

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, January 25, 2016 at 5:16 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, John Autry, Ed Driggs, Julie Eiselt, Claire Fallon, Vi Lyles, Patsy Kinsey, LaWana Mayfield, Greg Phipps and Kenny Smith.

ABSENT: Councilmember James Mitchell

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT QUESTIONS

Mayor Roberts asked if there are any Consent items to be pulled or any questions on the Consent Agenda.

Councilmember Smith said I pulled Item No. 18 for a separate vote.

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ITEM NO. 2: IMMIGRATION INTEGRATION IMPLEMENTATION TEAM

Alexis Gordon, Neighborhood and Business Services said I will present on the work that our City staff is doing with the Immigration Integration Implementation Team. As you may recall from 2013 through the bulk of 2014 there was an Immigrant Integration Taskforce with 29 members within our community, both City, County, and other non-profit organizations and actually there are a few of them in the room, and I would love to have them stand so you can see who is on our taskforce, with a big special thanks to Emily Zimmer who was our Vice Chair for this program; our Chair could not be here tonight.

This Taskforce helped pull together 27 recommended strategies, and these are the seven sections they were in. One of the most important things that the taskforce did is they wanted to make sure to keep in mind that anything they were going to ask the City to do would be something for the benefit of all of Charlotte and every Charlottean. Looking at it through the eyes of an immigrant will give a new perspective on some of the common concerns that we have in our City such as public safety and inclusion in general. This spring after the taskforce presented the recommendations to Council City Manager Ron Carlee helped put together an Implementation Team using this recommended strategy so if a specific division or office within City staff was mentioned they were invited to be part of this team and also a few others that were more public facing services and to make sure that they were part of these discussions. We also had three staff resources on this team.

Councilmember Driggs said I just wanted to clarify; have the recommendations been formally adopted?

Ms. Gordon said no.

Mr. Driggs said going over the history and we saw a draft, and we talked about it, but was there an actual Council vote that adopted the recommendations of the taskforce?

City Manager Ron Carlee said no sir, Council referred the report to the Manager to work through the recommendations and then what I did was put together an implementation team to sort through as will be outlined in the presentation. What were the details around the recommendations, and what can and can't be done? What would be in the City's purview to do? What may require action by other people? What would be a simple administrative process, or what might be a policy issue that would need to come back before the Council. This is what this taskforce has been doing except for rating those and some of them will be policy issues that ultimately would have to come back to Council for your approval. Some are just administrative things we can do to be more sensitive and conscious of our immigrant population.

Mr. Driggs said there was some conversation about the recommendations, and it feels a little bit like we are missing a step here, but you are saying that basically following the discussion we had about the recommendations more work is being done that will then be brought back to us and in the event that the formal adoption is required. is that right?

Mr. Carlee said that is right, and then you would have the background in terms of why the action is being proposed in the context of the more detailed analytical work we've done on the administrative side.

Councilmember Fallon said Ron, have you vetted the thing because when we did the identification cards that got quashed immediately.

Mr. Carlee said there was new State Legislation that was adopted that does influence some of the work we are doing, both with this taskforce and is relevant to the Civil Liberties Resolution that you passed last year. The City Attorney will come forward later in this presentation and talk about how that is influencing our decision.

Ms. Fallon said so you vetted what you think they might skip?

Mr. Carlee said yes, the City Attorney has been very much involved in advising us and guiding us relative to those issues.

Ms. Fallon said I would hate to have that happen again.

Mayor Roberts said we are going to get an update from the Attorney on what that change of legislation means specific to these recommendations and going forward. Those are good questions about how we got to where we are, and I think after the presentation it will be a little clearer as to what policy issues the Council might want to address.

Ms. Gordon said this group of 15 city staff members reviewed those recommendations much like the City Manager just said for where do they fall in our line of work as a city. We also assessed what the impacts would be for the community at large, again we wanted to make very certain that whatever was done was for the best of all and that we wanted to make sure that we had a chance to move the needle for the better. The other thing we did was identify actions that are going to address the community expectations so the number is 27 that was given to you by the taskforce; however, when we looked at those recommendations some of them we took a part, some of them we combined together based from further conversations that the city staff has with the taskforce and their different committees to really look at what was the meaning behind that recommendation in case it was something that legally would have an issue. When we were doing this we broke these recommended strategies into three categories; our city led efforts which are things that are current directives that Council has already given staff or programs that are already in place. The second was city led intensive efforts which require those discussions that will take a policy decision from Council or formal actions. The third is what fall under our partner oriented efforts, so these required collaborations with outside organizations. For example there is a recommendation on the schools, so we would have to work with CMS on that recommendation.

I'm going to start with the city led efforts this evening, and we've developed a lot of different approaches. We are still working on how to manage some of these approaches. A lot of these are just ideas and where we are. There are some things that we've tested, and there are some things that we plan to continue to do, but these are the nine efforts that they break into where in those recommendations that are in front of you, where they fall. If you want to look through we tried to match the names as close as possible but because we did combine them there is some combination. The first one that we are going to look at is our Small Business Support. We really want to leverage the economic development programs that we have in existence but also really partner with the people that are working on Charlotte Business INclusion. We have 17 partners in this program, such as Score, Self-help, the libraries included, also the Latin American Chamber is included, and we want to make sure that we are adding more programs that help focus on what are some of the needs for immigrant business owners. As some of you may recall about a third of our main street businesses are immigrant owned. We continue to identify where some of the gaps are from this, and in May in particular to celebrate Small Business Month, traditionally we only had two programs from our partners, the International Entrepreneurs and the Small Business Owners meeting and also the Latin American Chamber has programs as well, but we want to up that to make sure that we are having at least one program a week during Small Business Month this year.

The next is promoting Charlotte Business INclusion. As many of you know, CBI is getting ready to have a survey of our MWSBEs, and when we are assessing that we are also going to look at needs in the immigrant community, make sure we can identify how many immigrant owned businesses we do have in the community and look at what some of those barriers they might have. If there are barriers in the immigrant community to being part of CBI we want to bring that to the Business Advisory Committee. Currently CBI staff is also increasing their presence at different community events such as meeting with different business owners from different ethnic backgrounds and also going to different community meetings and things of that nature. They want to increase that by about 10% this year.

The next section is one of the ones that we combined, so there was one recommendation on how do we strengthen neighborhoods and neighborhood leadership and businesses in those areas and also is there a possibility that we could identify one or more parts of Charlotte as being an international corridor. We are further developing relationships with trusted leaders; it is very important that we reach out to those that are actually already trusted in the immigrant community. It really helps all of us do our work in a more effective manner. Recently, during the 2015 Neighborhood Leadership Awards, we had a multi-culture and multi-ethnic workshop, and that was actually the best attended workshop at the event this year, and we continue to find ways to present to the different international organizations that we have in Charlotte. We are also identifying how our neighborhoods are growing and changing with the growing immigrant population. Recently, we awarded one of the Neighborhood Matching Grants to a coalition of organizations within surrounding neighborhoods to help them engage better with their immigrant neighbors. We are also doing more research on the corridor concept and looking at what some of our peer cities are doing and most importantly gaging what the community interest is, because if there isn't buy-in from the community then that might be a strategy we should re-think.

