

The City Council of the City of Charlotte, North Carolina convened for a Business Meeting on Monday, September 27, 2021, at 5:07 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Ed Driggs, Larken Egleston, Malcolm Graham, Renee Johnson, Matt Newton, Greg Phipps, Victoria Watlington, and Braxton Winston II.

AUN: Councilmembers Dimple Ajmera and Julia Eiselt

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Mayor Lyles said I welcomed everyone to the September 27, 2021, Business Meeting who is participating and watching us today. This meeting is being held as a virtual meeting in accordance with all of the laws that we have to follow, especially around an electronic meeting. The requirements also include notice and access that are being met electronically as well. You can view this on our Government Channel, the City's Facebook Page, or the City's YouTube Page.

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INVOCATION AND PLEDGE

Councilmember Watlington gave the Invocation and the Pledge of Allegiance to the flag was led by Councilmember Bokhari.

Councilmember Ajmera arrived at 5:09 p.m.

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

Marie Harris, Strategy and Budget said I believe before you, you have the questions and answers that have been asked so far. Did anybody else have any additional questions on any consent items? Mr. Phipps, did you have a chance to review it?

Councilmember Phipps said yes, I had a chance to review. I'm satisfied with all of the responses, the ones that I raised questions about. So, I'm straight.

Councilmember Winston said I would like to pull item number 33, for a separate vote.

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CONSENT AGENDA

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to approve the Consent Agenda as presented with exception of Item No. 33 which was pulled for a separate vote and Item No. 51, which was approved, but sent back to Council to approve an easement error on square footage at the next Business Meeting on October 11, 2021.

The following items were approved:

Item No. 24: Purchasing Asphalt

(A) Approve the purchase of plant-mix asphalt from a state contract, (B) Approve unit price contracts with Ferebee Corporation, Blythe Construction Inc., and Blythe Brothers Asphalt Inc. for the purchase of plant-mix asphalt for a term of two years under the North Carolina Department of Transportation Bituminous Plant Mix Asphalt contract (Contract #54-JP-04062021), and (C) Authorize the City Manager to extend the use of the contracts for additional terms for as long as the state contract is in effect, at prices and terms that are the same or more favorable than those offered under the state contract.

Item No. 25: Blumenthal Performing Arts Center Roof Replacement

Approve a contract in the amount of \$689,000 to the lowest responsive bidder Davco Roofing & Sheet Metal, Inc. for the Blumenthal Performing Arts Center Phase II Roof Replacement project.

Summary of Bids

Davco Roofing and Sheet Metal, Inc.	\$689,000.00
AAR of North Carolina, Inc.	\$711,500.00
Interstate Roofing Company, Inc.	\$744,600.00
Johnson's Roofing Services, Inc.	\$768,000.00
Nations Roof of Carolina, LLC	\$840,000.00
Tecta America Carolinas	\$924,773.00
TeamCraft Roofing Inc.	\$1,039,705.00

Item No. 26: Construct Kilborne Drive Streetscape Project

Approve a contract in the amount of \$3,235,401.24 to the lowest responsive bidder DOT Construction, Inc. for the Kilborne Drive Streetscape project.

Summary of Bids

DOT Construction, Inc.	\$3,235,401.24
Sealand Contractors Corp.	\$3,734,275.23
United of Carolinas Inc.	\$4,330,248.49
Blythe Development Company	\$4,664,391.60

Item No. 27: Construct Lakeview Road/Reames Road Intersection Project

Approve a contract in the amount of \$5,117,804 to the lowest responsive bidder Sealand Contractors Corp. for the Lakeview Road/Reames Road Intersection project.

Summary of Bids

Sealand Contractors Corp.	\$5,117,804.00
Blythe Development Co.	\$5,535,040.65
Boggs Contracting, Inc.	\$6,229,643.58
United of Carolinas, Inc.	\$6,929,634.35

Item No. 28: Elevator Equipment, Maintenance, and Repair Services

(A) Approve the purchase of elevator equipment, maintenance, and repair services from cooperative contracts, (B) Approve unit price contracts for the purchase of elevator equipment, maintenance, and repair services for a term of three years under the Sourcewell cooperative program with the following vendors: Schindler Elevator Corporation (Contract #080420-SCH), ThyssenKrupp Elevator Corporation (Contract #080420-TKE), and (C) Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts.

Item No. 29: Roadway Construction Services

(A) Approve a contract in the amount of \$1,896,323 to the lowest responsive bidder Blythe Development Co. for the Specialized Roadway Construction Services FY22-C project, and (B) Approve a contract in the amount of \$1,891,095.25 to the lowest responsive bidder United of Carolinas, Inc. for the Specialized Roadway Construction Services FY22-D project.

Summary of Bids (Action A)

Blyth Development Co.	\$1,896,323.00
United of Carolinas	\$1,914,759.00
OnSite Development	\$2,542,870.00

Summary of Bids (Action B)

United of Carolinas	\$1,891,095.25
Blyth Development Co.	\$1,909,963.00
OnSite Development	\$2,186,470.00

Item No. 30: Charlotte Water Operations Facility Construction

Approve a guaranteed maximum price of \$40,771,800 to Rodgers Builders, Inc. for Construction Manager at Risk Services for the Field Operations Zone 4 Facility Replacement project

Item No. 31: Pipe Repair Services

(A) Approve a unit price contract with Envirowaste Services Group, Inc. for pipe repair services for an initial term of two years, and (B) Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 32: Charlotte Water Strategic Planning Services

Approve contract amendment #1 for \$200,000 to the contract with Raftelis Financial Consultants, Inc. for strategic planning services.

Item No. 34: Airport Benefit-Cost Analysis

(A) Approve a contract in the amount of \$735,917 with Landrum & Brown, Incorporated for Benefit-Cost Analysis, and (B) Authorize City Manager to amend the contract consistent with the purpose for which the contract was approved.

Item No. 35: Airfield Deicing Chemicals

(A) Approve a unit price contract to the lowest responsive bidder Nachurs Alpine Solutions, LLC for the purchase of airport liquid and solid deicing chemicals for an initial term of three years, 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.

Summary of Bids

* The complete Summary of Bids is available in the City Clerk's Office.

Item No. 36: Airport Environmental Consulting Services Contract Amendment

Approve contract amendment #4 for \$122,093 with Wood Environmental & Infrastructure Solutions, Inc. for additional environmental consulting services on various Airport projects.

Item No. 37: Airport Interior Compacting Trash Can and Recycling Units

(A) Approve the purchase of BigBelly Smartbelly Double Stations, CLEAN software, and Fleet Services by the sole source exemption, (B) Approve a contract with BigBelly Solar, Inc. for the purchase of BigBelly Smartbelly Double Stations, CLEAN software, and Fleet Services for the term of five years. (C) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Item No. 38: Airport Landscape Maintenance

(A) Approve a contract with The Budd Group for landscaping maintenance services for an initial term of three years, 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. 39: Airport Terminal Planning Study

(A) Approve a contract in the amount of \$988,855 with RS&H Architects, Engineers, Planners Inc. for a Terminal Planning Study, and (B) Approve a contract in the amount of \$867,456 with Ricondo & Associates Inc. for a Terminal Planning Study, and (C) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 40: Bond Issuance Approval for Eastway Crossings

Adopt a resolution granting INLIVIAN's request to issue multi-family housing revenue bonds, in an amount not to exceed \$14,000,000, to finance the development of Eastway Crossings, previously proposed to be called Vibrant Eastway Park Apartments.

The resolution is recorded in full in Resolution Book 52, at Page(s) 198-204.

Item No. 41: Bond Issuance Approval for Flats at West Boulevard

Adopt a resolution granting INLIVIAN's request to issue multi-family housing revenue bonds, in an amount not to exceed \$28,500,000, to finance the development of Flats at West Boulevard.

The resolution is recorded in full in Resolution Book 52, at Page(s) 205-211.

Item No. 42: Bond Issuance Approval for Johnston Oehler Seniors Apartments

Adopt a resolution granting INLIVIAN's request to issue multi-family housing revenue bonds, in an amount not to exceed \$16,000,000, to finance the development of Johnston Oehler Seniors Apartments.

The resolution is recorded in full in Resolution Book 52, at Page(s) 212-218.

Item No. 43: Bond Issuance Confirmation for South Village Apartments

Adopt a resolution confirming the July 27, 2020, resolution granting INLIVIAN's request to issue multi-family housing revenue bonds, in an amount not to exceed \$12,000,000, to finance the development of an affordable housing development known as South Village Apartments.

The resolution is recorded in full in Resolution Book 52, at Page(s) 219-222.

Item No. 44: Resolution of Intent to Abandon Grier Avenue Unopened Right-of-Way

(A) Adopt a resolution of intent to abandon Grier Avenue unopened right-of-way, and (B) Set a public hearing for November 8, 2021.

The resolution is recorded in full in Resolution Book 52, at Page(s) 223.

Item No. 45: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$48,902.

The resolution is recorded in full in Resolution Book 52, at Page(s) 224-225.

Item No. 46: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of July 19, 2021 Zoning Meeting, and August 2, 2021 Strategy Session.

PROPERTY TRANSACTIONS

Item No. 47: Property Transactions - DeArmon Road Improvements, Parcel #1

Acquisition of 88 square feet (0.002 acres) Utility Easement, 270 square feet (0.006 acres) Storm Drainage Easement, 640 square feet (0.015 acres) Sidewalk Utility Easement, 6,304 square feet (0.145 acres) Temporary Construction Easement at 0 Brownstone View Drive from Pun Leng and Eang Leng for \$12,235 for DeArmon Road Improvements, Parcel #1

Item No. 48: Property Transactions - DeArmon Road Improvements, Parcel #17

Acquisition of 385 square feet (0.009 acres) Fee Simple, Plus 989 square feet (0.023 acres) Utility Easement, 515 square feet (0.012 acres) Sidewalk Utility Easement, 293 square feet (0.007 acres) Temporary Construction Easement at 12303 Brianwood Court from Monique Jackson for \$27,100 for DeArmon Road Improvements, Parcel #17.

Item No. 49: Property Transactions - DeArmon Road Improvements, Parcel #28

Acquisition of 2,652 square feet (0.06 acres) Fee Simple, Plus 35 square feet (0.001 acres) Utility Easement, 4,232 square feet (0.097 acres) Sidewalk Utility Easement, 9,214 square feet (0.212 acres) Temporary Construction Easement at 11901 DeArmon Road from Carol H. Wilburn and Patrick K. Wilburn for \$31,225 for DeArmon Road Improvements, Parcel #28.

Item No. 50: Property Transactions - Dixie River Road WM Extension, Parcel #21

Acquisition of 1,044 square feet (0.024 acres) Utility Easement, 14,310 square feet (0.329 acres) Sanitary Sewer/Waterline Easement, 4,723 square feet (0.108 acres) Temporary Construction Easement at 8520 Dixie River Road from C.P. Johnston's Three Children for \$16,342 for Dixie River Road WM Extension, Parcel #21.

Item No. 51: Property Transactions - Shade Valley Road Realignment and Roundabout, Parcel #17 and 19

UPDATE: This Item is being brought back to Council on 10/11 for a correction to the easement description so no resolution will be processed until 10/11/21.

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ITEM NO. 33: AIRPORT AIRFIELD MARKING PAINT PURCHASE

Councilmember Johnson said I have a few questions. Was there an RFP (Request For Proposal) issued for this opportunity?

Marie Harris, Strategy and Budget said no ma'am, it was a sole source because of the specialized nature of the paint, but I also have Haley Gentry here to answer and she can help me if I need to clarify anything further on that.

Haley Gentry, Director of Aviation said it was an initial bid, I believe it was three years ago. The product we found to be extremely superior to other products that we had to use and therefore when we went back to purchase more we asked for a sole source because it actually saved us money when we were buying this product.

Ms. Johnson said I guess that's why we selected Florida for the opportunity?

Ms. Gentry said we did not select Florida. We selected a company that makes a product that is based in Florida.

Ms. Johnson said so, its product based.

Ms. Gentry said yes.

Ms. Johnson said would there be an opportunity for a local company such as some of the organizations we have now that work with formerly incarcerated or there's a joint venture at the Airport that's already doing some painting out there? Would there be an opportunity for local organizations to bid for this contract?

Ms. Gentry said I am not aware of anyone locally that makes this product. This is a product that is very specialized and only a hand full of people make this product in the Country. I will tell you this product is used at airports all over the nation because of its superior quality.

Ms. Johnson said what's the name of the product?

Ms. Gentry said I don't know their brand name, but it is a paint and pavement product that is specific for the airfield. I'll be happy to follow up with you for their brand name. I just don't know that off of the top head.

Ms. Johnson said okay. The workers, all of the workers have been released from prison, right?

Ms. Gentry said only a portion of the employees that work for this company are formerly incarcerated. They provide wrap-around restoration services to employees that were formerly incarcerated. This is a transitional work training program that is unique to Florida.

Ms. Johnson said I know we have transitional programs in Charlotte and workforce opportunities. So, I guess I'm just concerned that we went outside of the state for this

opportunity when there is so many local companies namely in Charlotte. We always talk about upward mobility and I just think this would be a great opportunity for a small local company perhaps to at least have an opportunity to have a seat at the table.

Ms. Gentry said let me clarify. They are manufacturing the paint. They are not applying the paint. They are not contractors that are coming out and installing this. Airport employees do that, and that's the difference between I think what you were referring to earlier. This is simply the product that we are purchasing.

Ms. Johnson said okay, thank you.

Ms. Gentry said you're welcome.

Councilmember Winston said thank you Ms. Gentry for being with us tonight and I thank you for doing some research on this company, PRIDE (Prison Rehabilitative Industries and Diversified Enterprises). Can you tell us a little bit about the relationship between PRIDE and the government in Florida, the Florida State Government?

Ms. Gentry said I can share with you a few things that we have learned in this process and a few things that we are aware. PRIDE is an initiative that is a pseudo-government entity. It was set up in tandem with the state of Florida and they have numerous programs that target currently incarcerated and formerly incarcerated folks. They have a variety of companies and different products that they make. Some are for government use and some are for the free market product.

