lowest bid is because they are cutting corners.

I've been advised by staff that that seems like that was an anomaly and Blythe Brothers Paving has a reputation with doing business with the City, but still, there is no real way that we can check that over time. If this was happening at 2:00 in the afternoon at Central and Seventh Street, who knows what kind of corners can be cut at less populated intersection. So, I will be voting against, and I think that we should find ways to hold our contractors more accountable as we move forward, even given the state rules of lowest responsive and responsive bidder.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Harlow, Mayfield, Mitchell, Newton, and Phipps.

NAYS: Councilmember Winston

**Summary of Bids**

Blythe Brothers Asphalt, LLC *	\$14,857,990.00
Blythe Construction, Inc.	\$15,078,810.00

\* After Blythe Brothers Asphalt, LLC was selected as the lowest, responsive bidder, some line items were renegotiated resulting in a lower final cost.

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**PUBLIC HEARING**

**ITEM NO. 10: PUBLIC HEARING ON REFUNDING 2009 CERTIFICATES OF PARTICIPATION ON CULTURAL ART FACILITIES**

Motion was made by Councilmember Egleston, seconded by Councilmember Harlow, and carried unanimously to open the public hearing.

There being no speakers, either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Harlow, and carried unanimously to close the public hearing.

Motion was made by Councilmember Harlow and seconded by Councilmember Egleston, to adopt a resolution authorizing and approving an installment financing contract for the proposed financing and calling for the execution and delivery of various documents necessary to complete the sale of Certificates of Participation.

**Councilmember Mayfield** said this is going back a refund of the 2009 Certificates of Participation; can you give us an overview? There was a lot of information to review in a short period of time. Can you explain what this \$120 million installment financing contract is?

**Marie Harris, Strategy and Budget** said I will speak to Items No. 10 and 11; the State term is refunding, but it is like refinancing. The only thing it is changing is the interest rate. We

got the interest rate in 2009, so we are going back to refund refinancing at a better interest rate that are available today.

Ms. Mayfield said the 2019 interest rate is a better rate, but I didn't notice in here if we said what the previous interest rate was versus what the new interest rate would be.

Ms. Harris said we can get you what the average in right now versus what we project the average to be. We don't know until we actually sell the bonds, but based on what is available today we are confident we will definitely get; the main thing on this is we are saving money and interest, so by doing this, we are saving taxpayer's dollars by us bringing down the interest rate.

Ms. Mayfield said I wanted clarification for the community in case there is anyone reading it.

The vote was taken on the motion and was recorded as unanimous.

The resolution is recorded in full in Resolution Book 49, at Page(s) 453-459.

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**ITEM NO. 11: PUBLIC HEARING ON REFUNDING 2009 CERTIFICATES OF PARTICIPATION FOR THE NASCAR HALL OF FAME**

Motion was made by Councilmember Mayfield, seconded by Councilmember Harlow, and carried unanimously to open the public hearing.

There being no speakers, either for or against, a motion was made by Councilmember Driggs, seconded by Councilmember Egleston, and carried unanimously to close the public hearing and adopt a resolution authorizing and approving an installment financing contract for the proposed financing and calling for the execution and delivery of various documents necessary to complete the sale of Certificates of Participation.

The resolution is recorded in full in Resolution Book 49, at Page(s) 460-465.

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**POLICY**

**ITEM NO.12: CITY MANAGER'S REPORT**

**Marcus Jones, City Manager** said what I have for you tonight is the 30-day update with the keys being that the budget presentation will be May 6, 2019. As we talked earlier this year about a budget calendar two days later will be the first budget briefing for the Council dealing with solely the budget. Then the May 13, 2019 Action Review/Business Meeting we will have the Immigrant Community Committee action adoption as well as the Arts and Science Council, an update for you that talks not just about the \$3.1 million that is a line item in the budget, but all of the resources that go into the Arts and Science Council as it relates to the City and a closed session. We have the Zoning Meeting, but then again on the 22nd we come back with the next Councilmember budget briefing.

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**ITEM NO. 13: FISCAL YEAR 2020 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT**

Motion was made by Councilmember Driggs, seconded by Councilmember Mayfield, and carried unanimously to approve adoption of the fiscal Year 2020 Annual Action Plan for Housing and Community Development.