The next effort we have is the establishment of an Office of New Charlotteans. We looked at the suggested actions that were in the recommendations, compared that to the duties of the Office of International Relations and also similar offices in our peer cities. We did note that we did have a very large need for a bilingual employee. So, we had an open position that we filled with a bilingual international relation specialists recently. We are also developing ways to raise visibility so that we can aid our new comers; one way is through more partnerships with our community organizations, social medias and other ways we are doing it. We are also discussing the value of changing the name of The Office of International Relations to make it more visible to help immigrants.

Another issue we talked about is creating inclusive boards and commissions; we determined that the City appoints the majority of positions on 22 boards. We verified when we looked at those boards that they typically reflect the pool of the applicants, so what we think is the solution to help make sure we have a diverse board that reflects our population is to really amp up how many people are applying and who are applying for these boards and commissions. We are exploring different options to help us recruit that diverse pool. Warehousing and Code Enforcement; this is one of the ones we changed a little bit from what the recommendation had asked. They had asked for a pre-inspection team; they aren't permissible currently under state policies; however, we thought really hard about how we meet that need of making sure everyone has a good standard of living in Charlotte, and that their rights are being protected. We created an Immigrant Outreach Program that will disseminate information to the community on housing, on code, and on discrimination, and we are also working to make a cross training program across CMDP, Charlotte Fire and Code Enforcement where if they are on a call they also know other things to look for when it comes to fair housing or to standards of living.

Another idea that we had is to collaborate and create flyers that can be put up in public places like the Latin American Coalition or at churches that have information on fair housing and on code enforcement standards that are in other languages so people know what their rights are and what services we provide. Encouraging citizenship is another effort that we are looking at; looking at how we can encourage more people to become citizens that are already legal permanent residents. We researched what other cities are doing. We met with Customs and Immigration Services here in Charlotte at their field office to talk about who do they partner with, how can we be involved in that process and are sharing more information as we get it on the different initiatives held by community partners like International Houses and the Latin American Coalition. We have also identified opportunities that we can encourage and celebrate naturalization. Many of you remember not that long ago we held a naturalization ceremony here, and I know Councilmember Autry was able to be at that. We want to make sure to have those on a regular basis to really celebrate how important it is to become a naturalized citizen and what that means

for us for engaging. We are also going to explore joining Cities for Citizenship as recommended by the taskforce for this year's Citizenship Day Celebration.

One of the biggest topics was about public safety, and how does CMPD and the Sheriff's Office work together? How do they work with the community to build trust? So, we wanted to really acknowledge the work that is already being done with the community initiatives which have become an organizational priority within CMPD. They have already started putting together different initiatives for outreach, and CMPD is already selecting officers who will be joining this community engagement division. My office has had a few phone calls from officers who have been asking questions about different neighborhoods and finding different contacts and resources from us. CMPD and the Sheriff's Office are also discussing continued opportunities for collaboration with each other. A lot of it is around youth, but one I think is the most important one is the second bullet, and it is about how can we build trust? So, they are really talking about what are their different roles so there is not miscommunication between what CMPD does and what the Sheriff's Office does. The two are continuing to work together and holding meetings out in the public to really work on that issue.

The last of these efforts that we looked at which are not policy oriented these are just program added ones, is transportation and connectivity. As we found out many of the immigrant needs mirror the needs of every citizen in Charlotte, and transportation was one of the bigger ones. So, there are a lot of different workshops in place through CATS and through C-DOT and a lot of different forms and organizations such as the bus stop committee and the program manager for bicycling. Also, there is a the newly appointed taskforce on transportation that we just want to make sure that we share the recommendations with them so they can also have the same resources as they continue to do their work.

Just to recap, we are working on all nine of these efforts, looking at how they already fit in the existing programming, but we do have some work left to do. Those are on the screen, and I will go through them so you can see them quickly. We do want to be able to complete the small business support efforts, the Business INCLUSION efforts, be creative in the inclusive Boards and Commission efforts and the citizenship efforts all by the end of this year. We've set up milestones and a process to make sure that all of those are met by the end of this year, in addition to helping continue with the collaborations with the Sheriff's Office.

The next section that we divided it into were city-led intensive efforts, and again these are the approaches that are really going to take some work because they might have policy implications, and they might have city-wide action that might need to be taken. The first one was how to create new economic development strategies and to increase the marketing of existing programs was one of the ideas that we had. So, again these are just ideas that our group, the City Implementation Team had. None of these have been started, they are just ideas right now, and different ways to extend programming such as how we work with exporting and do we work with partners that are already working on globalizing Charlotte. Increasing culture competency was a very important one; this was mentioned in several recommendations so we've combined it together as one topic. We really want to make sure that it is not just about language access, it is a lot about culture competency and understanding how to work between different cultures. We want to share what resources exist as some of our city services have more resources and more experience in working with these communities. We want to make sure that we are sharing that institutional knowledge, and we also want to test some competency training within the city to see if that is something we can expand city-wide.

This last of the city-led intensive efforts would be whether or not Council would like advocate for national or state comprehensive reform. This was one of the recommendations by the Council so we suggest to bring this forward to the Intergovernmental Relations Committee.

The last that we have are six more that are all under Partner-oriented Efforts; again these are efforts where we really need to partner with the community. One was to create a "shop local" list so we want talk with some of the local area chambers and different small business organizations and how we create a list, whose website does it live on, how do we promote the small businesses beyond just shop local Saturday and beyond Small Business Month. Another one was going global campaign so how do we work with the global focused organizations in Charlotte to really expand and collaborate on export initiatives and other things that deal with global competitiveness in Charlotte. We also had a recommendation to prepare an awareness campaign for the creation of DAPA (Deferred Action for Parents of Americans) and DACA (Deferred Action for Childhood Arrivals), so this is more about the

dreamers and their parents. This has to do with the President's executive action so all of that is pending federal decisions from the Supreme Court. Another awareness campaign that the taskforce recommended that we work with is to help with the expansion of Medicaid and also helping people sign up for the ACA. We are going to work with Mecklenburg County's Health Department on this because this is another partner program.

Welcoming Schools is another initiative that is a partner oriented effort with CMS. The last one is the Welcoming Community Campaign. There were several recommendations that talked about how do we expand our idea of welcoming and being inclusive beyond the city. How do we do that for our region and also what is the role of the taskforce after all the work has been passed on to the city. One of the recommendations was to create either a new committee or another board so what we are suggesting is to create an Immigrant Integration Sub-committee of the Charlotte International Cabinet, and we will ask all of the Taskforce members to join on to that sub-committee. There are two additional recommended strategies that were in the 27 that were given to the city. One of them I wanted to point out was the creation of the municipal ID card; you might have seen this as communities ID card, over time both has been used because at one point the taskforce recommended City services being added to the card. That would change it from a community card to a municipal card, but again all work on that was put on hold as soon as the bill came out and we will let Mr. Hagemann discuss. The other one was also the end of HB#287G which falls under the same state law.