Mr. Winston said so this entire organization, not necessarily the arm that is producing the paint that we are using and purchasing and that many different airports are using and purchasing, this is industrial-level production through labor using incarcerated and formerly incarcerated people, is that correct? That was started through a government entity.

Ms. Gentry said there are no incarcerated individuals that work for the division of PRIDE that make our paint currently. They use all formerly incarcerated people who make paint. However, they do have other forms of companies that they operate that use inmate labor.

Mr. Winston said copy, and while PRIDE says the people that make this paint are making \$15 an hour as part of this particular section of the organization, they do have a range of workers that are making anywhere from 25 cents an hour all the way up to something like \$15 an hour? Would that be accurate?

Ms. Gentry said that would be accurate. Not in the paint division, but over all that would be accurate with their other companies.

Mr. Winston said copy, and you or the Airport, the way you procure items such as this highly specialized paint originates in some type of City Policy or procurement policy guided by state law, so there's a situation where we got into where we kind of had to take this lowest and best and most responsive bidder even if it was three years ago? Would that be accurate?

Ms. Gentry said that would be accurate that they met the criteria three years ago when we RFP'd this, they were the low bid.

Mr. Winston said copy, and then since it's such a highly specialized product that's why you can and really are guided by policy to make a sole source procurement and we use (inaudible) since that bid? Would that be accurate?

Ms. Gentry said we could have bid this again, however, we felt it was in the Airport's best interest to sole source this product because of the tremendous savings and the quality of the paint that was provided. It was significantly better than the products we have used in the past.

Mr. Winston said copy, thank you so much again for the research that you did in this and your willingness to spend time with me and answer these questions. I'm going to be voting no for this. I want to make a comment Mayor Lyles and then I will be done.

I think what you've heard is that there is this non-profit organization created by the State of Florida that utilizes the labor of incarcerated people to mass-produce highly specialized products. Then go into the free market utilizing this source of labor that the private market cannot compete with to bid on large government contracts all over the country and use that kind of niche intelligence about the market to really kind of corner that market. I'll be voting against this. I hope more people will join me. When we talk about institutional racism, when we talk about issues of systemic violence on people, this is what it looks like.

We pride ourselves in our airport for being one the lowest airports per employment. I guarantee the source of that low cost of employment is systemic inputs, including things like paint. I think it's unconscionable that we buy this. We should find a different way. So, I'll be voting no. Thank you for the time, Mayor Lyles.

Councilmember Ajmera said first I want to thank my colleague here, Mr. Winston, for digging deeper into this matter. I have a couple of follow-up questions. So, I know there was a bid for this in the past. Were there any local vendors who could provide this product?

Ms. Gentry said no ma'am.

Ms. Ajmera said and when was this bid done last?

Ms. Gentry said I don't have the date in front of me, but I believe it was three years ago.

Ms. Ajmera said okay, so do you expect different results if you were to put a bid out there again?

Mayor Lyles Ms. Ajmera, could you repeat the question?

Ms. Ajmera said do you expect similar results as you had received in the past if you were to put this bid out again?

Ms. Gentry said I suspect based on what's occurring in the market that PRIDE would remain the low bid.

Ms. Ajmera said got it. Is there a statutory requirement that we have to go with the lowest bidder for the goods and services?

Patrick Baker, City Attorney said so, for goods and services yes, there is the lowest responsive bidder. So, long as there deemed responsive those are the statutory requirements, yes.

Ms. Ajmera said to follow up on that. Would statutory requirements prevent us from going with another bidder who may not have questionable practices around the labor that Mr. Winston had highlighted? Specifically, pay per hour?

Mr. Baker said so, for my understanding of the case law that's been developed really focused on whether their responsive to the RFP that's been put out. That is if you have asked for certain specifications so long as they meet the specifications, those are the things that you can disqualify somebody, but if they don't meet the specifications. In terms of the work practices, I just haven't seen the case law that's developed. The statutes really limit what you can do to meeting the specifications that's been put out by the local government and the price associated with that. I've just not seen a situation where you are talking about other subjective issues related to a government and their overhead or what have you. I've just not seen that factor into a low bid RFP.

Ms. Ajmera said Mr. Baker, I'm just trying to understand can we go with another bidder or not knowing that we have a statutory requirement to go with the lowest bidder in this instance?

Mr. Baker said I would have to know a lot more about any other bids. Keep in mind that this isn't a bid process. This is a sole source that's been put out because the airport has determined that it wants a specific product that's not offered by the rest of the market. It's only offered by this particular company. So, if you started all over again it is quite possible that you would end up in a situation if you did an RFP and allowed individual companies to come to you with their paint products you could still end up with the lowest responsive bidder being this particular entity. If that's your question, yes that's the answer.

Ms. Ajmera said yes, so what I'm asking let's say we were to go out in a hypothetical scenario, the lowest bidder would be the same company we are talking about here. However, can we go with another bidder knowing Councilmembers have questions about this specific company?

Mr. Baker said I don't believe that you can go to a different bidder because I'm not sure that what has been raised, however, I understand the concerns, I don't believe that those are going to be disqualifying factors in terms of what this company is actually paying its individual employees. I don't believe you can use that to disqualify a bidder and go to another bidder.

Ms. Ajmera said okay, so that answers my question. So, if they are the lowest bidder again statutory requirements would prevent us from going with another bidder. Is that correct?

Mr. Baker said that's correct as I understand if they went to do an RFP, yes.

Ms. Ajmera said okay, that answers my question. Thank you, Mr. Baker.

Councilmember Egleston said Ms. Gentry if we voted this down what will you do to be compliant with (FAA) Federal Aviation Administration regulations that require the airfield markings?

Ms. Gentry said we will run out of paint. We suspect that will happen in the next 30 days because this has already been pushed. We will pay a contractor and it will cost us three times as much as what we are proposing to do right here.

Councilmember Bokhari said I think that's probably the most pressing response that we're all going to get out of this discussion. I would just add one, it sounds like this is worth us looking into further because we talk an awful lot about prisoner reentry opportunities and programs, and 15 bucks an hour this opportunity wrap-around service is by a non-profit sound like this could be an interesting thing to look into and a good job indeed and two, I'd remind us all beyond that scary element of not being compliant with FAA guidelines minus there is indeed a global paint shortage with the supply chain issues with the Texas interruption production of petroleum. So, this is a large deal from a market perspective and it's not something we want to get on the wrong side of.

Councilmember Driggs said I'm kind of curious at the way this is being characterized. Ms. Gentry is any current or former inmate required to work for this company?

Ms. Gentry said no sir, they have approximately 16 people and five of them are formerly incarcerated and in a specialty program that provides wrap-around services for job restoration. They are paid an hourly base pay of \$15 and they are provided a place to live as a part of that wrap-around service. Again, it is five of 16 people who work in the paint division.

Mr. Driggs said I'm a board member of Goodwill here in Charlotte and one of our chief priorities is to try to help people who come out of the system overcome the barriers to employment that they face. Goodwill does that partly by offering them jobs and letting

them establish an employment track record. So, frankly, I think it's commendable that we are sourcing the paint there. It's a happy circumstance that the best product is available from a company that is doing good work. It's being described here by some as if the inmates for example were obliged to perform some sort of compulsive labor and it's not. It's an opportunity for them. I think we should encourage that. It's too bad that there isn't a company that does this locally, but this kind of product is quite technical in nature. You would expect to find a manufacture of something like this in every city. So, Ms. Gentry I personally want to commend you on finding a good product at a good price and from a source like this. I certainly intend to vote for it.

Councilmember Watlington said I just wanted to understand a little bit more. I did do a little bit of reading about PRIDE and I see that there are some great aspects of providing transitional employment. I see that there are as many companies across the world who have just in principle refused to do business with any corporation that is employing incarcerated workers. What I'd like to understand is maybe in response to something that Councilmember Winston said in regard to the wages. So, if I understood correctly, I heard that some people are working for 25 cents an hour. Can you just give a little more clarification on that and then my second question is in regard to the paint? I realized that there may not be this specific specification available, but are there similar or at least comparable products that could be used instead?

Mayor Lyles said Ms. Watlington was question was your question on the 25 cents per hour for Mr. Winston or for Ms. Gentry.

Ms. Watlington said I would like to understand exactly what that spread looks like because I heard 25 cents an hour, which is obviously concerning. I heard \$15 an hour which feels like a pathway. So, I just want to know what that looks like and where do those figures come from and what is the actual employment rate?

Mayor Lyles said Mr. Winston, I think you said it was 25 cents an hour or Ms. Gentry.

Ms. Gentry said I can comment a little to that. This organization PRIDE was set up in tandem with the state of Florida and their prison systems. They provide all types of companies and make all types of products. That can range from an in-state government use, such as a license tag or it can span to custom-made furniture and or paint and pavement, and airfield pavement paint. So, there is a range of what they provide. Based on the Florida statute, when they actually produce something that is being sold or consumed by the state or another government entity, they are paid a minimum wage. I have seen various aspects when we spoke with the CEO of the company, he said \$1 an hour. Now, I think it is on their website 25 cents an hour. Those are for in-state services and consumables that the state purchases through this company PRIDE using inmate labor. If and when it is a service and or product that goes outside of the state and is made to be sold on the free market, they are paid a compatible wage. The people who work in the paint factory are paid \$15 or more depending on their expertise. If they have someone who is incarcerated and is a welder and they are working on a project and it is for something to be sold outside of their state, then they are paid a marketable rate. They are not paid an inmate wage for something that they are doing that will be consumed by the state itself. That's based on my understanding from talking. Now, I can't begin to tell you who makes what for what products and the range in how many people. I don't have all of that knowledge to share with you today.

Ms. Watlington said this particular contract because it is provided outside of the state and presumably the states not looking to recoup its cost to house its prisoners, they are going to be paid a competitive rate, correct?

Ms. Gentry said there are no prisoners that work for the PRIDE paint division. There are formerly incarcerated people. So, that aspect is not applicable to this particular paint contract. There are no currently incarcerated people working at PRIDE paint services.

Ms. Watlington said okay, that is extremely helpful. Then my second question was just in regard to the paint itself. Given that it sounds that there is a paint shortage and obviously

we've got to have some business continuity plan. What would be the backup if this paint in particular was not purchased?

Ms. Gentry said there are various airport painting contractors, and we would contract with one of those. We estimate it would cost us three times as much because we have looked into that. We expect to run out of paint in the next 30 days.

Councilmember Phipps said how often are the airfield strips painted at the Charlotte Douglas Airport?

Ms. Gentry said we paint every week in various places around the airfield. It is a constant nightly inspection and response from our team.

Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, to (A) Approve the purchase of Airfield Marking Paint by the sole source exemption, (B) Approve a contract with Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE) for the purchase of airfield marking paint for the term of three years, and (C) 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.

Substitute motion was made by Councilmember Winston, seconded by Councilmember Johnson, to (A) Deny the purchase of Airfield Marking Paint by the sole source exemption, (B) Deny a contract with Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE) for the purchase of airfield marking paint for the term of three years, and (C) Authorize the City Manager to put the contract out for bid.

Ms. Johnson said I just wanted some clarification. I heard two things that would be a consequence if we did not accept the contract. Ms. Gentry, if you could clarify for me. I heard you say we would run out of paint within 30 days, and it would cost us three times as much. So, that's two different things to me. Could you clarify what would happen if we extended an opportunity for another company? That's my first question. Then my second question is who have we used previously?

Ms. Gentry said I can clarify that. If we do not have enough paint and based on our current supplies, we anticipate running out of paint in the next 30 days. We will be required to engage a contractor who has paint supply, and we will have them come in and do the work on our behalf. Based on previous experience and having done that before, based on knowing how much paint we consume, we anticipate that will be about half of a million dollars for us to do. Which is about three times what this contract is for tonight.

Ms. Johnson said okay, thank you. Just to piggyback off of what Councilmember Winston is saying we know that this arm of the company only hires individuals who are not currently incarcerated or in five of the sixteen employees are receiving services, but it's the policy of the company overall that there's a challenge with. I myself have volunteered in prison and there were women that were paid 25 cents an hour and still have child support orders pending. So, just because a person is incarcerated if they are working, that's the challenge that he's having and that I am having and how we begin to break these systemic barriers for individuals. So, just keep that in mind. It's not this arm of the company. It's the company's policy overall. Then the fact that it's a pseudo-government company as well. So, that's the challenge that I have and that's why I will be supporting the current motion on the floor.

Mayor Lyles said I have a question though. Is this the company's policy or the state of Florida's policy that requires inmates to make a certain amount of money if they're already in prison? I just had an opportunity to work with a young man who works with us in violence prevention. He talked about when he was incarcerated, the number of years. He said he went in and he started out at 25 cents, but when he came out, he had saved

\$14,000. He was in for 10 years and I thought that was an incredibly difficult thing to hear, but I think that is regulated by the prison system. Not necessarily by a company. That's what I just wanted to make sure of. The policy of this is this the Florida law. I want to make sure that we are still talking about the right thing.

Mr. Winston said the state owns the company.

Ms. Gentry said it's my understanding that it is set by statute.

Mayor Lyles said I do believe that statute and this is a terrible thing that happens all the time, but this isn't unlike North Carolina, South Carolina, and many of the countries that states across they set these rules. So, I understand the principle, it's wrong. It's not the right thing to do, but it is often statutory that it is done that way and if you've known anyone in prison and if you've had to have that experience it is painful. So, I understand what Ms. Johnson and Mr. Winston are saying very, very much, Ms. Ajmera and all of us.

Mr. Watlington said I just want to make sure if I'm hearing correctly, Ms. Gentry you are saying that instead of just purchasing the material and executing the labor with airport workers, if we RFP'd this or if we denied this particular contract then we'd end up paying someone from materials and labor. So, presumably paying for the same paint from the same manufacturer but three times the cost to the taxpayer?

Ms. Gentry said well it would be three times the cost to the airport fund.

Ms. Watlington said right, so what I'm saying is we would be purchasing the paint would be the same but would go down.

Ms. Gentry said yes. We would not be privy to where the contractor would buy their paint from. We would not know where they get their paint from.

Ms. Watlington said but you would provide a spec?

Ms. Gentry yes, we would provide a spec, you're exactly right.