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## BUSINESS

### ITEM NO. 14: PRIVATE DEVELOPER FUNDS APPROPRIATION

Motion was made by Councilmember Mayfield, seconded by Councilmember Phipps, and carried unanimously to (A) Approve a developer agreement with Chick-Fil-A, Inc. for traffic signal installation and improvements, and (B) Adopt Budget Ordinance No. 9553-X appropriating \$60,000 in private developer funds for traffic signal installation and improvements.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 200.

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### ITEM NO. 15: MAYOR AND CITY COUNCIL TOPICS

**Councilmember Newton** said we've been through a lot here over the past few weeks and I just felt compelled to comment. As my colleagues know and as many of you in the audience and the community know, I lost my brother about six and a half years ago to an officer related shooting, and I know what it is like. I know the pain, the grief that families go through. I went through it myself, and there are a lot of questions to be answered here. There is a pursuit, and it is just the nature of this for families, pursuit for accountability, a call for trust. We've heard that tonight from the community that came out and spoke to us, and I think it really behooves us to appreciate that as a Council as the decision makers to oversee policies and procedures of our police department. Unfortunately, in the case of my brother there was no video. At that time, our officers were not equipped with cameras, once again six and a half years ago. So, we've actually come a long way since then; however, I think it is apparent that we still have quite a way to go.

We won't get many of the answers to the questions we have until the investigation is complete. An investigation unfortunately is not subject to independent oversight from an agency like the SBI. I think that is something we should look into as a Council moving forward, but unfortunately, there are some questions I think that can be answered when we review the publicly available video tape, particularly procedural questions which many would argue are antiquated and outdated, not the questions but the practices, the procedures, the policy, assessment and investigation, de-escalation, intent and ultimately training. These are questions that we don't have as a Council, we don't have to wait to act on and I would implore my colleagues for us to start engaging in those conversations.

I believe that our Police Chief is doing a stellar job. Over the last four to five years, we have seen a large increase in the number of officers who were trained in CIT. We just as a body adopted a new policy to have trained professionals accompany officers on site whenever there is a crisis so whenever there is someone experiencing a crisis. Unfortunately, in this instance that policy wasn't enforced, and those folks were not available. I think it is important that we don't overlook, particularly within our CMPD directives ways, that we can make policy change to ensure and to bring it back full circle to ensure that something never happens again. That is what any family member, someone who lost a loved one would ask for. I leave you all with that, and I think we have an awful lot of work to do, and I think that we can actually move forward with some of that work here in the near future as we await some of the answers from our DA and some of the answers from the internal investigation.

**Councilmember Phipps** said I just wanted to remind the people that live along the Back Creek Corridor, the Newell Corridor and Northeast Charlotte and University City that the Department of Transportation will be sponsoring a public meeting tomorrow at the Campus of UNC-Charlotte in the Lucas Room from 4:00 p.m. to 7:00 p.m. and the meeting is concerning the closing of the Back Creek at grade rail crossing, also, the realignment of Back Creek Church Road and converting a 1.2 mile stretch of University City Boulevard from John Kirk Drive to the I-485 interchange and to a so called six-lane Supper Street. So, come on out; I know it is going to be of pivotal interest to residents in that area. It is going to be at



the Cone Center on the main campus of University of North Carolina at Charlotte from 4:00 to 7:00 p.m. tomorrow.

**Councilmember Mayfield** said this week, I want to remind everyone is North Carolina Re-entry Week. I was able to attend, and I shared with you previously a re-entry morning discussion and on the heels of that I am working with not only our HR Department but also in partnership with Mecklenburg County, as well as our Airport on May 18, 2019 a specific government job fair, specifically for those who are re-entering the community. For those of you who may not know this, re-entry week tomorrow, Tuesday from 10:00 a.m. to 12:00 noon is the career expo, which is hosted by the Re-entry Partners of Mecklenburg County. That will be located at the Albemarle Road Recreation Center, which is located at 5027 Idlewild Road North right off of Idlewild Road, as well as all of this week there will be opportunities, but I do want you to mark your calendars for May 18, 2019. We are finalizing the details for more information is coming, but we are working to have a re-entry specific job fair as your Council passed Ban the Box in 2013, and we have had job fairs that have been open to the community, but this will be one our first that are specifically for our residents and our neighbors who are coming back into the community. At the end of the day to give you access to a quality job that has access to healthcare, also changes that conversation for your access to housing.