City Attorney Bob Hagemann said my task is to describe for you the effects of HB318. You have recently received a memo from me that contains the analysis of Police Attorney Mark Newbold and me and essentially there are two separate areas of this legislation that touches upon the topic tonight. The first one is of course identifications documents. So, a new statute and this all took effect right at the end of October last year. A new statute prohibits certain documents being recognized as valid for identifying an individual or their address and acceptable by governmental officials. The list includes justices, judges, clerks, magistrates, law enforcement officers and other governmental officials. The law states that a matricula consular or similar document other than a valid passport issued by a Councilor or embassy or an identity document issued or created by any person, organization, county, city, or other local authority except where it is expressly authorized to be used for this purpose by the General Assembly may not be used to prove an individual's identity or address. Significantly, in a subsequent bill, a piece of legislation an amendment it was added to that legislation which created an exception, and the exception is that law enforcement officers may rely on a document to prove the individuals of determining the individual's identity or residency if it is the only document available to law enforcement officer at the time. One of the prohibited documents can be used by police to identify the individual or their address if it is the only document in their possession available to the law enforcement officers. You can see how that prohibition has a significant affect, as I understand the ideas in working toward a community ID or municipal ID, the legislation does not prohibit municipalities from issuing documents, they just can't be recognized for use to identify an individual or their address with the one exception being by law enforcement if it is the only document available.

The second part of the legislation is what the legislature characterizes as a prohibition on sanctuary ordinances. I know a number of you have asked questions over the last year or so; Charlotte has never itself claimed to have been or be a sanctuary city. There is no universal accepted definition of what that is. As I said I have never heard anybody with the City of Charlotte, an elected official or staff refer to Charlotte as a sanctuary city, but the legislation does have an effect on a portion of the Civil Liberties Resolution that Council adopted last June 8th. So, to the extent that has an effect on something you adopted I guess the legislature is attempting to label us as a sanctuary city. The prohibition in that part of the bill prohibits cities from having policies, ordinances, or procedures that limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law and relevant to our resolution is a prohibition on cities doing either of the following with regard to information regarding the citizenship or immigration status of an individual. Cities are prohibited from prohibiting law enforcement officers or agencies from gathering such information, and we cannot direct law enforcement officers not to gather such information. In Section E-3 of the resolution adopted last June is an adopted City Council policy and the Council stated that officers shall not question any person regarding his or her citizenship or immigration status unless there is reasonable suspicion supported by objective and clearly defined evidence that the person is involved in criminal street gang activity or terrorism related activity. This Council, back in June, gave a directive to CMPD to not gather information regarding citizenship or immigration status except under one of those two circumstances. That prohibition that you enacted in policy has now been pre-empted by HB 318 which expressly says

that we cannot direct or order our law enforcement officers not to gather such information. One other provision in the resolution dealing with gathering documentation and information on persons involved in First Amendment activity such as passive, protest, and lawful assemblies. There is a provision in the resolution that directs CMPD not to collect information regarding individuals, and it is sort of the normal lists of protective characteristics, race, ethnicity, gender, religion, age, citizenship, sexual orientation, gender identity, or other arbitrary stereotypes. So, in our read of the legislation because that directed CMPD not to gather information regarding citizenship, that one characteristic in that list has also been pre-empted. As I said in my memo, I don't believe it is necessary for Council to take any formal action to amend the resolution. As is often the case with court decisions invalidating state law, the state statute automatically pre-empted or eliminated those sections of your resolution, and we will be taking steps working with the Clerk's Office to make sure that any future distributions of the resolution contain an appropriate notation about those provisions.

Councilmember Smith said I have question back on Establish Office of New Charlotteans; was that a new hire to the city or just filled an open position with an existing employee?

Ms. Gordon said we filled an open position. So, it was already an existing position that we filled, and we took that opportunity to hire a bilingual.

Mr. Smith said so they were hired from outside the city?

Ms. Gordon said actually they were an internal hire

Mr. Smith said what was the language on the bilingual?

Ms. Gordon said Spanish.

Councilmember Mayfield said I have a couple questions still on the same line for the particular slide that Mr. Smith was asking. I'm trying to understand how it was determined what the criteria for bilingual will be. Unfortunately, nowhere in this presentation did it give the breakdown of what our population is. We have a very large German population, and we have a large Latino, but in retrospect, what are we seeing as far as population that is growing in Charlotte?

Ms. Gordon said all of our foreign populations are growing quickly. If you break it into specific nations Mexican is first; Indian is second, and I don't recall the rest after that, but Germany does fall within the top ten. If you look at language wise our Spanish speaking nations are the largest growing in our population; however, there are quite a few Asian populations that are growing pretty quickly as well. Many of them are minority languages. Also we have been having a lot of requests to our office that have come in in Spanish. The only foreign language that I've had messages or callers has been Spanish to our office.

Ms. Mayfield said I think it would be helpful, because we've been having this conversation since 2013, to have somewhere in the next presentation that breakdown as the City is growing because that is also going to tie into that international business relationship because we also have a growing diverse African community. I don't know where the business relationship is with Africa or if we have representation with the organization. John what is the Police organization?

Councilmember Autry said Neighborhood Good Samaritan Society.

Ms. Mayfield said when you think about Neighborhood Good Samaritan or other groups, I think it will be helpful for us to have the breakdown of the organizations that are a part of the larger group that we are having this conversation with. What I don't want is when it is all said and done the community is saying well the focus was really on one segment of the population when we have a very diverse community. We just had the first Porto Rican even though they fall under Hispanic, it is still different. For me personally, I know it would be helpful; fast forwarding to the slides because unfortunately there are not numbers on them, but on Page 13 the city led intensive efforts. Still the same question for the test of cultural competency training and share the cultural language resources across departments, how did you nail down which cultures were going to the focus?

Ms. Gordon said we haven't yet so again city led intensive efforts are the one where we are only at the idea stage because those will take broader decisions that need to be made.

Ms. Mayfield said I think that will be helpful, and I know for me it will be helpful to know again the breakdown of who was represented around the table for the taskforce; the taskforce can't be 400 people but what culture, especially if we have people that are representing multiple cultures that will be helpful to know so when we are looking at how we move forward if we are saying this is for the betterment of the entire community it will be helpful to know that to the best of our ability we have reached out to as many diverse cultures as possible.

Mayor Roberts said the report that law enforcement did on the breakdown of demographics and how it is changing in Charlotte; you could probably get a copy of that and it would be helpful.

Mr. Autry said on the implementation plan I'm glad that you are discussing this with the County and CMS. It might help also at some point for us to have an understanding of what is being segregated to be taken up by CMS; I know that is part of our discussions we had last year when we accepted the report was that we were going to evaluate whether all these issues should set with the City Council or not. Back to Fair Housing Code Enforcement enhancements, prequalification; I understand that we can't do it, but I'd like to have a comprehensive understanding of how it would work, and if it was able to be implemented, what would it do, what would it achieve, and how would it be done? Then encourage citizenship; do we have any idea how many non-citizen legal residents we have in Charlotte.

Ms. Gordon said I do have that number, but I don't have it off the top of my head.

Mr. Autry said I didn't expect to get an answer right now; any of this can be returned to us in a follow-up report. Regarding city-led intensive efforts advocating for state and national comprehensive reforms, the legislative agenda, Mr. Manager do we need a referral to the intergovernmental affairs or is that just considered to be done?

Mr. Carlee said if there is no objection that is what we intended to do.

Mr. Autry this will be for Mr. Hagemann; on Page 14 additional recommended strategies, creation of a municipal ID - do we have any data that tells us what the financial impact is to CMPD whenever we don't have municipal ID's and are not able to identify somebody in the city? What does that mean? What does that cost us? What do they have to do when they are confronted with that situation? What is the financial impact to us? I understand that we can issue an ID that can only be recognized by an authority provided the individual has no other ID.

Mr. Hageman said will only be recognized by law enforcement.

Mr. Autry said regarding 287G and not to go forward with that and discouraging that effort; did the North Carolina General Assembly provide any resources for our officers to enforce 287-G?