Ms. Watlington said and based on that spec we understand that we've had to go to a single source?

Ms. Gentry said we chose to go to a single source because of the durability and the quality of the paint. When we used other paint providers, we were reapplying the paint constantly, consuming more of it and therefore spending more in labor and more on the product. When we found this product, we found it to be far superior to any product that we had previously used. Therefore, we requested a sole source based on the anticipated savings that we had been accruing.

Ms. Watlington said so, the specification that we would use if we were to RFP it, would exactly match this product, or would it be something that would allow us to see perhaps lower quality, how you described it or would still meet the standard?

Ms. Gentry said It would still meet the standard, but there's no guarantee that it would be the highest quality or durability of this paint that we're using, but it would meet the standard.

Ms. Ajmera said so, Ms. Johnson had asked a question and I don't think I heard a response. Who did we use in the past before we engaged this company?

Ms. Gentry said I do not have that in front of me. Before this company would have been three to five years ago, and I don't have that in front of me.

Ms. Ajmera said I need that information in order for me to make a decision on this. My next question is for our attorney. In the RFP, could we specify that the vendor cannot use

this product if they were to submit an RFP? Could we put that in RFP that we are looking for an (inaudible) that are using other products but this?

Mr. Baker said yes, I think in an RFP like this, you would absolutely want to know that the products that are going to be sold to you meet whatever minimum specifications there are out there. I would assume that the FAA has something like that. You typically wouldn't go any further than the qualifications for the product that are absolutely required going forward. I don't know that you would go any further than that.

Ms. Ajmera said so, I guess, let me follow up on that. So yes, we are obviously looking for a product that helps us meet the minimum standards here. I guess what I'm asking is can we ask for the specific product the vendor will be using.

Mr. Baker said are you talking about excluding this company's paint?

Ms. Ajmera said no, I guess I would just like to know what product vendor we'll use if they were given a contract.

Mr. Baker said and, I would assume the previous RFP would've had the minimum qualifications or expectations of the product so that the staff could judge whether or not this is the type of paint that will allow the staff to fulfill its duties probably regulated by the FAA. I'm sorry, I'm for whatever reason, not quite understanding the question because your typical RFP gives, this is what I need from you, this is the type of paint you need to meet these minimum standards. Then you'd review as you're trying to determine whether or not they've met or are responsive, you would review the standards of the paint that they submit.

Ms. Ajmera said got it. So, what I hear, Mr. Baker says is that we can ask for the specifics on what product they'll be using because that will help us derive whether their paint will meet minimum standards or not. Is that correct?

Mr. Baker said yes. You would definitely want to know that whatever they submit meets your standards, correct. I'm sorry.

Ms. Ajmera said exactly. So, it's okay for us to ask what product they would use because if they use a product that does not meet our minimum standards, we don't have to approve the contract.

Mr. Baker said yes. They would let you know what type of paint they had. Yes.

Ms. Ajmera said got it. So, well, certainly I would like to know Ms. Gentry, I would like to defer this, so I will be supporting Mr. Winston's motion. I understand that the alternative here is that we might, might is the keyword here. We might end up paying someone three times more to do this or to get the paint. However, the bigger question or the concern that I have is how is our action today is contributing to some questionable practice that Mr. Winston has raised here. I'm not okay with that. So, I will not be supporting the original motion. I will be supporting Mr. Winston's motion.

Mr. Winston said just have one last comment. Thank you. Ms. Johnson, you did accurately kind of capture what I'm getting at here. You have a highly proprietary product. That's what it seems like. You know, this is a paint company, a very specific company that specifically produces a high chemistry product. You know, there's something about this product that makes it superior. So, what we have here is a quasi-governmental enterprise that is selling a highly proprietary product that gets sold in a highly regulated industry. This doesn't seem to be a company that is putting workers into free-market positions, right? This is an organization and therefore doing a great service to the community, but it seems to be dressed up with all the accouterment of righteousness. In Ms. Gentry's diving and in my diving, while there does seem to, on first blush seem to be some positive aspects to its program as some of my colleagues have said earlier, there is the undoubted shade and stench of shadiness around this organization.

It feels like some type of institutional ill that is highly concocted to kind of find those loopholes. Not just in Florida law and penal operations but the laws and regulations of other states and again, highly specified industries that seem like probably a lot of airports around the country (Inaudible). So, that's not contributing to the bottom line of revenues or economic mobility of formally incarcerated people as much as it could be if people were able to operate on a free market. So, thank you again to my colleagues that are seeing this. I hope more will join us in kind of calling attention to this and making us do something different. Thank you.

Marcus Jones, City Manager said I guess just for a little clarity. So, the airport, this enterprise fund that generates its revenue off of fees, we're in this situation where we've delayed something that if we further delay it will cost the airport potentially more. I understand everything that's being discussed tonight. As a matter of fact, the last time I was on the docket I had, I think it was a great conversation with Council member Winston. So, I understand the thought process and the concern as I've had a similar concern. I just want to reiterate however that this is the enterprise fund that generates its revenue off of fees. I think that's just important to put out also.

Councilmember Newton said maybe I missed this, but my question is, what assurances do we have that if we submitted this for an RFP, that the company that gives us the lowest bid on that RFP isn't using this company's paint as well? Do we have the ability to regulate that? Do we have assurances that that wouldn't happen?

Mr. Baker said so if you're going to do an RFP, you put out the minimum specifications for the paint that you want. I've never seen an RFP that says you can't use this or that unless it's specific to the specifications. I understand the concerns about some of the social issues and social equity issues here, but our statutes really focus on the product and not these other issues.

For instance, you can't make as a condition that this company has to pay its workers a certain wage, a livable wage, or what have you, or you can bounce it out. I realize that's not specifically your question, but our RFPs are basically, here's the standard for the paint that we need. Then you get the solicitation from the bidders, and then you review to make sure that they've met your standards. Then you look at the price and the statute then requires you to go with the lowest responsive bidder.

Mr. Newton said so, there could be a chance that the lowest responsive bidder through the RFP process could be using this same paint. And in that instance, I suppose we would be paying three times as much. Is that the case? There's nothing we would be able to do about that.

Mr. Baker said no, I don't think so. I'm assuming that this is highly proprietary, so I don't know where anybody else would get this paint unless it came from that company. I would think that that company would be the only one selling this particular product and any other paint company would be selling their paint to you as opposed to this company's product.

Ms. Gentry said there are a couple of manufacturers in the country. We have through the low bid process, had to PRIDE for approximately 10 years. The staff was just sharing that with me. This is the first time we've gone for a sole source, but we have been through RFP processes having PRIDE paint for the past 10 years.

Mr. Newton said just so I understand this, treat me like a kindergarten on this one. So, are you saying that in the RFP process, there is a likelihood or no likelihood that this same paint could be used by the lowest bidder of the RFP or any chance?

Marie Harris, Strategy and Budget said I think we're confusing a couple of things. I think when she's saying, be used by the contractor, we'd have to right now because we wouldn't have time to get through the whole bid process to put it out, to bid just on the paint. We'd have to call in a contract and get a contractor in. And you're correct, we wouldn't know what paint, you know, it had to meet the specifications of the paint. So, I think it's two pieces, even if you rebid out the paint, but in the short term, what would cost three times

as much is getting a contractor in because we have to have it done. So, we'd contract it out instead of buying paint and doing it in-house.

Mr. Newton said If we were to hire a contractor to do that, then we would be able to set conditions around the type of paint that's used in that respect? I mean that would be different than the RFP, right?

Ms. Gentry said I think that's a legal question if we could dictate beyond the specifications of what we needed.

Mr. Baker said well, now you're talking about something completely separate because this sole source is just about the paint. Now you're talking about getting someone who has paint and can go paint so now you're talking about a service contract.

Mr. Newton said we can set conditions on that is what I'm assuming.

Mr. Baker said yes. So, if you've got a service contract, I mean you can identify you know, so long as they're using the minimum paint that meets the minimum qualifications for what's needed out at the airfield. Yes.

Mayor Lyles said okay. We have a substitute motion on the floor, which is to deny item number 33 and to, I believe the second portion was then to do an additional qualification, or was that Mr. Winston? It's been a moment. Can you repeat your motion, please?

Mr. Winston said my motion was to deny item 33 and put the contract out to bid.

Mayor Lyles said you have a motion to deny item 33 and authorize a bid for paint. Is that correct? Mr. Winston?

Mr. Winston said yes.

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

YEAS: Councilmembers Ajmera, Johnson, Newton, Watlington, and Winston.

NAYS: Councilmembers Bokhari, Driggs, Egleston, Graham, and Phipps.

Mayor Lyles said five/five is the vote. I will vote against that motion to deny and we will proceed with the original motion.

The substitute motion failed.

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

YEAS: Councilmembers Bokhari, Driggs, Egleston, Graham, and Phipps.

NAYS: Councilmembers Ajmera, Johnson, Newton, Watlington, and Winston.

Ms. Watlington said point of order, I'm confused. I thought there were only 10 of us. Did you vote?

Mr. Baker said you have to formerly break the tie.

Mayor Lyles said I have to break the tie formerly and I break the tie for yes to approve the existing recommendation from the Aviation Department. I say that because there's always a balancing that's required and I understand how prison systems work. I started my first career working in a prison system. So, I know a lot about how this works. What I would say to you is that this is not something that Charlotte can impact without taking on something much more significant. At the same time, we are running an airport that needs paint. There's a safety issue for planes landing and where they go. For the workers out there, if you recall, several of the workers have come in to say to us, they didn't have

heat, they didn't have enough cool air. All of that and paint on an airport is very much tied to worker and aviation safety. I'm not willing to risk that safety over something that we can do and figure out a way to address it. We just need to put our heads together to say, this is not what Charlotte wants, but how can we impact the change that we need to have? So, for that reason, that's why I supported the motion. It's a balance. We need to do both, keep our airport working safely and we also need to figure out how to resolve some of these issues that are so much based around the penal system. We all know how that originated. So, with that, that's my decision. So, it is a six to five with me voting to support the acquisition of the paint.

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ITEM NO. 2: ACTION REVIEW AGENDA OVERVIEW

Marcus Jones, City Manager said we have a couple of items under the action abuse SAFE Charlotte (Safety and Accountability for Everyone) Charlotte, as well as an update on the American Rescue Plan. There's no closed sessions to my understanding. I am going to recommend that we only focus on the SAFE Charlotte review in the Action Review, and we put the American Rescue Plan update for a later date.

Mayor Lyles said can I add one more point to that? If we are not going to do the American Rescue Plan, what I'd also like to say, agenda item number 15, which is amending the Code of Ordinances to Chapter Three - Animals, has been removed from tonight's agenda. It's a result of conversations that the City Council has had with the city staff to continue to develop and work around the proposed ordinance amendments. We are anticipating that these amendments will be considered by the full Council within 45 days. The City Clerk has notified everyone that has signed up to speak, I think there were 16 speakers on this effort, and each person who has been signed up and was contacted to let them know that we would not be discussing the Code. When we do get this ready to come back, we'll be sure to notify those same 16 people that we are going to be having on our agenda.

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ITEM NO. 3: SAFE CHARLOTTE

Marcus Jones, City Manager said Mr. Jones said so, I guess the best way to begin this is really highlighting the hard work that the City Council and the community did as a response to much of the civil unrest from May of 2020, that went into June 2020. What the City decided to do, this Council is do something different than many cities across the country. That is to bring in our citizens, and residents, and try to come up with different solutions as it relates to reimagining police. A lot occurred in the Safe Communities Committee, as well as a lot that occurred during October, I would call it the Fall Retreat. So, this is more or less a one-year update. You have a lot of information in front of you, the SAFE Charlotte report from last year, but you also have a one-year in-progress update. So, I commend Julia Martin, who's in my office and Chief Jennings and his team, and Federico Rios who really worked very hard to take some of the recommendations from the Council and the community and go in and do the analysis and the assessment to come back and bring you some results today. We've worked with RAND (research and development) Corporation, one of the best corporations in the world. So, we feel that we have a good start with this. And with that said, I will turn it over to Julia.

Julia Martin, Research and Policy said here to provide a SAFE Charlotte report specifically focusing on the re-imagining policing portion of SAFE Charlotte. As the manager said, we worked with RAND, we worked with a number of other organizations. Tonight, also on the line, we have Chief Jennings with us virtually, Federico Rios with us virtually. Then two of the primary researchers from RAND, Daniel Tapia, who has a PhD. in political science, and Dick Donahue, who has a Ph.D. in criminology. They were really the authors of a lot of the information that you will see today.

So, again, today, what we'll be doing is reviewing the SAFE Charlotte recommendations, providing key updates on key findings recommendations, and importantly, next steps. I'll say there is no action required of the Council for this. This is merely to let you know what we have found and then how we will be moving forward with it. The information you will see on these slides is a lot of content. That was a purposeful choice. We are condensing about 400 pages of content down to about 14 slides, I believe.

As the manager said you have an eight-page SAFE Charlotte short summary, and then you have about a 30-page executive summary, both of which will be available online after this presentation, in addition to all of the consultant reports. Again, like I said, it is about 400 pages, so a considerable amount of reading. So, we tried to bring out the highlights here. Again, this is about nine months of work. It was not just CMPD (Charlotte Mecklenburg Police Department), it was housing and neighborhood services, IT, the budget office. So, I know you're not supposed to call out people for thank you, but I would be remiss if I didn't take the opportunity. So, I have to do a special thank you to Chris Thaxton and Lauren Ruvalcaba in the budget office and then Monica (inaudible) and Kelly (inaudible) with CMPD.