**Councilmember Ajmera** said for the last several weeks, it has been a difficult week for our City, especially with the loss of life and since the release of the video we have seen some request coming for SBI investigation. As my colleague already pointed out, we as a Council should look into how we can initiate a request for SBI investigation, which is an independent investigation and get some answers for our residents.

Also, they are having questions about transparency and public trust. As many of you know how important it is to reach our full potential especially with the release of the video where Council had an opportunity to view the video that was longer than what was released to the public. That might have been an error on our part; however, that decision has led to questioning of transparency and trust in our City government. We must ensure that that does not happen again because we cannot fail our communities again.

**Mayor Pro Tem Eiselt** said we all want to make a few comments about that, and I would just like to say this has been an emotional week for everyone and first and foremost, we have to remember that there are victims in all of this; these are human lives that we are talking about. So, when it goes out into the public domain sometimes we take that away from the families of victims and the families for the people who are involved on both sides of this, because of that, I'm just asking the community to allow this investigation to take its course. This is the first time our Council I believe has operated under the new law. There might be bumps in the road as we figure out a process. We have to remember that this legislation was written at the state level by representatives who don't live in Charlotte, in fact by representatives who don't come from a large urban city, and we often find ourselves at odds with some of the state laws because they apply very differently in urban communities. I don't know anyone at this dais who doesn't want to build trust through more transparency and more communication, better relationships with the community and sometimes that is going get sideways a little bit as it may have this time, but we won't know that until we proceed with the investigation. I ask you to work with us. I ask you to talk to us about it. The assumption isn't out there that anyone did anything to hide any information, as I said this was a new process for all of us, and we are learning as we go also.

**Mayor Lyles arrived at 7:47 p.m.**

**Councilmember Winston** said by all accounts this has been a tumultuous couple of weeks for transparency and accountability in Charlotte government. I have been able to think long and hard about the problems our community has been tackling and about the possible paths forward to remedy them. I and others have said many times that to address issues of government especially around policing we have to change the culture, but what does that mean? Last week, we learned that our CMPD Attorneys did not present the Superior Court with all of the body camera footage from the fatal shooting of Danquaris Franklin. This footage was to be presented to the Judge because in 2016 HB972 was adopted into state

law which mandates recordings in the custody of law enforcement agencies shall only be released pursuant to court order. Previous City Councils approved spending taxpayer dollars, so virtually every CMPD Officer wears a body camera, which is activated when their lights and sirens turn on or they have interactions with people on their shifts. The most important aspect of having this type of content recorded is to help inform public policy decisions. This is obvious when it comes to police involved shootings, but there are so many other situations with a viewing of body camera footage could be helpful for us on City Council. Imagine the powerful training tool this type of body camera footage could be. Many of us were under the impression that the body camera law gave the courts the sole jurisdiction to determine whether or not viewing body camera footage is in the public interest. We learned this is not the case last Thursday. It was CMPD policy that CMPD's lawyer, a City employee determined what the Judge actually got to see. Let's be clear about this CMPD's Attorney chose to show the Judge about 2.5 minutes of the full 11-minutes of body camera footage. Are we supposed to believe that this is transparency?

HB972 should be repealed. If repealed through the legislative process is not possible, I am asking our City Attorney to use any legal process available to challenge this law. This law limits our ability for City Council to do its job to secure the public safety through the scrutiny and adoption of public policy. It makes it nearly impossible for our City Attorney to advise and provide their client, the City Council and Mayor, with adequate counsel. Our City Charter states that the Council shall hold the City Manager responsible for the proper management of the affairs of the City and the Chief of Police of Charlotte Mecklenburg Police Department, subject to the general supervision of the City Manager is held responsible for the discipline, good order and proper conduct of the department.

While the Chief of Police and the City Manager are directly responsible for the conduct and effectiveness of our police department, it is the ultimate responsibility of City Council to hold all of those subordinate entities accountable. Local law enforcement and the policies that govern them should be under local control. This law prevents all parties, the City Attorney, the City Manager and Charlotte's elected officials from effectively doing our jobs. In the many forums, I have attended over the past week, our community has expressed feelings of distrust with our police department. I was able to review the entirety of Officer Kerl's body camera footage, alongside my colleagues about an hour before the public received a 2 ½ minute clip. If the Judge makes the remainder of the footage available for public consumption, the public will see that so many of our community's gripes of the injustices of the police culture are on display.