Mr. Hagemann said no sir.

Mr. Carlee said if I could point out, there is no mandate that we do.

Councilmember Eiselt said while we are on this slide, this discussion came up today; are we saying municipal ID, or are we talking about community ID?

Ms. Gordon said the taskforce had started with the community but then they added on services which are easing it for transit that would make it more a municipal ID; no decisions were made either way because we were waiting to find out what happened with the bill as it became a state law. So, there is no decision on one versus the other at the moment.

Ms. Eiselt said municipal ID to me confers issuance by the city.

Mayor Roberts said Mr. Hagemann would you like to clarify that because that was a good legal explanation.

Mr. Hagemann said I agree with you that that certainly brings that connotation. My understanding is, and correct me if I'm wrong, the taskforce wasn't really focused on an ID issued by the city necessarily but some community group. I think it is somewhat of an academic question now given the legislation and the limitations on how it could be used regardless of whether it is issued by a city, or a county, or a private non-profit or other entity at least in terms of it being recognized by a governmental official. It can't be except for the exception I described which is by law enforcement if it is the only identification available at the time. Now, whether there might be some valid uses of some kind of identification whoever it is issued by that might be recognized by private sector I don't know, but there is nothing in the legislation that prohibits a private party from recognizing whatever you call it. It is a limitation on governmental officials.

Ms. Eiselt said schools come to mind; for allowing parents to volunteer at their children's school. So, that is a government organization, but I guess my point is whatever you can do for law enforcement – the two biggest components that I keep hearing is that the police are in favor of some kind of an ID to work with victims and to work with witnesses and then secondly schools, allowing parents to be able to be identified so they can work in their children's schools.

Mr. Hagemann said I would suggest because as Ms. Gordon said the work on this was kind of put on hold as I understand it as this legislation emerged and then came about. Now that it is law I think folks are going to have to sit down and figure out what are the available potential uses and given its limitation is it worth the effort and the cost of doing it given these additional limitations. I don't believe that work has been done yet.

Ms. Eiselt said the second question I have regarding schools is did you take a look at maybe what is needed for the kids separate from their parents because so much of it is about the parents may be trying to integrate in the community and into jobs and that kind of thing, whereas you have this whole generation of kids that their needs are different from their parent's needs, and they are failing in school because they don't necessarily have the support at home of parents that are speaking English. To me, I think we have this whole generation that we have to figure out what services they need as well.

Ms. Gordon said the Welcoming Schools initiative is under our partner efforts so we haven't done more research on it other than what the taskforce had done. The Taskforce Committee did meet with different schools to talk about needs in general so not just parents, but students as well. The taskforce did address that but city staff hasn't looked at it past what the taskforce has done because we have to work with CMS on that.

Mr. Driggs said I just want to clarify our present status; the resolution was passed before HB318, is that right?

Mr. Hagemann said yes.

Mr. Driggs said so we passed a resolution and then the General Assembly passed a law that essentially made a couple of the provisions of the resolution illegal, and instead of modifying the resolution what we are doing is relying on the fact that the state law takes precedents over any resolution of ours and therefore is presumed to win. We are leaving out their resolution that has a provision that it is illegal. Am I right?

Mr. Hagemann said yes, in my legal opinion by operation of law, as soon as this bill became law, the provisions of the resolution that I mentioned were pre-empted, and ineffective, and unenforceable, just as a matter of law because of the pre-empted nature of the legislative act. Based on that, I don't think it is legally required that you take formal action to go back and amend the resolution, certainly Council can if that is Council's prerogative, but as a matter of law, in my opinion those provisions I highlighted are as if they don't exist; they are pre-empted, and unenforceable, and ineffective.

Mayor Roberts said and you did say that in future copies of that there will be a notation to that extend next to provisions?

Mr. Hagemann said correct. We will make sure working with the Clerk's Office that by all means by which the resolution is made publicly available and distributed would have an appropriate notation.

Mr. Driggs said is there much precedent for that practice one way or another in those situations where a state law passes that bumps up against existing local ordinances and they are either left in place or modified?

Mr. Hagemann said Mr. Driggs I guess there are a couple of ways to analogize this situation, one I kind of alluded to it before is state laws and local ordinances are often challenged as being for example unconstitutional, and if the courts conclude that a law or ordinance is unconstitutional it may still be on the books, but it is legally ineffective because it has been by a higher power in our governmental system been declared so. It is not unusual to have statutes at the state level on the books. They might go clean the up after a while, but they may be on the books having been found to be unconstitutional and legal publishers commonly will make notations based on case law decisions underneath statutes in published compilations that would know the ruling of court by analogy.

Councilmember Lyles said when I bought my first house my deed said that no blacks could live in my neighborhood, and I was black at the time and remain so today, and it is still on the deed. There are a number of instances I think that a lot times these things do occur that they are not changed just because they are no longer effective.

Mr. Driggs said the other thing I was wondering in terms of what the police may and may not do. We made a change because there was a provision in the law that said we could not prohibit the police. So, what is the status now of our police rules?

Mr. Hagemann said I realized that I left that piece of it out; simultaneously with your adoption of the resolution back in June CMPD modified its directives to be in conformance with the directive that came from City Council. Now that the Legislature has taken this action CMPD has gone back into those directives and taken out those provisions that have been pre-empted so two directives, CMPD's rules of conduct and arbitrary profiling directives have already been amended to conform with this new legislation.

Mr. Driggs said are we now silent on the subject of what they may ask?

Mr. Hagemann said we are silent.

Mr. Driggs said there is no CMPD policy about having a conversation with somebody as to their immigration status?

Mr. Hagemann said correct. The legislation prohibits or pre-empts an attempt to direct officers not to ask. There is no mandate in certain circumstances or every circumstance to investigate, but officers have not been prohibited from doing so.

Mr. Driggs said just as a final comment I guess to the Manager to say I think there are good recommendations in here that relate to removing adverse conditions for immigrants. Sometimes we could go sort of overboard in trying to address those and create a situation where they are at an unfair advantage compared to other small businesses or people in similar situations and don't happen to be immigrants. So, I would hope that we would focus on language barriers and say predatory practices on rentals and stuff but not go so far out that people in our community are wondering why don't I get that.

Mayor Roberts said I know the sense from the taskforce was that these would apply to everyone equally and in the end a lot of these would actually help also.

Mr. Autry said I just wanted to provide an example; three years ago the City Council passed an ordinance to allow city employees who are union members to have their union dues deducted from payroll, and before one cent could ever be deducted for anybody's union dues the General Assembly pre-empted our authority to do it, and we've never gone back and changed that ordinance. It just makes it null and void.

Mr. Driggs said since I am the Intergovernmental Relations Chair, I'm the guy that goes to talk to people in Raleigh. I just want to be pretty sure the ground I'm on, and I did have one other question. If we advocate for state and national comprehensive reforms are we proposing that we advocate for a particular solution or just ask them to fix this mess?

Mr. Carlee said that would be part of the policy discussion with the Intergovernmental Affairs Committee and ultimately the Council.

Councilmember Phipps said are the taskforce efforts just city centric; is there a reason we didn't involve the county? I notice they are not on the Implementation Team, but was CMS on any Implementation Team, are we talking to them?