So, this is just a reminder, SAFE Charlotte is more than just the rematching policing portion. It is inclusive of the framework to address violence, corridors of opportunity. You know, we recently launched our alternatives to the Violence Program and again, Corridors of Opportunity, investing in affordable housing, mobility, things of that nature, again, adopted by Council in October of 2020. So, we are almost one year from the date when the Council has adopted that. Again, today's focus will be on the six recommendations related to re-imagining policing. So, here are the six recommendations. Today we'll be focusing on the five that are highlighted in the gray dash box. Before I move forward, I will say recommendation one, just as a reminder to you all, we provided \$1 million from the City's current year budget. We gave out \$50,000 to 17 local Charlotte-based organizations in April, partnered with United Way for that work. So, in addition to receiving programmatic support, those organizations will also receive pretty intense capacity building throughout their year with us. So, again, the slides you'll see will dig into each recommendation, speak about the next steps. Again, this is a lot of information on this slide, but in addition to hearing what I say, I also encourage people to read the words on the screen. So, recommendations two and four, we worked with RAND for this. So, we paired these two together because these are both looking at alternatives, civilian responses for certain types of CMPD calls. So, if we start on the left side, the main kind of analysis that RAND did was looking at all of the computer-aided dispatch data CAD (Computer Aided Dispatch).

So, this is what happens when someone calls 911. So, over the six-year study period, 2015 to 2020, this was about over 3 million calls. So, if we go to the top arrow, what RAND did was break these into two buckets. So, the first look was at what we call low-risk calls. So, RAND developed a proxy measure for this and basically said, let's look at all calls where the priority does not change during the course of service and where calls did not require more than a single unit on scene. So, what this left us with was about almost 600,000 calls, about 16% of all the calls during the study period. Then going down to the bottom box, RAND identified flagged calls. So, they broke these into three buckets, homelessness, mental health, and substance abuse. This ended up being about 7% of the RAND calls and of the CAD calls. These would be things that were eligible for a civilian response for mental health.

So, if we go to the left side and we look at the low-risk calls key findings, you can see the most frequent low-risk calls there. You can see the lowest risk calls. RAND looked at, in addition to just the number of calls, they looked at the proportion and how the call types change over the day of the week, the month of the year, and the hour of the day. So, these calls remained relatively consistent throughout the time period. Then, another part of RAND's analysis was community interviews. So, this includes interviews with law enforcement. This includes interviews with nonprofit providers, other public safety departments. There turned out to be a mixed response for this type of response. So, basically, some people said, even though it is a totally safe scene, so say someone breaks

into your car, you go out and find it in the morning, they would still feel more comfortable having a sworn officer respond rather than a civilian.

Then I think, the other key thing with this model is Fort Worth is really the only other major city that has launched one of these. They launched it in 2021. So, there's limited best practices and evidence for RAND to look at in terms of flushing out what this might look like here in Charlotte. Then moving over to the mental health calls. So, flags calls differ from the low risk. They reach their peak both in volume and share of all calls in the middle of the day. Most likely to occur in the Uptown, North Graham, North Tryon area and are more frequent during warmer months. One of the things that RAND mentions over and over again in their report is a lack of continuum of care for behavioral health in Charlotte.

So, this means once someone comes into police custody there are limited opportunities where that person can be handed off in a supportive environment. Then RAND looked at a number of other agencies that might be able to house this type of pilot and determine that CMPD was the best agency suited to house this initial pilot, kind of for two main reasons. One, CMPD manages the dispatch system, and two, they are in the best position to streamline data and ensure that we are collecting and measuring performance metrics on this.

So, if we start at the top again, these are RAND's recommendations and then our next steps. So, I'll start with RAND's recommendations, begin collecting officer injury data. We already do collect officer injury data. It is in the Internal Affairs Case Management System. This just means enabling a better connection between calls for service and the CAD data to an existing data system. So, we can understand what type of calls that individuals respond to result in an injury. Consider piloting two-person teams in areas with a high concentration of calls, and then do not locate these two models in the same geographic area. Then if we jump down to civilian response for mental health. Again, this is a bit more prescriptive because these types of models are more common and have been around longer nationwide. So, consider a pilot of two-person teams consisting of a mental health clinician and an EMT (Emergency Medical Technician). Initially deploy the teams via 911, operate within a limited timeframe. This aligns with the highest call density that RAND observed when they were looking at this data. Then deploy these within a limited geography.

Again, house the pilot within CMPD and convene a community advisory consisting of stakeholders from across the continuum of care. So, moving over to our next steps, we will be prioritizing the implementation of the mental health response. Again, this is for two main reasons, one, the mixed community response for the low risk calls for service response, and then two, that that model is so new. You see our bottom next step there. So, we will continue to monitor best practices, especially keeping a keen eye on what is happening in Fort Worth to determine what it looks like for us, if we were to proceed.

Then the final next step is we will be convening a Community Advisory Council to help us flush out some of those key details from the mental health response. So, that will include fire and medic, that will include the hospital system, and a couple of key nonprofit providers here in Charlotte.

So, recommendation three included a review of officer resident contacts by an external partner. So, again, we partnered with RAND on this. Before I jump into the information on the slide, I have four key points that I think are really important to reiterate and make sure everyone is aware when they're looking at this information. So, the first is that the data collected and used in this analysis has not been historically captured in a way to measure racial disparity. This information is collected to determine where crime is happening to manage the allocation of department resources. And so, this preliminary look at this information here is not the way that our data is organized. The second is that RAND looked at racial disparity and not racial bias. That is a really key distinct, racial disparity is something you can measure with statistics and racial bias is a measure of how people feel and think in their intrinsic motivations and is difficult, if not impossible to measure in a statistically significant way. The third is that as the manager said at the outset, we took this analysis on ourselves. Typically, this type of rigorous analysis is kind of forced upon

you from a higher organization. So, I think it speaks very well to us and very well to CMPD and the City Council that we took this on, on our own. Then the fourth is that this analysis really just shines a light onto where we need to dig deeper. So, you think about it, RAND took us from 100,000 feet to 30,000 feet, and now it's really on us to go from 30,000 feet to the most granular level possible. So, with that, I'll jump into a couple of key findings on the screen here. So, the first I'll highlight for you is the decision to use force at a traffic stop. Again, all of the findings on this page are statistically significant. So, RAND identified that black drivers were nearly twice as likely to experience a force at a traffic stop relative to white drivers. In that six-year study period, 2015 to 2020, RAND identified 250 instances of force. So, what this means is when an officer goes to a traffic stop, part of the form that they enter finishing that stop is a check yes if force was used. So, what CMPD did was go back and look at all of these 250 instances of force and identify almost 100 instances where there was no corresponding Internal Affairs Report.

So, what this means is that when an officer was at a stop, they likely mistakenly checked yes, that force occurred. Obviously, that still leaves 150 uses of force and CMPD will continue to dive deeper into that. Then before we move on, I think it is just really crucial to note that 250 instances of force put in the context of over 500,000 traffic stops during that six-year time period is 0.05% of all of our stops. So, I think that's just an important context in how we think about these numbers.

The next analysis I'll bring your attention to is the race of pedestrian and vehicle stops. So, both black and Hispanic individuals are more likely to be stopped than white individuals. RAND did kind of a supplementary analysis called the daylight savings time analysis, which looks at the time period when daylight savings occurs. So, think about you're driving home at 6:00 p.m. one day and it is light out and you're driving home at 6:00 p.m. the next day, and it is dark out. What they identified was no individual, racial or ethnic group, is more likely to be stopped in high or low visibility conditions. So, the conclusion you can draw from that is that CMPD officers are not looking to identify an individual's race to determine a stop. It is something else aside from that. So, I think that is a really key finding for us to be aware of.

Then the final thing on this slide, I'll bring your attention to is the request for consent to search. So, again, you can see both black and Hispanic drivers were more likely to receive a request for consent to search relative to white drivers. RAND again went a step further and looked at yield rates of contraband, which means how often an officer asks to search someone and how often they actually find contraband. And the yield rates were relatively consistent across all groups they ranged from, I think, 41% to 46% of the time officers identify contraband when they ask for a search. Individual officer analysis. So, again, this was another portion of the analysis that we have asked RAND to do for us. So, in addition to looking at how CMPD interacts in the community as a whole, we also wanted to understand how individual officers interact in the community.

So, the first analysis, analysis one on the left side of the screen, controlling for officer shift, beat experience et cetera, does an officer act disproportionately towards one group relative to their peers. So, the peer group here is about 900 officers. So, the way you can interpret the chart below is the number of officers that stopped more frequently than their peers. So, we had 15 officers who stopped white drivers more often than their peers. We have two officers that stopped white drivers less than their peers. One thing I'll speak about and kind of reiterate in the next slide is that RAND has given CMPD this analysis. So, they have already begun fine-tuning and improving this analysis to really hone in on those outlier officers. They included things that RAND did not include like officer roll. So, in some officer roles, they are stopping more individuals. So, when CMPD has preliminarily rerun this analysis, the 29 officers that stopped Hispanic individuals more frequently, that result goes away. So, moving over to analysis two, this compares officers based on officer race and ethnicity and certain officer groups have a different frequency of policing outcomes. So, the way you can interpret this chart is compared to white officers, black and Asian officers are less likely to record an arrest. If we jump down to the bottom, compared to female officers, male officers are more likely to record an arrest, less likely to issue a citation, more likely to receive a complaint about an arrest search or seizure and use of force.

So, as I mentioned at the outside of this recommendation, CMPD did not historically collect this data to measure disparity. So, one of the biggest things that I will say is identified through this is if we go to the second bullet enable, one of the big outcomes is to improve linkages between the Internal Affairs Case Management System and other data sets, mainly calls for service, traffic stops, arrests, and charges. So, this will help us provide a more holistic view of what is happening at these interactions between officers and residents. If we jump up to the top bullet, CMPD already puts out an annual Internal Affairs Report and what they will do going forward is include the race and ethnicity of civilians involved in the use of force and provide more of those preceding details preceding a use of force event.

Again, as I mentioned, add data validation checks to the traffic stop data collection system. Again, if you recall, 250 instances of force and 94 could not be validated internally. Then the next bullet, again, continue to conduct further analysis into findings that warn more understanding, including use of force at traffic stops and the individual officer analysis. Then the final piece is to continue to refine the model used in the individual officer analysis to improve the accuracy and establish an outlier review process within CMPD's professional Accountability Bureau. The individual officer analysis does not take the place of the existing EIS (Environmental Impact Statement) system. It just provides another filter with which to view our officers and understand how they're interacting on an individual basis in the community.

Recommendation five, we worked with UNC Charlotte on this, and so this was a review of CMPD youth programs specifically to understand the value ability of CMPD youth programs. So, what they did was they took 21 programs, put them into five different categories. UNC Charlotte did an extensive literature review, looked at best practices, compared how best practices and evidence-based programs are managed with current program practices for each category. Then they assess the data currently collected, the capacity within CMPD, and the evidence space for each program to determine evaluability. I'll just draw your attention to a couple of key findings of the 21 programs examined. UNC Charlottes determined that 11 are evidence-based and could be evaluable with improved data collection. Six are not evidence-based. However, these are all within the community relations and perceptions program category and serve an important role in facilitating officer community relations. Then I'll just point out, Youth Diversion is probably one of CMPD's most well-known youth programs, and that program currently collects enough data to be evaluable and has been evaluated recently.

So, recommendations, again, these are UNC Charlotte's recommendations, invest in staff and technology to support program evaluation, implement practices to address identified gaps. This includes things like developing an equity access tool to make sure that the right youth are getting into the right program. Consider scaling CMPD programs in high-need areas. These would be areas with high rates of juvenile crime. Then prioritize a couple of programs, they call that five programs, youth diversion, reach out and vision academy, reach academy, and some of the career pipeline programs. These are the ones that are best set up with some improved data collection and outcome monitoring could potentially be ready for an independent rigorous evaluation. So, the next steps, explore the addition of civilian positions to support CMPD Program Administrators. CMPD is going through a process where they are relocating some vacant sworn positions to more administrative roles to support the operations of CMPD. Then the next step, the second bullet is a collaboration between CMPD and the City's Innovation and Technology Department. This is specifically data and analytics in Rebecca Hefner's group. I know that they have already made contact with CMPD and will begin helping them to prioritize program enhancements.

So, the final recommendation for you tonight is a review of the training curriculum. We partnered with the International Association of Chiefs of Police on this. So, what they did was look at the curriculum for new recruits, lateral transfers, intermediates, and in-service training for our officers. They conducted a job task analysis where they identified the frequency and criticality of over 1200 tasks that we expect officers to have competency in. So, they actually put out a survey to over 600 officers and then reviewed the results with the sergeants who managed some of the patrol officers. They also looked at potential

gaps in opportunities for improvement in both and the administration of the curriculum. Then some of the key findings, IACP (International Association of Chiefs of Police) (inaudible) mentions that North Carolina's state-mandated training is one of the best in the country. That CMPD does a great job of administering that training. An interesting finding, they determined that there was insufficient agency data to support the need for additional CMPD specific training.

Councilmember Eiselt joined the meeting remotely at 6:20 p.m.

So, the state mandates 640 hours of training, CMPD has over 300 additional hours for new recruits. What they said was, not that these courses were not needed, but there was insufficient data to require these additional courses. One of the ones that they said was probably necessary was additional driver training. So, you can think in a state as varied as North Carolina, providing additional training in an urban environment is something that CMPD should continue doing. I would say the other probably key finding is that CMPD courses are currently administered lack some consistency in terms of course materials, curriculum, learning objectives, testing materials, and so really improving the consistency of that is critical. Then the final thing I'll bring your attention to is staffing at the training academy has not substantially increased since 2004. And we know since that time, how fast our City and CMPD has grown by over 425 officers during that time period.

So, IACPs recommendations are on the left. So, their first recommendation, implement a centralized process to aggregate and analyze officer performance data. We already collect officer performance data, but again, this is just a matter of improving linkages between our existing data sets and some of the operational data sets or rule of conduct violations and things like that to really fine-tune the training and ensure that we are mitigating any kind of violations. Use the 93 tasks as a basis for determining in-service training needs. So, IACP identified 93 critical tasks and they specifically mentioned duty to intervene as especially critical. So, you can think of a duty to intervene, not so much as a specific course but as an ethos, so to speak, within CMPD similar to integrity or accountability. This is something that is woven within and throughout CMPD courses. Then conduct a staffing study at the training academy and then employ at least one full-time civilian curriculum developer to support CMPD's training staff. Right now, the CMPD training staff is all sworn individuals. So, providing some people with expertise in adult learning, curriculum development, things like that.