The goal of police is to collect and deliver a person to await trial. When it comes down to it, what so many people have been asking for from the culture of policing is to humanize police community interactions. I believe helping someone who is in need is one of the most basic concepts of humanity that can be displayed. Unfortunately, Mr. Franklin did not receive the most basic acts of dignity at the time that he needed it the most. An entity or a lawyer who was truly committed to ensuring the transparency and accountability of our police department would have presented the full tape to the Judge. That such a flagrant skewing of the evidence in this case calls into question the approach we have taken in releasing any and all camera footage since this law was enacted in October 2016. While this presents problems in our own CMPD I cannot help but consider that these policies and practices can be endemic of a larger law enforcement culture of North Carolina. While we in Charlotte need to focus on CMPD, I hope everyone will consider how body camera evidence has been presented to the courts across our state.

It would be self-righteous of me to blame everyone and anything for the troubles that we have while absolving myself. When it comes down to it, regardless of the law, regardless of the culture of one particular subset of our City's government, the buck stops with me, City Councilmember and the rest of City Council to govern our City government. City Council must demand that our City Manager and City Attorney hold those that are responsible accountable for their actions. Those actions have hurt the City and move us further away from the priorities Council has set for Charlotte. Still, we must go beyond holding individuals accountable if we want to change the culture that has led us to where we are today. Is there a short and quick way to do this? No. Can I tell you exactly what that change looks like right here and right now? No. What I can tell you is this government relies too heavily on the

traditions of the past. I would like to see a Committee made up of all 11 Councilmembers, chaired by the Mayor Por Tem along with our City Manager and City Attorney given the charge of efficiently modernizing how our form of Council/Manager will govern our City moving forward. I hope my colleagues will be able to see the importance of changing the culture of our government in a proactive way.

**Councilmember Driggs** said I first want to briefly extend condolences to the people of Sri Lanka, where a terrorist attacked yesterday at six locations that took 300 lives and injured hundreds more. This is a faraway place; it may not feel that it is that pertinent to us, but these acts of terror are crimes against humanity, and we should all deplore them.

I did want to comment also on the subject of the video. I think it is fair to say that we are all concerned here about the loss of life, about viewing to the public as best we can and as soon as we can everything that there is on the case. What I realized when I studied this myself was there are actually two questions here, and one of them is specifically were the actions of the officer appropriate? The other question is, were the actions of CMPD appropriate in terms of what the community might hope for or expect from them?

I think what happened was the portion of the video that bears on the actions of the officer were made available, maybe by the decision of a lawyer. I'm not even sure yet. I would like to know, because I didn't like having seen the video and then finding out that it hadn't been made public, but I can imagine that that was deemed to be the portion that had bearing on the responsibility of the officer for her actions. I believe the officer deserves some credit, when a call for help came into CMPD and it was told that a man with a gun is threatening people, she went there with the intention of protecting people. So, that is how all of this came about. We will definitely want to know whether her actions were appropriate in accordance with our policies or criminally and if they weren't, we all feel that the appropriate action should be taken, but I want to hear the outcome of those investigations. I would like to have all those facts and as to the remainder of the video. I don't personally feel that it is appropriate to comment on it until everybody has seen it. I feel uncomfortable that we saw and that it wasn't made public. I would like to have a public conversation about it once everybody has had a chance to look at it, and we can all kind of talk together about what it looks like and what it means.

The last thing I will say is I think from this experience and from past experiences, there are situations where the laws that are sometimes made in the state or federal or elsewhere and our sense of kind of fair play or decency may not entirely line up. That is there may be a situation where something is legal, but you look at it, and you think you know that is not what I would have wanted, and that is probably not the way it should work. That situation may exist, and we have to try on an ongoing basis, and I believe we have been trying to try and eliminate any discrepancies between the technical provisions of the law and our human sensibilities about what is appropriate and what isn't. So, I'm looking forward to the results of the investigations, and I'm looking forward to discussing with the public what the rest of the video looks like as soon as we make it available, and I just want to assure everybody we are doing everything we can to be open and to deal with these situations fairly.

**Councilmember Harlow** said I share many of the sentiments of my colleagues up here as it relates to the unfortunate and fatal incident with Mr. Franklin. So, I won't repeat any of those comments.