Mr. Carlee said yes, we are talking to them; we made an explicit decision to try to first get accomplished what we could get accomplished within what is the responsibility of the city, and so across our services are our services being provided and structured in a way that is inclusive and levels the playing field and provides access and welcoming environment for our immigrant community. We want to start with what we actually control and do what we can do to try to be responsive to the recommendations that were made. As were identified, there are policy, and partner categories for us to still work our effectiveness on those will depend on the willingness of the partners and those will be harder and will likely take longer. We wanted to try to get as much done as quickly within what we control as we possibly could.

Mr. Carlee said I will say on the partners this one last comment; that may require some discussion by Council and your interaction with elected officials among some of those partners to determine to the extent to which there is the willingness to come together across those responsibility areas.

Mr. Phipps said with respect to the 2007 immigration taskforce, do we have any kind of record as to those recommendations and how they were addressed? Are there any similarities in any of them; is the Taskforce recommendations compared with the others?

Ms. Gordon said we did provide the actual report and recommendations from the 2007 taskforce, and it is available on our website for the public. We did provide that to the entire taskforce; they are some big differences between the two. Nearly ten years can make a difference on that. We did provide them and the new taskforce did take them into consideration.

Mr. Carlee said we can give you a report on that if you would like.

Mr. Phipps said I'm just trying to understand what were those recommendations and if they were ever implemented or just what happened to them?

Ms. Fallon said Mr. Hagemann, I think there is a misapprehension; wasn't the Fire and Police Department given the do's check off which they get? It was the Sanitation Department that couldn't make the criteria.

Mr. Hagemann said I will have to double check that and get back to you.

Mr. Driggs said I just want to point out that Manager Carlee has given us a memo that outlines the point to the effect that Charlotte is not a sanctuary city, and they are all valid points. On the other hand one of the slides calls us a welcoming community, and the fact is that the definition of sanctuary city is a little fuzzy anyway. So, I think it would be good if we could identify the hard points of distinction between what we are doing and the thing that we are not supposed to do. It still feels to me like there is still room for critics to kind of say how are you different? Looking at the list here, I don't know. I haven't heard a clear enough definition of a sanctuary city to be able to say conclusively that we aren't.

Mr. Carlee said there is not a conclusive definition of what a sanctuary city is. So, pretty much anybody is free to call us a sanctuary city by whatever definition they define but by our own self definition of how we describe ourselves we've yet to identify anyone elected or administrative in Charlotte that has declared or referenced Charlotte as a sanctuary city. We've talked more specifically about being inclusive and welcoming and working with people but in terms of a sanctuary city which implies basically harboring criminals that has never been part of a discussion that we've been able to identify.

Mr. Driggs said I think the point was that we were making it easier to break federal immigration laws by being accommodating, that was the connotation. So, I'm just wondering whether the General Assembly defined sanctuary ordinances well enough for us not to be seen by them to be doing something we are not supposed to.

Mr. Carlee said the way they refer to sanctuary city in their ordinance, and then they define things that were prohibited and the things they have defined as prohibitive we're not doing. So, we are not a sanctuary by our actions and response to the legislation, we are not a sanctuary city the way the General Assembly defines it in that very specific statute.

Mr. Smith said the communities that are regulated or identified as a sanctuary city; do they typically identify themselves like San Francisco?

Mr. Carlee said yes sir.

Ms. Fallon said Ron I think I got in touch with you a couple of times that some group keeps writing us and saying you are a sanctuary city. I think we talked about that and we are not a sanctuary city, but for some reasons they believe that we are, and it has become a very, very rightwing controversy for us.

Mr. Phipps said in the General Assembly's discussion on this whole matter did they point blank identify any cities in North Carolina as sanctuary cities?

Mr. Carlee said I'm sure some of them did; I know the Governor actually did, and I have a video of the Governor actually saying that we were a sanctuary city.

Mr. Carlee said so regardless of what we write down they have it in their minds that we are and they have labeled us as such by name.

Mr. Carlee said by some, yes sir.

Mr. Driggs said one last remark about that; the growth of the population as you break it down pretty much, almost flat in the white population; low grade of growth in the African American population, a very high rate of growth in the immigrant population. I haven't seen the data that breaks that down between the documented and undocumented immigrants, but if you did see that we have an exceptionally high growth rate of undocumented immigrants, that to be would seem to support the claim by the so called right winger that we were a sanctuary city. So, that data would be interesting to know to kind of further your question as well about what is the documented population that we are targeting for naturalization and what are the components of the growth in the City's population.

Mayor Roberts said the statistics on any undocumented immigrants are only estimates.

Mr. Driggs said we have our population numbers, and I think we know who the documented ones are.

Mayor Roberts said there are quite a few documented, and quite a few naturalized citizens, and quite a few legal current residents, and those are immigration staff has been getting.

We have two more agenda items for the Dinner Meeting, and they are both important. We will continue to be in touch about these policies issues as we go forward. Thank you for the presentation, and thanks to the Committee for the terrific work, and we hope to be a welcoming city to people from New York, South America, and visitors; we do have a welcoming city and there are lots of ways to have that happen.

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ITEM NO. 3: CITY COUNCIL RETREAT UPDATE

Councilmember Smith said you should have gotten today your hard copy of the retreat agenda. Take special note that we are supposed to arrive at 1:30, and we will kick off at 2:00 on Wednesday at the Graylyn Conference Center in Winston Salem. If you have any questions, you can see me or ask Carol. I don't think we need to discuss that in full now because we another important agenda item. If you have questions let us know but make special note that we will start at 2:00 on Wednesday.

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ITEM NO. 4: LYNX BLUE LINE EXTENSION UPDATE

Transit Executive Director John Lewis said it is a pleasure to be here before you to provide an update on a very important project to CATS, the City and our region. There are several items on your agenda this evening for your consideration, and we wanted to give you a status update of where we are with the project as you are deliberating on the items before you. Before I get into my presentation, I want to really quickly acknowledge all of the hard work that has gone into this project by CATS staff members, John Muth, Kelly Goforth, and Danny Rogers.

The LYNX Blue Line Extension is scheduled to begin service in August of 2017; the extension is broken into two segments, Segment A runs from uptown to Old Concord Road and runs adjacent to the existing railroad corridor. The second segment begins at Old Concord Road and runs upward UNC-Charlotte Campus down the median of North Tryon Street. The LYNX Blue Line Extension offers patrons consistent travel time of about 22 minutes through the corridor; congestion free commute operating in a dedicated railroad right-of-way and then in the median that we are currently constructing along the North Tryon corridor. The project will connect the community through Center City, NoDa, University City and the University of North Carolina at Charlotte. It will also transform the corridor with infrastructure improvements, light rail, and along North Tryon Street as a complete street that will include bike lanes, sidewalks, and planting strips that will stimulate economic revitalization and transit oriented development.

A little bit of history about the project, the Charlotte Metro region has been working hard to create livable communities and neighborhoods for quite some time now. City Council adopted our first growth initiative in the early 1990's as you know the centers and corridors, followed by an integrated transit land use plan to encourage growth and redevelopment in those areas where growth could be supported while preserving existing neighborhoods and allowing more conventional development to occur where appropriate. Design for all major contracts are complete, all major construction contracts have been awarded, track and system contracts have been awarded to Balfour Beatty; civil construction to two contractors, Balfour Beatty and Lane Construction; vehicles are being constructed by Siemens; Station Finishes by Edison Ford and the construction management on behalf of CATS will be done by HNTB. The first vehicles have actually arrived; we received the first of four vehicles which we received early in order to give us a head start on testing and commissioning of those rail vehicles. The remaining vehicles are being stored in Sacramento until we finish construction of our storage facilities, and we will begin receiving those in March. The project remains within budget and is expected to finish under budget.