So, moving over to the next steps. CMPD has already created these three civilian positions. Again, this is through the relocation of vacant sworn roles, and they've already hired the training specialist. So, once those three individuals are on board, one of their first tasks will be to review the IACP report and prioritize courses for enhancement. The Budget Office and CMPD will conduct a training academy staffing study for the training academy, explore the development of a structured process for identifying and prioritizing future training needs. So, this would be a training advisory committee, which may comprise civilians and also sworn staff to review and guide CMPD's training. Then again, develop a plan to strengthen the duty to intervene. But again, this is woven throughout the CMPD curriculum.

So, this is the final slide. Moving forward, we are still working with an external consultant to review the recruitment and residency portion of recommendation six and hope to have that work wrapped up within the next couple of months. Then, like I said, all of this information, including the presentation, the two companion documents that staff has created, and all of the consultant reports will be available online on the city's website for you to go back and look and ask future questions. So, I'll turn it over to the chief. Then I'll open it up for questions.

Johnny Jennings, Chief, Charlotte Mecklenburg Police Department said thank you for that review of the report as well. I'll tell you; I've been here for over right at 30 years with the Charlotte Mecklenburg Police Department. I think this is probably the most comprehensive review and analysis of CMPD since I've been here. As I've stated, many times, we have always been and will continue to be a learning agency. So, as Julia mentioned, this is not something that was forced upon us. I commend Council, the City

Manager, I commend CMPD for being that open book to welcome and fully work with RAND to be able to come to their analysis. There are some things that we can take away from this and get better as an agency, but I think there's also some good things based on the report that came out as well. So, if you also look, there are a lot of things that Julia had mentioned that we have already put into place. We've already begun doing much of the civilization of some of our sworn positions as well. I think that's going to go a long way to be able to address a lot of this information that we've been able to get from the study as well. I have to also if you haven't believed that up until now, I think you should at this point that we have the best analysis division in the country. This is a lot of data, the full report is just very extensive, but to be able to take all of the data and scrub it down into information that we can relate to and understand much better. For example, the 250 traffic stops that were mentioned in the study, we were able to get that down to 150 were identified that there were actually 150 of those. Then also to be able to look at the use of force. When you hear the use of force, many times you think of a police officer actually inflicting a strike or something on an individual, and that's simply not the case. With CMPD, we will put down the use of force if someone gets a scratch on their wrist from a handcuff, if someone gets complains of an injury, that their shoulder hurt after being handcuffed. Any of those types of complaints whether it's a complaint or a visual scratch or bruise it will go down as a use of force.

As we looked through some of this data already, and we continue to look through that, many of those are simply complaints of injury or bruises or scratch that could have resulted from a handcuff or something of that nature. So, we're going to continue to look deep into all of the data. We're not going to ever say that we're perfect and that we try to defend any of the bad information that we might get, but we will own any of that and continue to work as an agency and take this information to make us better. So, I appreciate it and thank you for the opportunity to speak on this.

Marcus Jones, City Manager said again, I just appreciate the collaboration that's occurred amongst the team. I think that if we start to again, go back and look at the journey we've been on for the last year, I commend Julia and everyone who's been working on getting the analysis. Just as we were committed to you after the committee and the Council came out with the SAFE Charlotte report, or at least approved it, that we would not let this sit on the shelf, but we would continue to plow along and make sure that we do things that can help our community.

Councilmember Graham said It's more than a comment than a question. I just wanted to thank everyone for the work, I kind of get it now. I got my executive report, and I was able to thumb through it while you spoke about the presentation. So, I'm glad that we are where we are, and its significant progress based on where we were last year. We're continuing to move the ball forward. Two points. One is what I talked about earlier today. Just really the wraparound service. A little impatient, right. But I think we're moving in the right direction, but more importantly, the non-emergency calls. I think that's where we really can kind of make some headway. So, again, I'll be kind of watching that to kind of see how we move forward with that. Chief Jennings, I gave an example earlier, I'll give you another one. Kay Cunningham will love this one, I called 911 this weekend because there was a series of 18-wheelers parked on a residential street. Obviously, I didn't wait around for the police to get there. But they did respond, and they placed stickers on the vehicles in question. That's a non-civilian type of response, right, to put that sticker on that 18-Wheeler, not really a 911 call. So, those are the types of things I think we can really work to identify ways we can address those, ways to empower the civilian troops for the lack of a better word. More importantly, clearly understanding the wraparound service. It's just a little bit more complicated and making sure that we get the right response, the right chaperone, quote-unquote for those responders that go to a site that may be potentially a little bit more dangerous and can escalate depending on who service the calls. So, very interested in terms of how we moving forward. I just want to thank you for the work thus far.

Councilmember Watlington said I just want to echo the comments of Council member Graham. I'm very, very happy to see us partnering with RAND and with Charlotte over at the university and really just taking a database approach to the work that we've been

doing. I just want to say kudos to all of the data analysts and Julia and Federico, all the staff that has been a part of this work, and our, I don't want to say new because I know it's not a brand-new approach, but in recent months, our enhanced approach to database decision making.

So, I've just got a few questions. My first one is in regard to the overdose calls. I saw that part of the recommendations was to send, I think, two-person teams, one of the people being an EMT. I just want to make sure that I'm clear, today, EMT show up for overdose calls already or not?

Chief Jennings said yes. So, when an overdose call is dispatched, they will send all first responders, including EMT, as well as the Fire Department will respond as well. We will try to render services to that individuals as quickly as possible.

Ms. Watlington said okay. the next question I have is from slide six and I was just curious for the RAND folks of the respondents' demographics. We talked about having received mixed reviews in regard to the low-risk calls. I just wanted to know if we had any inkling as to who responded by zip code, for instance?

Ms. Martin said so, I'll go first, and then I'll let Daniel or Dick from RAND jump in. So, they did 35 interviews. RAND actually for the anonymity, we do not know the individuals who spoke to RAND, all of them, have a very strict data security process. So, I am not aware of who they spoke to. I just know the categories with which individuals fall into of those 35 individuals. So, I don't know if Daniel or Dick wants to expand upon that, but they kept that information private from us.

Ms. Watlington said do you have the information in the aggregate, even if you don't have the personally identifiable information linked to each response?

Ms. Martin said I just have that individuals fall into community category, law enforcement, nonprofit, and there might be another category that I'm forgetting. But I just know the kind of base organization with which an individual was collected. But I do know RAND did a very structured interview process where they purposefully selected individuals and stopped at a point with which they gathered no new information. So, I think they call it saturation. So, they determined 35 interviews with the gamut of people they interviewed was the point where they stopped receiving new information. So, this was a very targeted, lengthy hour-long interview process.

Ms. Watlington said I think you mentioned two other folks.

Daniel Tapia, RAND said this is Dan with RAND. I think I got the crux of the people that we interviewed for the group interviews. One category that I think she was alluding to was sort of advocates. So, when we were looking at nonprofit providers, we would look at service providers who actually had services to provide to (Inaudible) in addition to people who would advocate on the capital. So, that's the only thing I would add.

Ms. Watlington said okay. Slide seven, I'm just curious. I know we're early on, but as we talk about risk management, have we started to conceptualize what this might entail as far as insurance or kind of how do we see ourselves in the City, I guess maybe it's a question for the attorney. How would we see ourselves in the City mitigating risk of sending civilians out? Are we thinking about volunteers or are these people staff?

Ms. Martin said I'll go first and then see if Patrick or the Chief want to weigh in. So, right now, the first step is really for us to be able to replicate RAND's analysis and fine-tune what calls we would have this team respond to, to determine the operational choices of where do they deploy out of and specific things like that. So, that's really the first step in going to guide all of our next steps. But in other cities where they have a police department, it is a contractual relationship with another organization. So, I think, especially during a pilot phase, that is probably the smartest way to go so we do not hire individuals to be actual full-time City staff. But working with a contractor similar to how we

do the Community Policing Crisis Response Team, where the clinicians that partner with our officers are contracted.

Ms. Watlington said awesome. Thank you. In slide eight, I noticed a couple of things in regard to the result of vehicle stops and the race of the vehicle stop. Here where it talks about black drivers are 1.7 times more likely to have the result of a stop being arrested relative to white drivers. Then both black, almost three times and Hispanic one and a half times individuals are more likely to be stopped than white individuals. Then when accounting for neighborhood characteristics, the rate of a Hispanic person stopped is similar to the likelihood for a white individual. Am I to take from that, that black people are indeed being disproportionately stopped and if they are stopped, arrested?

Ms. Martin said so, I'll go first and then also let Daniel weigh in on this. So, RAND did two levels of analysis looking, the first-rate was comparing to 100,000 individuals citywide. Then the second layer of analysis was looking at the rate per hundred individuals by neighborhood. So, they pulled in neighborhood characteristics available in the quality-of-life explorer, including income, crime rate, nuisance calls, things like that. So, when they do that neighborhood-level analysis the rate of Hispanic person has stopped is similar to the likelihood for white individuals, but when they pull in those neighborhood factors, the rate of a black person has stopped is still more likely than a white person.

Ms. Watlington said got it. Okay, that's what I thought I understood from that. Then the next question is in regard to, well it's really for the Chief. So, as we hear that, and then we hear that the yield rates are pretty consistent across races. I would imagine that will raise some eyebrows over at CMPD, but I'd like to hear the Chief's perspective in regard to that.

Chief Jennings said yes, I think absolutely. It's something that we look at and we have to consider. However, I really didn't understand some of the explanations, but maybe I'm wrong, but I'm not sure how much of this is when you start looking at the overlay with our violent crime. We have explained this numerous times when we deal with traffic stops and some of the disparate impacts that we have in low-income communities. But when you overlay the violent crime, we are exactly where we need to be as police officers when you start looking at that. So, not necessarily discounting this data and I would never do that. But I do think that it is one of those things that we do require to have a deeper dive into before we just flat out say that this is an indication that we are stopping more or that we are targeting black drivers more than we are other drivers.

Ms. Watlington said okay. Yeah, I'm very interested in that one as well. I think I heard you say that RAND controlled for neighborhood characteristics, including violent crime. So, I'm interested to hear a little bit more about that one as the analysis and next steps go on. On slide nine, I just wanted to make sure I understood that chart at the bottom where it's got the driver race. Slide nine, compared to a peer group of nearly 900 officers. How am I to interpret that first row?

Ms. Martin said so, how this chart goes is if you read the first row, the interpretation is 15 officers stop white drivers more often than their peers. Two officers stop white drivers less than their peers. So, they made many, many associations between individual officers based upon a number of factors. I guess a little more statistics plotted everyone on a standard deviation and identified individuals who were on the high end and outside of the tail end of the standard deviation. So, that is where these two columns of information come from. So, it's important to note again, that this is within the context of almost 900 officers.

Ms. Watlington said okay. Then just as a follow-up on this then, I see that it's controlled for shift beat experience. Is there also any controls in here or any kind of stratification as it relates to the neighborhoods? Because when I see that there are 29 officers that are stopping Hispanic people more than their peers, that would seem to be an area of interest here. So, I just want to understand how would you say that beat, they were controlled for their beat? Does that include the neighborhood demographics within which these officers are working? Do you follow what I'm saying?

Ms. Martin said yes, so it controls for the area with which these individual officers are working down to comparing people that both work third shift on a Tuesday. So, they really tried to pull in all of the contextual data they could. But I know in CMPD's fine-tuning of this model, they ended up having some additional factors that RAND did not initially account for. So, I'll let the Chief talk a bit about the kind of additional analysis CMPD has already gone through with respect to this analysis.

Chief Jennings said so, in that analysis, it did not account for assignments such as our officers who work in crime reduction units, our traffic officers, any of those officers that might be put in these fragile neighborhoods for any particular reason, as well as officers who might be working more on the major thoroughfares where their sole job is to make traffic stops. So, that can skew the numbers. We've actually done a deeper dive into the numbers related to Hispanics and that number 29 from our analysis goes to zero when we take that dive. So, the sample size of that number was so minuscule that we were not able to come to a conclusion that there were 29 officers that stopped Hispanics more than their peers.

Ms. Watlington said my next question is in regard to 11 and 12, and it is more along the lines of where we think we're going when I see the comments regarding there's some things that can be improved in terms of training and in terms of increasing the value ability of the programs. I see down at the bottom that CMPD lacks the capacity and resources to do really any kind of program evaluation work. What are we thinking about in timing then, like, should we expect to see some budget requests for this upcoming, or are we looking to do this through third-party contracts as well? Or are we even considering working in a continued relationship with the university to execute some of these evaluations? Have we've gotten that far down the path?

Ms. Martin said I would say step one is to add some civilians to support this. So, I'm not sure how quickly these individuals would get up to speed for budget requests nor not saying we cannot move things around internally to prioritize certain programs that are evidence-based and evaluable. But I'll go to the Chief for some additional context.

Chief Jennings said yes, you are correct. However, this is a part of our civilization. So, this will not require a budget request or anything. We can move forward quickly with just a reallocation of some of our sworn resources or sworn staffing that we currently have vacancies for.

Ms. Watlington said gotcha. Thank you. Then last, I just wanted to comment on slide 13. I'm happy to see that we've hired a training specialist and that we are taking a more, I'll say proactive approach to future learning needs. I saw that we were creating a process to identify future training needs. So, thank you for the work again, and I appreciate you answering my questions.

Councilmember Johnson said I just have a few questions. The first question, I'll piggyback off what Councilmember Watlington just asked as far as the training or the new staff, are you looking at hiring a Mental Health Professional to train the officers? Is that the thought?

Chief Jennings said we are not, but however, we did just take on, as far as the Mental Health Clinician or the Psychologist for CMPD, who will be involved in a lot of aspects of our training, our peer support. If you recall, before, it was an assignment that was funded by the county that was assigned to CMPD and that is now funded and assigned to CMPD strictly to us to provide for services for our employees here.

Ms. Johnson said the peer support?

Chief Jennings said just the clinical psychologist or the psychologist that we've hired, and that's part of what they will do. Debriefings, peer support, mental health, texts with our officers, just a gamut of information on the employee wellness side. That individual starts October one, I believe it is.