We have a lot of other priorities in our community, one of which has to do with economic mobility and opportunity. So, I want to announce here a Charlotte West End Conference for opportunity that is going to be taking place on next Saturday, May 4th from 8:30 a.m. to 3:00 p.m. at Johnson C. Smith University. It is being put on by the Knight Foundation, Federal Reserve Bank of Richmond, LISC, the City of Charlotte, CGE Venture Group and JCSU. It is a convening of anybody really who wants to come out and learn more about opportunities zones, the West End, and its neighborhood associations are putting together its own prospectus, essentially a document to highlight the assets and opportunities in the West End Community along Beatties Ford Road. They will be bringing out experts from K&L Gates Law firm, the Federal Reserve Bank representing the US Treasury to discuss what does the community want, what does the community need and developers will be there as well to

hear these things. So, it is a visioning exercise and visioning conference for the West End community, as many of the census tracts in our Charlotte Opportunity Zones are on the west side.

**Councilmember Egleston** said I'm just going to end us on a happy note; I want to officially welcome the newest member of the City of Charlotte family, Tracy Montros, who many of you all know, former Chief of Staff of then Mayor Anthony Fox, now Board Chair for our CRVA Advisory Board. She and her husband Jesse Muñoz welcomed two days ago Jackson Boone Muñoz as the newest resident of Charlotte. We want to send our congratulations to them and thank Tracy for all she's done in this City over the years.

**Mayor Lyles** said it has been almost three weeks now since the shooting of Dequaris Franklin, and when we all found out about it, it was a very saddening devastating time. As Mayor, I thought that we had to have two really clear objectives that we always had to treat his family, his mother, and his children with dignity and respect, because that is what we would want for each of ourselves. The second thing I thought was [inaudible] always the idea of fairness, and how do I define that? I define that as having trust in the process. We've had statements here around the dais about judging the actions of our law enforcement, our leadership in CMPD, asking for new legislation, asking that we modernize our government. I think all of those are noble objectives, but the first and foremost thing is to actually resolve what we are dealing with right now today. None of us around this dais are trained experts in policing; several might be lawyers, and I don't think any of us are judges. What is most important now is this investigation, criminal and internal takes place. What is most important is that we talk about the process where we fell down and lost trust about this 11-minute video versus 2.5-minutes. Sometimes you do things with the very best of intentions, and it just doesn't work out that way and sometimes people make mistakes. It is not necessarily with a negative intent or an intent to corrupt the system, but sometimes it is just a mistake. At 10:30 this Council stood before this community and said we wanted to make sure that we had open conversation and communication, and then by 12:30 or 1:00 we had watched an 11-minute video and then we saw the public, and they had 2.5-minutes or so. Now, we all agreed and understood the confidentiality of that video was important, because we all said it when we went into the room, but we also acknowledge when something is out there we are going to talk about it. So, we have to understand that sometimes mistakes happen and perhaps people will say well, you know we've got this great organization and we ought to have all these processes in place. Well, I think if we had them all in place and if we'd gone through this. We learned from 2016, and we will learn from 2019.

The thing that is most important around this is that we not fall apart as a community and allow individual thrust or changes to take precedent over building of community and when I say building community I mean that. Every citizen, every resident of this City including our police officers, who I inherently believe they want to do the right thing. I inherently believe, and I've actually seen Chief Putney stand and talk about this case and say after the investigations are done we will deal with the things that we have as our policies. Trust is never an individual action; it is a collective action and trust we must build. That means it requires all of our leadership to make it happen. All the leadership in this City, not just those around this dais. There is always going to be room for improvement in all of our operations, and we are always free to offer suggestions and comments, and we should do that but suggesting changes without including everyone or without talking to our community about them. That is just really difficult right now. We can't step back from engagement of our community and engagement of our residents.

So, I know that on Tuesday, tomorrow, the Judge will be making a decision about the remainder of the video, and I certainly hope that it is something that we've all said we support, that it be released, but that is his decision. No matter what is released we are still going to have that internal investigation, the District Attorney is still going to do his investigation, and at the end of the day, no matter how difficult this becomes, we are still a community that believes that we can do this, and we can do it with a safe community and with trust in our leadership because citizens are truly the leaders of this community.

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**ADJOURNMENT**

Motion was made by Councilmember Egleston, seconded by Councilmember Eiselt, and carried unanimously to adjourn the meeting.

The meeting adjourned at 8:06 p.m.



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Stephanie C. Kelly City Clerk, MMC, NCCMC

Length of Meeting: 3 Hours, 3 Minutes  
Minutes Completed: May 31, 2019