The schedule has been the biggest challenge with the project. The project is extremely complex with multiple third party requirements and coordination. Delays have been experienced related to private utility relocations which have taken a little longer than expected and because of railroad testing requirements. However, we've negotiated amendments to the Civil A and Civil B contracts along with Track and Systems contractors in order to insure that we recover and accelerate the schedule to maintain the summer of 2017 opening.

The next few slides will give you a flavor of how far we've come over the last several years. In this slide of uptown you see the light rail tracks and ballast complete and the overhead catenary system have been energized between 7th Street and 12th Street. In this slide you will see the CSX Bridge and compared to where it was in May 2015 to earlier this year in January of 2016. The Parkwood Station foundation and canopy steel is complete at Parkwood and 25th street stations, and you will notice that track installation. What used to be the Norfolk-Southern Intermodal Yard for the new CATS North Yard. Thirty-Sixth Street has been closed for approximately two years for freight track relocation and light rail and freight bridge construction. The 36th Street will go under the railroad corridor to allow for a safer crossing, better connectivity for the NoDa community, and then eliminates freight railroad crossing gates and noise for freight horns, which will be a welcome addition to the community. It is high visible station with direct access along 36th Street from NoDa. Craighead Road has been closed for light rail bridge construction over the freight railroad tracks; the alignment will cross from one side of the freight tracks to the other side. Going over to the Eastway Bridge, this bridge has been widened to allow for light rail to pass underneath which has been completed and the road has been reopened.

Looking at Sugar Creek Road, once Eastway Drive was reopened Sugar Creek Road was closed initially for Blue Line Extension work but most of the closure time has been for North Carolina DOT grade separation project immediately following the BLE closure. Sugar Creek Parking Garage was awarded in

October of 2015, and work is just getting started on that 630 space deck. As we all know, significant design and construction has taken place along the North Tryon Corridor and you cannot miss the activity going on in that corridor if you spend any time traveling that thoroughfare including, storm drain, and water line installation, construction of University City Boulevard station and foundation, driveway apron, sidewalk curb, and gutter installation, and significant grading and paving for the new North Tryon roadway. Most of the Tryon Street work will be complete by mid-summer 2016 with incremental openings beginning at the Old Concord end as we work our way our way out to the University of North Carolina at Charlotte. The last part that will be finished will be where the tracks leave the median and travel under the north bound lanes of Tryon Street on to the University of North Carolina at Charlotte Campus.

Here is a photo of the I-85 Connector Bridge from 2015 to now. Going over to the University City Boulevard Parking Deck, this facility has been designed for over 1,500 spaces in the six-level garage. There will be 24 covered bicycle spaces in three bays to allow for transit access for CATS buses. There will also be opportunities for ground level retail which is being included in the design of the structure. Going over to the University City Boulevard Bridge, a before and after from the summer of 2015 when construction began to now. The W. T. Harris Boulevard Light Rail Bridge is one of the four critical structures that need to be completed on time for the project to meet our August 2017 schedule. The others on that critical path are the Craighead, Old Concord Bridge, and the tunnel on to the University of North Carolina at Charlotte Campus. Each of these are well on the way to meeting our goals for opening day. On to the JW Clay Parking Garage; this parking garage has five levels with approximately 800 spaces for cars. There will be 14 covered bicycle spaces and two bus bays for CATS Transit access along with space within the garage for retail activity up to seven bays on the ground level. Out to the University of North Carolina at Charlotte Station area, the light rail bridge across the Toby Creek as depicted here and crews beginning to work on the retaining wall that will surround the tail track on the UNC Charlotte Campus. The view that you see here is the driveway into the parking lot, Lot 25, looking across at the dormitories into the background. Looking at street closures which have been an issue certainly for our partners in the community, the project is having significant effect on surrounding properties and businesses along the corridor and the traveling public with a number of road closures due to the construction. Good news is all of the street closures in uptown have been completed and as we are moving out along the corridor road closures at 36th Street, Craighead Road, Sugar Creek Road, Old Concord Road, and the Owen Boulevard will be closed intermittently over the rest of the project as we continue our construction activity. But first and foremost in our goal as we continue on those construction activities, is to maintain access to businesses and residences along that corridor.

Keeping lines of communication open are certainly a very important part and key component of the success of any main infrastructure project, particularly in regards to the impact we had on neighborhoods, communities, and businesses. We've maintained a robust community engagement to help make sure the public is informed of upcoming work, closures, and detours. Some of the things we have included in that activity are providing temporary signage for businesses, so that people will know that during construction those businesses remain open and accessible to the public; sending street closure notices via e-mail blasts and using C-DOT's interactive street closure map. We are having public meetings and open houses within the communities as many times as possible. In addition we have brought on a business liaison staff person who is out in the corridor working with the businesses to keep them informed and responding to their concerns.

The next several slides are in relation to the request for action that we have before you this evening. The first action is the JW Clay Boulevard Parking Garage Change Order. This item has up to \$400 million for a pedestrian bridge extension and provides for contributions by our partners the University of North Carolina at Charlotte and Carolina's Health Care System. The second item moves \$4.5 million from contingency to accelerate the project and will add additional items to the construction work. Item three; delays as I mentioned earlier caused by the utility relocation work has pushed back the following construction activities in those areas. These acceleration amendments will bring us back onto schedule and settle any claims that the contractors may have in regard to those delays and keep us on schedule. The final action provides for payment up front for costs associated with provision of street and pedestrian lighting provided by and installed by Duke Energy. That is about 380 street lights and about 225 pedestrian lights.

The overall project budget is \$1.16 billion has not changed as a result of these amendments. The requests for additional funding for contracts will come from within project contingency, and as I stated
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earlier our goal is to bring the project on line in late summer of 2017. How your constituents can stay informed of the updates on the project or give us feedback on any issues or concerns, constituents can go to our website at BlueLineExtension@charlottenc.gov or Telltransit@charlottenc.gov. That concludes my presentation, and if there are any questions I will be happy to address those now.

Councilmember Phipps said I'm just hopeful that we can keep on schedule for that August 2017 delivery date. I've been working closely with the team up at the Executive Park that is overseeing construction, working with the Business Liaisons, working with customer complaints along the line, business complaints, mostly dealing with access and road closures. So, that work is ongoing so I would hope my colleagues would see fit to approve all four items tonight so we can move forward towards completion within budget and on time.

Councilmember Fallon said I never thought it would come; I really didn't. We worked on this for so many years up there, and I will tell you the art work is the best I've ever seen in this City. The progress that you've made is amazing with so little upset to the community. Even W. T. Harris as you go across it, when you closed for a little bit of time, it was not that long. It is going to be magnificent and what a difference it has made. I really, really want to thank you for the citizens up there and Greg especially who has kept the people up there notified of what is going on with meetings constantly. It is magnificent, and Jeb thank you for being under budget. We are so proud of it; it is going to be wonderful.

Mr. Lewis said thank you Councilwoman and we are very proud of the project; it is not an easy project but we've got the right people in place and the right partnership and we are looking forward to August 2017. That is our date and on time and under budget is our goal.

Councilmember Driggs said I wanted to echo your progress has been really impressive. I know a lot of people have worked hard on that, and they deserve credit. I have one information questions, could you tell us what the original contingency amount was and where we will be if we agree to this commitment of contingency tonight?