Ms. Johnson said so, that's great news internally, but I mean, as far as training the officers, I know we have CIT (Crisis Intervention Team) training, but I just didn't know. I'm looking at this from a mental health perspective. I didn't know if your new staff that you were looking at was going to be someone in the mental health field to train the officers on mental health and the effects of mental health. What qualifications or what positions are you thinking for the civilian hiring, which you're reallocating?

Chief Jennings said so, we're not specifically hiring someone to train our officers for mental health. Now these (inaudible) or this staffing that we're looking at for the Training Academy can help identify certain training and things that are out there that we are able to bring in for our officers. But specifically, for that, I believe that would be an expensive resource when we have that ability to be able to outsource those and bring that kind of training into our officers as well.

Ms. Johnson said okay. That makes sense. I'm really excited about this more compassionate approach. I just have a few questions. This is a great job to RAND and to the Chief and Julia and Mr. Jones, so thank you. You all mentioned the use of force in 250 accounts, I guess, or out of thousands. I wanted to know if the drawing of a weapon is considered the use of force.

Chief Jennings said it is not. The drawing of a weapon is a show of force, but it's not a use of force unless it is used towards an individual such as a discharge or striking an individual with it. We've talked about prior in other meetings that we do now collect that data with our signal sidearm where we're able to know when an officer actually draws his weapon and when an officer draws his weapon their body-worn cameras subsequently comes on automatically as well. So, we've done a lot better at capturing pointing a firearm or drawing a firearm at the individual, or just pulling it out of your holster. But it is not considered a use of force.

Ms. Johnson said was that information captured in this report?

Ms. Martin said this looked at the use of force, not show a force. The specific analysis we asked RAND to do was around the use of force.

Ms. Johnson said okay. So, could we get that information, the show of force, and if there's any disparity in the show of force in the different communities?

Chief Jennings said we're going to look into that. We don't collect that data because if for example, the pulling of your firearm doesn't necessarily mean that you're pointing it at someone either. If an officer is doing a building search or clearing a building or a vehicle that will show that they pulled their firearm, but it is not necessarily that they pointed their weapon at anyone. But we can certainly see what we have and provide whatever data we do have from that and get back with you on that.

Ms. Johnson said okay. We can talk offline. I'm just thinking if there's a show of force during a traffic stop if that information could be identified.

Chief Jennings said I don't know. I don't have the answer to that. I can imagine that maybe we can look at a traffic stop and see if the signal sidearm was activated. However, there might be some manual counting of that as well, but that's something we'll take note of and see what we can come up with.

Ms. Johnson said okay, thank you. Then RAND, I think mentioned the Ad Hoc Committee for the next steps would include some type of committee that included officers and also individuals from non-profit organizations.

Ms. Martin said yes, so, moving forward for the civilian response for mental health calls, we're calling it a Community Advisory Committee or Community Advisory Council. We have actually already contacted individuals from organizations that we would like to participate. So, this includes fire, medic, nonprofit providers, hospital systems, and other individuals who have expertise in mental health provision. So, we'll be leveraging that

group to provide a holistic look and help us determine some specific portions of the implementation of that model.

Ms. Johnson said okay. So, this is where my advocacy comes in, you know. So, I'm a huge advocate for mental health, but specifically for brain injury and brain-injured survivors, that's a huge, underserved population. So, I would ask RAND or whoever to look at that data. There's data that shows that one in two homeless individuals have a history of brain injury. And that 60% to 80% of those involved in the criminal justice system have a history of head injury. And we know our City has been affected hugely by someone who had a TBI (Traumatic brain injury). So, I would ask if that information could be considered and perhaps someone from the Brain Injury Association of North Carolina or someone that understands how prevalent and underserved that community is, be a part of the group. North Carolina currently has a TBI action plan because it's so underserved. So, we know the social security system is broken. Medicaid is not expanded in North Carolina. So, we have thousands of individuals who are walking around without medical treatment and trauma survivors and who are hurting. So, I would advocate if you could take a look at the data and how prevalent that is in our community and have someone on the committee that understands that.

Ms. Martin said I'll just say briefly, Councilman Johnson. We have reached out to Promise Resource Network and Mental Health America to both be participants on this Advisory Committee. So, I believe that they have lived experience and practice with dealing with individuals from across the spectrum.

Councilmember Phipps said I had a process data analytics question. I just wanted to know how was the work divided between the RAND corporation and UNC Charlotte? I mean, what were the roles of each entity?

Ms. Martin said sure. So, we had two teams with RAND. One team looked at the civilian response for recommendations two and four. One team at RAND looked at recommendation three, which was the officer resident contacts and individual officer analysis. We partnered with UNC Charlotte for recommendation five, and then the International Association of Chiefs of Police for recommendation six. So, I would say these were all working on in terms of the consultant point of view parallel paths, but of course, internal staff overlap. So, we were making sure that one consultant was aware of something, another was speaking about to try to, bring some synergy I guess, as all of these five recommendations move forward basically simultaneously.

Mr. Phipps said thank you. My next question is to the Chief concerning low-risk call escalation. You had larceny as being one of the low-risk call categories. I was wondering if you had larceny from the auto that resulted in the theft of a firearm, would that call be escalated or not?

Chief Jennings said the escalation of calls like that is a lot of times dependent on if the suspect is still on the floor if it was a crime that had just occurred, and a suspect possibly could be on the scene. If it's a call where someone wakes up the next day and their car has been broken into and their firearm is missing but they don't have a tighter timeline for that, that would be considered a low priority call for service.

Mr. Phipps said my final question is do we have any metrics in these reports that would show the incidents of low-risk calls being escalated to something higher?

Chief Jennings said yes, so, the calls that they evaluated, and Julia can jump in, but my understanding is that these are calls that did not get re-categorized as a higher priority call for service.

Ms. Martin said I'll just expand. So, in the actual RAND report which I'm happy to follow up with this information. Based upon those two metrics of call scene did not change. And only one unit on scene RAND actually developed a numerical list of what accounts for the lowest risk calls. So, for example, say if larceny escalated 0.05% of the time that's

included in the metric. So, they basically ranked the top 20 most common priority five calls by lowest risk using their metric. So, I'm happy to provide that chart as a follow-up.

Councilmember Winston said thank you, Council member Johnson that was a great question about the show of force as opposed to the use of force. I think we should definitely kind of layover some of those statistics if we have. Because I think that's a situation that really does cut to the heart of some of our police-community interactions. I think back to the Keith Lamont Scott incident, his death. I don't know, basically, the use of force would not have been counted in kind of dealing with the trauma that they had had not shot. This was a guy who was sitting in his car and six police officers ran upon him in a few seconds and everything was different and those are the types of interactions that we need to deal with as well. But we're not kind of laying over that show of force data. I think that's important. Can we go to slide 12 really quick?

It suggests exploring the addition of civilian positions to support youth programming using existing CMPD sworn positions. And if you, people that remember during the budget process, we usually fund and budget for more police officers than we actually have hired because we're trying to hire them, but they just don't exist physically year to year. So, I welcomed this idea of utilizing an existing budgeted position to train for a different type of job. My question would be how much this would be, I guess, Chief Jennings, how much does it cost when we hire and train a sworn CMPD officer in total?

Chief Jennings said that's a good question. I have an idea.

Mr. Winston said just an idea, yes.

Chief Jennings said give me just a second. I have some people in the room that can get me a good answer.

Mr. Winston said absolutely, and year over year like how much does it cost, if the folks in the room, how much does it cost to upkeep that level of law enforcement training that is necessary? I guess a question would be folks that are sworn officers, but that do some of our civilian outreach, we have to maintain those costs for training over time. Is that correct?

Chief Jennings said that is correct. If it's a sworn officer, regardless of their assignment there is state-mandated training that they have to do every year, as well as training that we mandate within CMPD. Those salaries, of course, fluctuate from a starting salary that could be around \$48,000 for an officer's salary to start. Then an officer can top out I believe it gets closer to \$70,000 or \$80,000 once an officer is seasoned into their careers. So, along with that, of course, benefits and training and all that is added, equipment. So, there's a gamut of costs that go along with the officers.

Mr. Winston said sure, absolutely. We approve things from time to time in the consent agenda and other motions because this is a highly specialized job that has highly specialized equipment and training. I don't know if Dan or Dick from RAND might want to help to answer this question, but how much do we think it might cost? Especially in relation to the cost of the training and hiring sworn offices, these civilian positions, how much would the civilian positions cost to hire and train and upkeep training? What's the marginal difference from year to year to force versus a sworn officer?

Chief Jennings said is that for me to weigh in? I can give you just kind of a top of the trees that it is significantly less, the equipment and a lot of the training is a whole lot less for a non-sworn individual than it is for an officer to maintain their certification. So, when you look at that, depending on the position there are even in the non-sworn, there are certain certifications that someone might need to have that it does have a cost to it. The higher end is going to be on the sworn officer.

Mr. Winston said thanks. If Daniel or Dick from RAND have any insight for us to compare, that'd be great.

Richard Donohue (Dick), RAND said yes, sorry, Dan and I don't have my camera. I'm sorry. I'm having childcare issues tonight. We did provide some top line, not particular to the youth programs reviews, but for the civilian responders and some of the ranges whether they be local ranges or otherwise. One of our concerns was if you pay the folks between, I think it was between \$13 and \$18 we suggested toward the higher end of that range. Forgive me if my numbers are escaping me for the moment, but when we inflated what some of the payments are in Fort Worth to the cost of living in Charlotte some of those hourly wages were, I believe, north of \$25 an hour. So, one of the things that you're kind of keenly aware to point out in the full report was that you want to attract and retain, just like in policing you want to attract and retain the right quality and caliber of folks on the mental health side, of course, they're going to cost more money because we suggest and recommend that they be Master levels clinicians. But even on the other kind of generic civilian responder roles, it was a savings on an hourly wage type position. But we would urge that be considered to attract a professional workforce.

Ms. Martin said I'll just say, Councilmember Winston and the rest of the Council, in the FY2022 budget you all approved \$1.2 million to support the implementation of this civilian response for mental health. So, we have funds already available through the budget approval process that will, once we have a team together, we'll be using those funds.

Mr. Winston said thank you. So, there's two things I want to just kind of go from that. And thank you, everybody. I think I see Chief was getting some paperwork in there, so it seems like he might have some numbers for us. But I just wanted to point out one thing that one of the criticisms for the way governments approach law enforcement is that they should be concentrating. We do have a responsibility by law by statute to respond to every 911 call. The criticisms are, is that we respond to fire with fire. We respond to medical issues with medic and EMS (Emergency Medical Service) and fire first responders. But sometimes people call us for help. Sometimes it's a law enforcement issue. That's why we have law enforcement entities. But sometimes they're just calling us for help because it doesn't fit into those specific buckets. If there are roles for civilians, I think some of the critiques out there are that the government should supply services, first responder services from that mental health, an entity outside of law enforcement. Because those two things are not necessarily always congruent. As we're getting the data, we know that this canon does have potentially direct budgetary implications in the hiring and the training and maintaining of staff to provide, again, those municipal services that we are statutorily tied to provide, and that is responding to 911 calls. If you can go back to slide, I think it was number four.

Ms. Martin said four is just the recommendation. Is this what you wanted?

Mr. Winston said yes, sorry. Slide number five, sorry, five. When you look at this slide, what you're seeing is 850,000 calls. These are 850,000 calls that of all of these calls, my question, I guess before I make a statement, my question would be how many of these low-risk calls ended up being actual issues of law enforcement or were these straight mental health calls places where people just needed help, that wasn't necessarily of the law enforcement nature.

Ms. Martin said I'll say for the mental health side of it, CMPD again, as I said, has begun going through and actually duplicating or replicating RAND's analysis to really get the fine-tuned to understand what the operational impacts might be. So, part of the analysis that they will be doing going forward is to really go through in painstaking detail. All of these 7% calls that RAND had identified are eligible for mental health response and to determine which of those calls have the historic safest outcomes, so to speak that are not escalated did not result in any adverse impacts. Then when it comes to the top, the low-risk calls, like I said, there is a chart in the RAND report that I'm happy to provide, but there are certain calls here that may escalate or may require another unit on scene. It was just looking at, you know across the six-year time period, which are historically the safest calls. So, that might be, in some of the cases, it's less than 1% of 30,000 calls are escalated. So, I don't have the specifics for you right now, but I'm happy to provide that information.

Mr. Winston said I guess whether something is dangerous or not is a bit subjective sometimes, sometimes it's very clear. For instance, some help has to show up, part of the reason is that we ride around with one person to a car, which there's a suggestion to not do that in certain areas. How many of those calls, there's some type of data in there that separated the call ultimately from people just needing help versus it being an actual law enforcement kind of situation? If that makes sense.

Ms. Martin said I think the only proxy measure for that would be the percentage of time that the calls require more than one scene, or the call priority changes during the course of service. I think maybe you could interpret a change in those two metrics as an actual law enforcement concern and the things that where the call priority does not change, and calls don't require more than a single scene could interpret those as the things where someone just needed help.

Mr. Winston said can we go to slide number seven? You said they were mixed results for the recommendations to civilian response to low-risk calls? I don't know if Julia or Daniel or Dick wanted to kind of explain what mixed results meant. Was that mix in a kind of, you know a high-level kind of description of that?

Ms. Martin said I'll go first and then see if Dick or Daniel want to chime in, but in the report, we received from RAND there were a couple of quotes you could say where people were counted certain scenarios and said, this is a totally safe scene, but I would still prefer an officer to respond to me. So, the result from the community in terms of these calls is not as overwhelmingly, I would say positive or supportive as it is for the civilian response for mental health calls. I think in addition to that it is a relatively novel idea in terms of law enforcement, Fort Worth is the only other major organization that has looked to implement one of these. So, there just isn't a lot of places we can go and say what lessons have you learned and how is this working for you?

Mr. Winston said you just mentioned that there were some people that thought it wasn't positive, but you didn't necessarily comment on the other side of the mix. So, what are some of the comments on the other side of the mix?

Ms. Martin said yes, there are absolutely individuals who supported this type of response, especially I think for traffic-related things or things like that. But again, it was not as consistently positive as the civilian response for mental health.

Mr. Winston said just a clarification, that two-person pilot team in areas with high concentrations of calls, so that's a two-person CMPD team. Is that the recommendation?