Mr. Lewis said I'm going to ask Danny Rogers to come if he has that information. I know that overall this does not change the overall cost of the project. We are still within budget, but in regard to the specific amount of contingency, I'm going to defer to Danny on that.

Danny Rogers, Transit said the question was how much did we start with and where will we be when we approve these items; if you are talking about the beginning of the project we were at \$224 million overall contingency, that is all of it. Going through the project it is assumed that a good portion of that will get used up because of the uncertainties at that point in the project. Prior to approval tonight, we are at \$162 million of unallocated and allocated contingency. After I think it is approximately \$15 million tonight it will be about \$147 million total contingency left so it is still well above – I think around \$90 million is where the FTA things we should be right now.

Mr. Driggs said it is normal in the course of events that your percentage of contingency use is greater than your total because you've spent 46% so far. A lot of contingency tends to happen early because you are at more than 46% of contingency.

Mr. Rogers said \$140 million out of \$220 million we are much higher than 50% still left.

Mr. Driggs said did you say that is what still remains or that is what you have used.

Mr. Rogers said that is what remains.

Councilmember Mayfield said what I'm trying to understand and explain to me the request for the Duke Energy payment up front, and I asked this question because we have had this conversation over the years regarding the lighting just on I-77, I-277, I-85. We can't keep up to date as it is, and I know unfortunately because of decisions that were made at much higher than our level, there is pretty much a monopoly in our city, and in our state on power but I'm trying to get an understanding of why we would do this upfront payment when we can't get Duke Energy to keep the lights, that are already throughout the city, running without constantly going out, so I need an idea of this upfront payment, and I just need you to explain to me why we need to pay that upfront.

Mr. Rogers said you are asking about upfront payment; typically Duke provides the lights, and we pay a service for those lights but that is a standard wood pole that goes behind the sidewalk. In this case we are in basically a redevelopment corridor; we also have a very wide corridor because we have the trains going down the middle. In order to provide the lighting that is necessary we have to move the lights closer to the road and when you move the lights closer to the road you have to have break away light poles and so we are doing upgrading poles through this corridor so we can get the lighting that we need. Also they are much more attractive as opposed to the old wood poles with lines coming out of it. These will be nice aluminum poles and all the wiring will be underneath, and there is an upfront cost for that. The service pays for the typical insulation of light poles. The other lights you are talking about are NC-DOT lights, and we don't have anything to do with that.

Mayor Roberts said we appreciate the update and look forward to having that project done on time a little more than a year from now.

Mr. Lewis said I would be remiss if I didn't acknowledge all the hard work that has gone on by all of the city departments and was mentioned earlier Jeb and his staff and Engineering have done a yeomen's job of moving this forward. I will say the structure of how CATS is a part of city government and it enables us to move much faster than many other transit systems and having been on the other side of that in past life I could not ask for a better partner. So, I wanted to make sure I did that so Jeb continue with my project.

Mr. Phipps said you indicate that four new cars have been delivered. So, they are one of the depots?

Mr. Lewis said yes, they are at our current depots, are coming in, and we are doing testing and commissioning those.

Mr. Phipps said when you do testing, are they running on the current Blue Line or are you just testing in house.

Mr. Lewis said we will run them along the current corridor, yes.

Mr. Phipps said by the time we get them they will be semi-worn out.

Mr. Lewis said it is a federal requirement we have to get hundreds if not thousands of hours of on-line testing ahead of time. We won't take them much beyond that, but enough to get it certified.

The Dinner Briefing was recessed at 6:36 p.m. to move to the Council Chamber for the regularly scheduled Business Meeting.

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BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for the Citizens' Forum and Business Meeting on Monday, January 25, 2016 at 6:45 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, John Autry, Ed Driggs, Julie Eiselt, Claire Fallon, Patsy Kinsey, Vi Lyles, LaWana Mayfield, Greg Phipps and Kenny Smith.

ABSENT: Councilmember Mitchell.

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Mayor Roberts said I want to welcome everyone to the City Council Meeting tonight, and you may recognize something a little different about us tonight; we are all kind of wearing the same colors. It is not every week that your team is going to the Super Bowl. So, we are just showing a little Panther Pride or Panther nation, and we've got bipartisan support. So, that is a good thing. I see some people in the audience in the spirit as well, terrific.

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INVOCATION AND PLEDGE

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

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AWARDS AND RECOGNITION

RECOGNITION OF CAROL JENNINGS, CHIEF OF STAFF

Mayor Roberts said before we get started with our Citizens' Forum tonight we do have one recognition, and it is not on your agenda because it is kind of a surprise. I want to recognize and honor Carol Jennings this evening. Carol has been a long time and valuable City Employee in the Manager's Office and a lot of things revolve around Carol. We want to thank her for years of dedicated service; we won't say how many. She has worked for the City in various capacities, but in 1978 she was named the City's first Assistant City Manager. She has assisted with virtually all of the major departments in the City; she knows the City inside and out. In my short time as Mayor, she has been an incredible and valuable help, and she is especially good at calmly juggling the numerous responsibilities, and issues, and challenges that our City faces on a daily basis. Carol will be greatly missed, and we want to thank her for her years of excellent service to the City of Charlotte. We wish her great luck in the future, and we also want to warn her, we still have her cell phone number. We are really going to miss you.

Councilmember Autry said about the next Workshop Meeting I have an idea; that is the way so many conversations with Carol began. I've got this concept that I think we should vet out. Thank you for your service, thank you for your loyalty, and thank you for being that person that we could turn to on a moment's notice and may not always get the answer we want, but we got the answer, and it was quick, and it was delivered in a professional manner. Thank you very much, enjoy your future; see you soon.

Councilmember Mayfield said Carol, I want to say thank you because for every idea that I bring to you have not shot down. From the very first when it was something as simple as our pin that we now have me attending a conference and then coming back saying why don't our pin look like other communities because I'm that person that walks around with 20,000 pins around my neck on my lanyard and you took the time to listen because we give them out, and we share them. That is a part of us representing the City of Charlotte. So, however small or big the crazy idea was and what I wanted to try next you gave me the room to experiment because there is no way to know this job until you get in this job. For the four and a half years that you have encouraged and allowed me to drop all my crazy ideas by you and those that you supported and those that you helped me direct because we couldn't do. You did it in a nice way. I want to say thank you. I wish you much success in this next journey because you are still young and active so there are still so many other things you can do so now is the time for you to just enjoy all the fruits of your labor. Thank you for giving the City so much of yourself, and tell you family thank you for allowing us to be able to have you as long as you've been around.

Councilmember Smith said you all need to know she is a citizen of District 6. So, Carol if you ever have any issues after you get out of here, although I think you've got phone numbers, and know that you can always call me, and I will help get something done. I want to thank you; when you first get elected at least when I first got elected she was my point of contact and sort of easing me into the City which was a pretty daunting task at the time as you are kind of learning your way around, get your feet on the ground, and it was a seamless transaction. Then we've had a Disney Trip planned, and I was terrified after it was on the docket well before I got elected and I was afraid it was going to conflict with a Retreat. Carol was helping calm me down on that because I would have had a hard time telling my wife and kids they weren't going to Disney over this. It is the little things like that that you remember about people when they help guide you through and help keep you calm and steady. We are going to miss you, and if you have any of those things that District Reps handle just call me, and I'll take care of you.