Ms. Martin said this is important to note, this is RAND's recommendation. So, those would be, I think what Fort Worth calls them is community safety technicians, maybe. So, these would just be civilian individuals. I don't want to say similar to code enforcement, but they would be individuals who do not have let's say, specialized mental health training or EMT training. These would just be regular civilian individuals.

Mr. Winston said RAND is recommending that we pilot two-person civilian teams in areas of high concentration of low-risk calls, but the staff's recommendation does not go there. It just says monitor best practices. Is that it?

Mr. Donohue said that is correct.

Mr. Winston said why will we not want to do a two-person civilian response pilot in high concentration areas of low-risk calls?

Ms. Martin said I really think the biggest thing comes down to is because this model is so new, there is a lack of specificity with how to implement this model and thinking about trying to deploy two new civilian teams, there was much more clarity in terms of the pathway forward for the civilian response for mental health than there was for the civilian response to low-risk calls. So, this is not saying there will never be a place for this within CMPD, but this is saying it is in our best interest to see what happens at Fort Worth and

learn from them to see how we can implement or think about implementing this type of response here in Charlotte.

Mr. Winston said okay, so, the pilot for mental health response would be a civilian and an EMT. Would that be from the Charlotte Fire or is this something that we have to deal with medic to figure out?

Ms. Martin said that is to be determined. So, we have reached out to individuals to be part of the Community Advisory Council. We have briefed Charlotte Fire on this information but did not share the specifics of this outside of the City of Charlotte organizations because we wanted to make sure the information was public to you all first. So, those specifics are things that we will be working through over the next couple of months.

Mr. Winston said okay, thank you. No, I just want us to make sure, again, to think bigger, we are trying to do something that, not just here in Charlotte, but across this nation, what we're saying is the way we've been doing things with the things that we've relied on using law enforcement response in places where people need help because we haven't thought of different first response models is unsatisfactory. It doesn't achieve the comprehensive level of public safety that we want and that as government entities, we're duty-bound to present. So, I don't want us to just rest on people thinking that we're doing a pretty good job and all we need to do is give more resources to CMPD to figure out something maybe in the future, we should hold ourselves accountable to creating a different type of first response model that isn't centered in law enforcement. But it is responsive to the need for the help of members of our community. Thank you.

Mr. Donohue said I just wanted to add a little bit more context as well that I think really follows along on what you were just saying there. Some of what we heard on the civilian response, I think you asked for some context to the low-risk calls where on one end, folks clearly said that I don't feel comfortable with a uniformed officer coming to this situation. On another side, we heard that folks that have been involved in public safety for an extended period of time also addressed some slight apprehension because they had clearly seen situations that seemed like they were one type of call, which translated into something with an element of risk. I think that's what also fed into our recommendations here for that bottom green box there too, was to initially deploy the teams via the 911 dispatch system. Not only because it'll save yourself some kind of marketing and outreach numbers, if you're going to have another number to call but also that there's going to be a way to be able to monitor the safety of situations where you're deploying civilians to see if they do need an officer to back up if it does escalate to a law enforcement response or a safety concern that you're going to know where the folks are and be able to track that and provide that support if need be. So, I hope that adds a little bit to that.

Mr. Winston said thank you very much for that. I appreciate its insight, that was some of the kind of anecdotal information I was looking for. Thank you.

Councilmember Bokhari said I was just going to comment just briefly on a little bit of the data and what we saw. So, what we saw were the 250 stops that had use of force of which we learned after data cleansing and going through and taking out false positives that brought it down to 150. So, I think the first point is we need to be really careful not to try to draw macro conclusions with 150 instances out of over 530,000. That is in the data business, what we refer to as statistical insignificance whether it's that overall number of 150, or trying to deduce, because I haven't seen the underlying numbers below there, but the math would lead me to believe that, of that 150 it's probably something like 40 folks that are white experienced that and then 80 that were black. Meaning the two times the number of black folks than white experiencing that if pulled over are a part of the stops. So, while two times is indeed correct, that is over a five-year period, an incredibly statistically irrelevant number size. I think what we need to remember is the punchline on all of this.

When you look at that broader case over five years is the fact that if you were pulled over in that five-year timeframe or had an interaction with the police in this community, black, white, or any other race, male or female, there was a 99.97% chance that you were not

part of any kind of use of force. To me, that's the headline and punchline of where we are right now with this information, which is our men and women in uniform, while they always have room to grow and improve, and we will continue to do that work. We have seen in the external data provided to us in this comprehensive review, that the data shows statistical excellence in a lot of these cases. We will strive for excellence beyond that. Now, I put an asterisk next to that because there are some good points made earlier and how we need to make sure we expect and understand that perception may not always mirror that, and there are other data for us to go find. But while we will do that, I think we all need to step back and do a little bit of a head nod and thanks to those men and women in uniform, who again, drive that amazing track record over five years that we've seen in this first pretty large data analysis effort. I personally say thank you to them.

Councilmember Egleston said I agree with Mr. Winston that we needed to think differently about the way that we handle some of this. I think that that's exactly what we're doing. I think this is the next step in that journey towards figuring out different ways to do this stuff but to put a bow in this conversation by bragging on Julie and Federico and everybody else that's working on this, two weeks ago, a district attorney from another county in the Southeast with over a million people population-wise, came to Charlotte and wanted to learn from them and from people in this community about what's going on here. So, folks are, and as it was said, there's not a lot of this happening around the country for us to look at the results yet or even really benchmark ourselves against. I do think that what we're doing is innovative, I think it's groundbreaking, and the fact that we're doing it when not being forced to do it is pretty unique as well. So, thank you, Julia, for a very thorough presentation and for all the work y'all are doing. But I think we should all be proud of our team because people around the country are watching what we're doing and trying to figure out how to emulate it.

Mayor Lyles said thanks, everyone for the conversation, kudos to the team for the work that they've done, thanks to RAND for helping us populate this data and the analysis around it. I think that this is a testament to this Council's work to ensure that we are making our community safer and using good data, good people to organize it so that we can do better. So, thanks, everyone.

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ITEM NO. 4: AMERICAN RESCUE PLAN ACT UPDATE

Deferred

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ITEM NO. 5: CLOSED SESSION

There was no closed session

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PUBLIC FORUM

Mayor Lyles said to all of you that signed up thinking that you would talk at six o'clock. We really appreciate and hope that you've stayed till the hour of 7:30. So, thank you very much.

Multi-unit Airbnb in Single Family Neighborhood

Anthony Grillo, 1527 Barberry Court said thank you, I appreciate the opportunity to address the Council and all the folks in the room. Mayor, you and Councilman Bokhari are more familiar than most with my story, my situation. I've facetiously, maybe honestly enjoy hearing the dialogue between the Council. It's not often that you sit out through a full City Council meeting and in fact virtually, so I appreciate the work that you guys do behind the scenes, in front and everywhere in between. My concern goes back to 2018. Before I share a little bit about it, I'd like to just ask you to think about the choices you

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made for your family when you chose a place to live. When you created rules in your life, whether it be between your husband and wife, your partner, your children, your employer, but you made choices and you made those choices intentionally and you did research to sort of set yourself up for success with the choices you've made. I did so with my family when we chose to buy a home in Charlotte. We did so in 2013, in a single-family home neighborhood.

We have a neighbor who is running a multiple-unit Airbnb out of there and has been doing so for some time. We've worked through what I believe to be all of the appropriate channels to seek a resolution so the City Zoning Code Enforcement and that angle. Some action was created there with the service of a violation for a number of things that were not proper from the construction to the operation. That was served in January. I know we've been sort of in a delay with COVID (mild to severe respiratory infection caused by the coronavirus), but the operation of essentially a commercial hotel, I've been living next to since 2019, I have two young children. I have over 363 incidents that I captured on camera of suspicious behavior, the volume of traffic, noise after hours, predator-like behavior towards young children. Again, my home is now on full display for guests at the hotel. I'm seeking some help. I'm not here to just complain. I want to help and provide solutions. There seem to be mechanisms in place to work to deal and address with these issues. The shutdown of the Government Center has really put a halt to some of the EBA functionality, which is really challenging for me as a husband and a father, to try to keep my family safe at home every night, living next to a commercial property with the ongoing and reoccurring flow of random strangers at all hours of the day and night.

So, I need help and I need some guidance. I've gone through the appropriate channels and shared my story and work directly through Airbnb who's unwilling to really do anything meaningful without a push from the government entity. I know where COVID, the Government Center, everything isn't working right, but I need help. I'm waving a red flag; I have been for some time. It's taking a toll on me, my family, our mental health, our safety and security and my children, which are the most important thing in my life. So, I need help and guidance to find a solution to just enforce the rules that are on the books. I'm not asking for anything above and beyond enforcement of our rules, and that comes from the City and the 180 (Inaudible) statute and the setbacks. I'll pause there cause I'm probably getting on my time and I don't want to be a soapbox, but I need help and I need guidance. I'd like that from our elected officials on the challenges that my family is facing every day with our safety and security.

Mayor Lyles said Thank you, Mr. Grillo. Mr. Bokhari and I are very much aware of the situation that Mr. Grillo is having to deal it and are working our way through a couple of things. But the most important part of this is the difficulty of holding meetings when this is a zoning violation. The issue is Mr. Grillo's neighbors do not want it to come into the building because they feel uncomfortable with our COVID protocols. So, we continue to work through this. Mr. Grillo, I really appreciate you coming and speaking tonight, and we'll continue to work on this problem.

Affordable Housing

LaDonna Green, 5725 Carnegie Boulevard said esteem members of the city Council, support staff, and fellow Charlotteans; thank you for allowing me to speak on my concerns about affordable housing. I'm a North Carolina native and I've called this City home accumulatively for about 16 years. I moved away in 2007, came back in 2013 and I saw the City grow. one of the things that I did see grow also was the housing market. With growth, there's going to be changes in standard of living and that's to be expected. In preparation to this meeting, I pulled all these stats and numbers. I thought about all the things that I could do to provide you with feedback about what needed to be changed by empirical data. But the one thing that I cannot remove is anecdotal information and experiences from people like myself. I lost my job in January and in order to survive, lived off unemployment and recently got a job. I'm very grateful for that. However, I took a \$20,000 pay cut because of that idea where people say some money is better than no money. Well, the problem with when you take a pay cut, is that your expenses don't change, rent doesn't change and mortgages, you can make adjustments, but I'm a renter.

So, I'm speaking from a renter's viewpoint. I'm also a single woman. I have no children. So, a lot of times in situations like mine, I fall within the tax bracket to your low income, and here's the help that can be provided, down to some people who have actually thrived during COVID 19, where they either got to keep their pay or increased their pay. So, if you look at the unemployment rates, the underemployment rates, which is just as important as unemployment, you're having lots of citizens, not even just the United States, but this in this county, and in the City of Charlotte that are being affected. COVID-19 was a great equalizer. It opened the door for change. Unfortunately, some of that changes are things that our cities, our governments are not prepared for. We weren't prepared for an environment where people like me who may not be high income and aren't low income are put in positions where we have to make a decision. In my apartment building alone, the very floor plan that I live in increased \$400 to \$750 in its value for rent. That's a hard thing to deal with when it's time for me to renew my lease next year. Unless somebody decides to pay me what I was getting paid before, I don't have the way to be able to renew my lease. So, what now, all the citizens of the county and the Metro area that are being affected by the increase in people who are living in other cities and states that can now work remotely and bring their \$250,000 salary with them. What about the corporations and companies that have decreased pay and cut hours, just like Harris Teeter now only stays open until nine o'clock because they don't have enough staff? So, I don't have a solution, I'm just coming from a tax-paying citizen who doesn't have a resource to make up the deficit for businesses and corporations using capitalism and its exploitative nature to its advantage for financial gain.

More City Buses

Ukamaka Aneke, 4515 Rose Ridge Place said I go to CPCC community college. I'm 20 years old, and today I'm just here to talk about issues that I have with the Charlotte transportation system and how it needs to be made more efficient for the growing population of the City. The Charlotte transportation system has a lot of issues, and I know that's not unique to Charlotte. Most big cities, I'm from DC, have transportation issues. But what I notice about Charlotte is just like the indifferent and error of the leaders when it comes to trying to fix these problems. There has been, like ever since I've been here for like over a year, there has been a lot of problems that just haven't been solved and the lack of transit in high populated areas, like Mount Holly to like lack of bus drivers, leading to buses just not coming. I used to go to UNCC (the University of North Carolina at Charlotte), but I can't even go anymore because the bus over there just doesn't come. Since I live in an apartment building, that's like in the middle of town, I just don't have the transportation. CATS (Charlotte Area Transit System) customer service, they're just indifferent to the whole thing altogether. The lack of gap time amongst buses and like the train, they're usually like a few minutes apart. As small as it seems, when you're looking at it from a Google maps perspective when the bus is like two minutes late and you have a train that's like a minute apart from it, you end up missing the train and you can't even go to work. It's like, I've learned today that one thing that Charlotte, propositions, or like basically makes one of their leading things is upward mobility. But I don't understand how there can be upward mobility when people can't even get to work, and we can't even save enough money to get cars because transportation doesn't even take us through our jobs. I'm not even somebody that has a child. So, it's just like, I can only imagine for people who have families who rely on these big modes of transportation. So, basically, I've just come here today to appeal, because this is just like, I'm on my last ranks, basically. I've tried everything and it's like, nobody wants to help. I've even been told by CATS customer service themselves, that I should just get a car, but it's like, how can I afford a car if I can't even afford to get to work? Those little expenses really add up. I kind of just don't know what to do as a student.

Mayor Lyles said thank you so much. Mr. Jones do you want to respond to this?

Marcus Jones, City Manager said we'll have somebody from my office reach out to her directly.

Mayor Lyles said someone will contact you directly. You're clearly identifying something that this City Council knows and understands deeply, and we have got to figure out how

to make it possible for you to move around the City without a car. So, thank you for the example and the Manager will follow up with you.

PUBLIC HEARING

ITEM NO. 8: PUBLIC HEARING ON GENERAL OBLIGATION REFUNDING BONDS

Mayor Lyles declared the public hearing open.

There being no speakers either for or against a motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to close the public hearing regarding the issuance of General Obligation Refunding Bonds not to exceed \$150,000,000 to fund street and neighborhood improvement projects, and Adopt the bond order and resolution to provide for the issuance of General Obligation Refunding Bonds not to exceed \$150,000,000, and Adopt Budget Ordinance No. 149-X appropriating \$150,000,000 in bond proceeds to the Municipal Debt Service Fund.

The resolution is recorded in full in Resolution Book 52, at Page(s) 107-123.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 387.

ITEM NO. 9: PUBLIC HEARING ON AND DECISION ON NORTHLAKE CENTRE PARKWAY APARTMENTS AREA VOLUNTARY ANNEXATION

Mayor Lyles declared the public hearing open.

There being no speakers either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Graham, and carried unanimously to close the public hearing for the Northlake Centre Parkway Apartments Area voluntary annexation, and Adopt Annexation Ordinance No. 150-X with an effective date of September 27, 2021, to extend the corporate limits to include this property and assign it to the adjacent City Council District 2.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 388-391.

ITEM NO. 10: PUBLIC HEARING AND DECISION ON THE BROOKLYN MCCROREY BRANCH YMCA HISTORIC LANDMARK DESIGNATION

Mayor Lyles declared the public hearing open.

There being no speakers either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to close the public hearing to consider historic landmark designation for the property known as the "Brooklyn McCrorey Branch YMCA" (Parcel Identification Number 125-064-01), and Adopt Ordinance No. 151-X with an effective date of September 27, 2021, designating the property known as the "Brooklyn McCrorey Branch YMCA" (Parcel Identification Number 125-064-01) as a historic landmark.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 392-396.

ITEM NO. 11: PUBLIC HEARING AND DECISION ON THE KIMBERLEE APARTMENTS HISTORIC LANDMARK DESIGNATION

Mayor Lyles declared the public hearing open.

There being no speakers either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to close the public hearing considering historic landmark designation for the property known as the "Kimberlee Apartments" (Parcel Identification Number 175-181-02), and Adopt an Ordinance No. 152-X with an effective date of September 27, 2021, designating the property known as the "Kimberlee Apartments" (Parcel Identification Number 175-181-02) as a historic landmark.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 397-401.

Councilmember Egleston said I just wanted to thank Dawn Huntley. I know that Councilmember Bokhari and I and probably some others have both spoken with her. She was an incredible advocate for this designation. Took me on a tour of that property and it is a really unique place and I just appreciate her enthusiasm for preserving it.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 397-401.

The following persons submitted written comments regarding this item pursuant to S.L. 2020-3, SB 704. To review comments in their entirety, contact the City Clerk's Office.

Heather Fearnbach, heatherfearnbach@bellsouth.net

ITEM NO. 12: PUBLIC HEARING AND DECISION ON THE STAFFORD-HOLCOMBE FARM HISTORIC LANDMARK DESIGNATION

Mayor Lyles declared the public hearing open.

There being no speakers either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to close the public hearing consider the historic landmark designation for the property known as the "Stafford-Holcombe Farm" (Parcel Identification Number(s) 105-211-07), and Adopt Ordinance No. 153-X with an effective date of September 27, 2021, designating the property known as the "Stafford-Holcombe Farm" (Parcel Identification Number(s) 105-211-07) as a historic landmark.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 402-406.

Councilmember Phipps said I would like to just thank the consultants who crafted the narrative for this particular designation. I guess in the past I had wanted a more descriptive account of telling the full story of what happens on these particular parcels and in reading that particular submission for the designation from the Historic Landmark Commission. I think it was very thorough, very comprehensive and really portrayed all aspects of activity on the property. So, I really do thank them for expanding and doing more research to include all of the particulars of what occurred on some of these projects. They have committed to go back and revisit some of their prior submissions and add additional language to further describe the full story that occurred on some of those places. So, I commend them for that.

Mayor Lyles said thank you, Mr. Phipps, for recognizing their extra work.

ITEM NO. 13: PUBLIC HEARING ON A RESOLUTION TO CLOSE THE ALLEYWAY BETWEEN 1825 AND 1831 ROZZELLES FERRY ROAD

Mayor Lyles declared the public hearing open.

There being no speakers either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to close the public hearing to close the alleyway between 1825 and 1831 Rozzelles Ferry Road, and Adopt a resolution and close the alleyway between 1825 and 1831 Rozzelles Ferry Road.

The resolution is recorded in full in Resolution Book 52, at Page(s) 124-126.

POLICY

ITEM NO. 14: CITY MANAGER'S REPORT

The Manager's Report was emailed to the Councilmembers.

ITEM NO. 15: AMEND CODE OF ORDINANCES CHAPTER 3 – ANIMALS

Deferred

Councilmember Phipps said I wanted to bring something up. I'm trying to figure out if it's something more appropriate for a future meeting or a committee referral. But in reading over the weekend and in the paper or the media that some employees at the Charlotte Douglas International Airport are expressing frustration and anger over their treatment by the traveling public in terms of their safety. So, I was wondering, would there be an opportunity for us to refer to this, to discuss what needs to be done? How can we, more or less hold the traveling public accountable for adversarial actions, hostile actions toward airport employees as a result of COVID-related protocols with wearing masks such as that.

Mayor Lyles said Mr. Phipps, I think you have hit on something that we are all familiar with. Mr. Jones can you address that?

Marcus Jones, City Manager said what I'd like to do Mayor and Council because I believe a few months ago, we did provide you with some feedback about this. So, I'd like to take a review of that, but also talk to Ms. Gentry and give you a report on where we are with that. There have been some things that have occurred, including the D.A, including the Police Chief, and a number of folks to talk about this issue, and I can brush it off for the Council.

Mayor Lyles said okay. So, let's look for some additional information on that Mr. Phipps before we decide what actions might be feasible for us.

BUSINESS

ITEM NO. 16: OPIOID LITIGATION SETTLEMENT

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, to (A) Adopt a resolution approving a Memorandum of Agreement with the State of North Carolina regarding proceeds relating to the settlement of the opioid litigation and any subsequent settlement funds that may be allocated to the City as a result of the Opioid crisis, and (B) Authorize the City Manager to negotiate and execute all documents necessary to complete the settlement.

The resolution is recorded in full in Resolution Book 52, at Page(s) 127-176A.

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ITEM NO. 17: KNIGHT FOUNDATION GRANT FOR BEATTIES FORD ROAD PUBLIC SPACE

Motion was made by Councilmember Graham, seconded by Councilmember Egleston, and carried unanimously to (A) Accept a grant from the John S. and James L. Knight Foundation in the amount of \$225,000 for the construction and programming of public space in the Beatties Ford Road Corridor, and (B) Adopt Budget Ordinance No. 154-X appropriating \$225,000 from the John S. and James L. Knight Foundation in the General Capital Projects Fund.

Councilmember Graham said I just wanted to thank the Knight Foundation for this amazing grant that goes towards the Beatties Ford Road Corridor. This is probably the third such grant that we've received in the last several months for opening space development along the corridor, along with the project that we're currently doing ourselves on the Five Points corner. Others raised an issue publicly that I've talked to the City Manager about is just making sure that we're coordinating all that is happening on the Beatties Ford Road Corridor. We're doing a lot of things, a lot of different institutions, organizations, the City itself. All of it is great to work, all of it is needed work and appreciated work, we just need to make sure that it's coordinated so that especially the open space, the public space, i.e., parks, right. Or you could use another word for it, that there's some coordination between one site to the other and that someone in the building is looking at all these activities that's occurring on the quarter at a 30,000 feet level and kind of connecting the dots. So, again, great, great opportunity for the corridor. Again, the Knight Foundation has been extremely kind to us in terms of focusing on Beatties Ford Road Corridor. So, I want to thank them, but also just kind of throw out there, Mr. Manager, publicly, just making sure someone on your team is kind of connecting all these dots for me and that we won't trip over ourselves from one site to the next. Thank you.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 407.

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ITEM NO. 18: AFFORDABLE HOUSING DEVELOPMENT SUPPORT REQUESTS

Motion was made by Councilmember Egleston, seconded by Councilmember Graham, and carried unanimously to Approve \$23,312,000 in Housing Trust Fund allocations for the following multi-family rental and homeownership affordable housing developments contingent upon their receiving a Low-Income Housing Tax Credit award from the North Carolina Housing Finance Agency, where applicable: Aldersgate Mixed Income Apartments, \$2,992,000 (4% LIHTC) in Council District 1, Ballantyne Senior Apartments, \$4,000,000 (4% LIHTC) in Council District 7, Eight & Tryon Apartments, \$3,200,000 (4% LIHTC) in Council District 1, Galloway Crossing, \$2,496,000 (4% LIHTC) in Council District 5, Historic Nathaniel Carr, \$2,200,000 (4% LIHTC) in Council District 3, Maple Way Apartments, \$1,400,000 (Non-LIHTC) in Council District 5, Shamrock Gardens, \$6,000,000 (Non-LIHTC) in Council District 1, Bishop Madison, \$320,000 (Homeownership) in Council District 2, and Druid Hills Legacy Homes, \$704,000 (Homeownership) in Council District 2.

Councilmember Phipps said these nine. So, I think we're putting all nine forward, knowing full well that we won't get all nine. Is that true?

Marcus Jones, City Manager said no, these are 4%.

Mr. Phipps said okay. So, are we thinking we're going to get all of these, you think? Okay. So, how about the NOAH's (Naturally Occurring Affordable Housing)? Where are we getting those from?

Mr. Jones said these are all good.

Mayor Lyles said yes, Shamrock Gardens is a NOAH.

Pam Wideman, Housing and Neighborhood Services Director said Mr. Phipps, to answer your questions. The NOAH properties are already on the ground. So, this is your anti-displacement, your preservation, you're doing rehab and putting long-term deed restrictions on the naturally occurring, affordable housing to preserve it.

Councilmember Graham said Ms. Wideman just gave my talking points. So, I have nothing else to say.

Councilmember Ajmera said I just want to highlight two NOAH's that we have in this motion. I know we have had a speaker who talked about the challenges in terms of affordable housing. We have so many of our residents that are facing displacement because the older buildings are being bought out, being rehabbed and the rents are increasing throughout the City. So, for the NOAH's that are underway right now, we are looking at a total, I think, 150 plus units of NOAH's that will be preserved with this approval today. So, I do want to highlight that. That helps us with preventing displacement. Certainly, also appreciate additional new affordable housing. Hopefully, some of these folks who are being displaced would be able to find new affordable housing. But Ms. Whitman, if you could just tell us the total unique count with this approval will be adding to the affordable housing.

Ms. Wideman said yes, ma'am that would be 879 units if you approve everything on here tonight.

Ms. Ajmera said certainly, I mean, it's a big step in the right direction. It's still a drop in the ocean, we have 30,000 affordable housing units needed in the market. I mean, but still, 800 units is still a drop in the ocean here. Thank you.

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ITEM NO. 19: AGREEMENT FOR REDEVELOPMENT, LICENSING, AND PROPERTY EXCHANGE WITH INVESTICORE PROP CO 4, LLC

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, to (A) Adopt a resolution approving: The redevelopment of a parking lot on City-owned property at 3200 South Boulevard (parcel identification numbers 147-021-13 and 147-021-28) by Investicore Prop 4 Co, LLC (Investicore), Upon completion of redevelopment, the City to license a portion of parking spaces to Investicore, An exchange of right-of-way between the City of Charlotte and the Investicore, and (B) Authorize the City Manager and or his designee to execute all necessary agreements and other documents to complete and implement these transactions.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Graham, Johnson, Newton, Phipps, and Watlington.

NAYS: Councilmember Winston.

The resolution is recorded in full in Resolution Book 52, at Page(s) 177-178.

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ITEM NO. 20: ACCEPTANCE OF A SPONSORSHIP FOR AN ANIMAL ADOPTION DAY EVENT

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to accept an exclusive sponsorship in the amount of up to \$5,000 from the Subaru Corporation to fund an animal adoption day in October 2021 with the Animal Care and Control Division of the Charlotte-Mecklenburg Police Department.

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ITEM NO. 21: CITY ATTORNEY'S COMPENSATION

Motion was made by Councilmember Ajmera, seconded by Councilmember Egleston, (A) to move that the City attorney be awarded a base pay increase of 2.5%, effective March 14th, 2020 in recognition of his performance 2019 to March 2020, (B) that the City attorney be awarded a base pay increase of 3.5% effective March 13th in recognition of performance for March 2020 to March 2021.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Graham, Johnson, Newton, Phipps, and Watlington.

NAYS: Councilmember Winston.

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ITEM NO. 22: AUTHORIZATION OF GENERAL OBLIGATION BOND ANTICIPATION NOTES

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to (A) Adopt a resolution to authorize a Bond Anticipation Notes program for up to \$200,000,000 to be used for projects approved in the 2016, 2018, and 2020 referenda, and (B) Authorize City officials to take the necessary actions to complete the financing, including making the application to the Local Government Commission.

The resolution is recorded in full in Resolution Book 52, at Page(s) 179-197.

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APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Lyles explained the rules and procedures of the appointment process.

ITEM NO. 23: APPOINTMENTS TO THE WASTE MANAGEMENT ADVISORY BOARD

The following nominees were considered for one three-year term beginning November 1, 2021, and ending October 31, 2024.

- Laura Nkeupo, nominated by Council members Bokhari, Graham, and Watlington.
- Lisa Rudisill, nominated by Council members Ajmera, Driggs, and Newton.

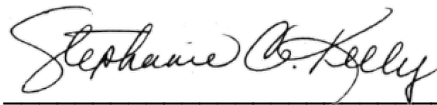
Results of the first ballot were recorded as follows:

- Laura Nkuepo, 9 votes – Councilmembers Ajmera, Driggs, Egleston, Graham, Johnson, Newton, Phipps, Watlington, and Winston.
- Lisa Rudsill, 0 votes.

Laura Nkuepo was appointed.

ADJOURNMENT

The meeting was adjourned at 8:05 p.m.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 3 Hours, 2 Minutes
Minutes Completed: November 2, 2021