Councilmember Phipps said Carol I know I'll be missing you, and I echo all the comments of all Councilmembers that have spoken so far. I know you delayed your retirement about a month or so now, and I always tease you, but it is not with real tease, but I think the City is just going through some unprecedented things. All this institutional knowledge just walking out the door there is still time to reconsider such a role such as this, but I'm going to miss you. Weren't you here in 2005 when I was here; we go back a long ways. I wish you luck because retirement is a joy, speaking from experience.

So, I wish you well, and I know you won't be a stranger, you will have occasion at some point hopefully to come back to the 15th floor and visit us. I wish you well in your next phase of your journey, and you are going to be missed.

Councilmember Lyles said a heartfelt thank you very much.

Councilmember Eiselt said thank you for welcoming me and as Councilmember Smith said, helping me with the transition. I wish you luck in your retirement.

Councilmember Fallon said very good luck, enjoy it.

Councilmember Kinsey said by, see you tomorrow.

Councilmember Driggs said Carol I just wanted to tell you I established when I started on Council very quickly that you were somebody that knew the answers and were going to help. It meant a lot to me in the beginning; it means a lot to me today and has throughout. You are a lovely lady, and I wish you all the best.

Councilmember Austin said Carol, I'm sitting here writing down a few words and when I think about you I think of driven, determined, tenacious all with the grace of a true Southern Belle, and I know staff keeps telling me about some retirement party that is going to happen. In my reality that is not happening and you are still going to be here. Thank you for helping me, making sure that my first term went smoothly; you were a good person to talk to through many difficult situations.

Chief of Staff Carol Jennings said thank you very much, and I appreciate each one of you; this is a dream opportunity to work for the City Government. I love the City of Charlotte, and I was calculating from my time with the City I've probably attended 650 Council meetings. So, I've got to see a lot of action and a lot of things that you spend your time on. You are great leaders to the city, and I appreciate it and, it makes it more enjoyable working with people like you. Thank you very much.

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CITIZENS' FORUM

Public Safety

Karen Jensen, 311 Baldwin Avenue said I would like to ask our fine uniform people in the building tonight if you find it unacceptable to willfully lie about crimes or help criminals to lie on police reports, to commit perjury, to violate Internal Affairs policies, to violate your oath and the Constitution, threaten witnesses or cover-up for anybody who does these things, would you please raise your hand? I'm not any response and that is the problem, maybe they are not paying attention or pretending not to, but that is what has been going on and either they are following the direction of management to do those things, or you have a whole bunch of people who are falling in line to do that. You have officers too fearful to speak up about it; it is one or the other. That is either the policy or people are afraid to violate that policy. Anybody who is new, I think you've had opportunity to know why I'm here; I have spoken before. I am extra nervous tonight to speak because I received a phone call last week from a Captain at the direction of the Police Chief, Captain Norman Garnes who has lied to the Magistrate before about crimes that have been committed in order to prevent me from having criminal charges against my neighbor. My life has been threatened, I have been assaulted, and there are convictions on record for this. That is not in question and yet he calls to tell me that he would not take any kind of corrective action about crimes or police misconduct, and that seems to be the root of this as I continue to tell you it all happened after I made a complaint about a police officer. After he told me he wouldn't take any corrective action he reminded me of the illegal threat to arrest me if I contacted the police where I have offered to give evidence of police misconduct and other crimes. It is disheartening to stand here and think that maybe if I were in a different sub-group and had people of other sub-groups next to me threatening my life, assaulting me that maybe somebody would take an interest on this panel or maybe in the media. My car has been totaled, I have been assaulted, my life has been threatened, police officers have lied on reports, lied to judges and attorneys for the city has done the same, and none of you are taking any action to correct it. The only action that has been taken is to threaten me with an illegal arrest and to sue me. This is not news to anybody here.

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CONSENT AGENDA

Motion was made by Councilmember Driggs, seconded by Councilmember Autry, and carried unanimously to approve the Consent Agenda as presented with the exception of Item No. 18 which has been pulled for a separate vote.

The following items were approved:

Item No. 12: Criminal Information Access Fees

(A) Approve an annual license agreement for an approximate amount of \$150,000 per year with the NC Department of Justice – State Bureau of Investigation for the use of approximately 900 Divisions of Criminal Information terminals, and (B) Authorize the City Manager to renew the agreement for as long as the City uses the system.

Item No. 13: Animal Licensing and Registration Services

(A) Approve a contract with PetData Inc. for the administration of the City’s animal registration and licensing program for an initial terms 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 City’s business needs and the purpose for which the contract was approved.

Item 14: Landscape Maintenance Services

Approve landscaping maintenance contract with each of the following vendors: West Elmwood Cemetery: Napper Services LLC \$205,920; East Elmwood Cemetery: Napper Services, LLC \$124,800; Evergreen Cemetery: Napper Services, LLC \$112,320; East District: Taylor’s Landscaping Services, Inc. \$230,100; CATS Blue Line (South) Taylor’s Landscaping Services, Inc. \$617,889; CATS Blue Line (North) Taylor’s Landscaping Services, Inc. \$226,044 and CATS North Davidson Bus Facility: Roundtree Companies, LLC \$52,833.30.

Item No. 15: Architectural Services for Discovery Place Renovations

Approve a contract in the amount up to \$159,200 with Little Diversified Architectural Consulting, Inc. for architectural services for Discovery Place renovations.

Item No. 16: Bobby Lane and Nancy Drive Storm Drainage Improvements

Award a contract in the amount of \$943,886.08 to the lowest responsive bidder Sealand Contractors Corp. for the Bobby Lane and Nancy Drive Storm Drainage Improvements Project.

Summary of Bids

Sealand Contractors Corp.	\$ 943,886.08
Onsite development LLC	\$ 988,916.40
Hall Contracting Inc.	\$1,129,119.45
Blythe Development Company	\$1,179,888.50
Zoladz Construction Co., Inc.	\$1,191,400.00
D. E. Walker Construction	\$1,234,813.05

Item No. 17: Parkwood Phase 1 Storm Drainage Improvement Project Change Order

Approve change order #1 for \$456,500 to Sealand Contractors Corp, for the Parkwood Storm Drainage Improvement Project.

Item No. 19: LYNX Blue Line Extension Civil B/C Change Order

Approve a change order in the amount of \$4,500,000 to the LYNX Blue Line Extension Civil B/C Construction contract with the Lane Construction Corporation.

Item No. 20: LYNX Blue Line Extension – Street Lighting Agreements with Duke Energy

Authorize the City Manager to negotiate and execute agreements in a total amount up to \$2,000,000 with Duke Energy for the installation of street and pedestrian lighting for the LYNX Blue Line Extension project.

Item No. 21: LYNX Blue Line Extension – Track and Systems Contract Amendment

Approved contract amendment #3 in the amount of \$4,500,000 to the LYNX Blue Line Extension Track and Systems contract with Balfour Beatty Infrastructure, Inc. for settlement of all Contractor delay related claims and to amend the contract schedule.

Item No. 22: Transit Scheduling Software Maintenance and Upgrade Licensing Agreement

(A) Approve an annual flat fee contract with GIRO, Inc. for maintenance and support of the HASTUS transit scheduling software system, and (B) Authorize the City Manager to amend the contract consistent with the City’s business needs and the purpose for which the contract was approved.

Item No. 23: CATS In-Ground Bus Lift Replacement

Award a contract in the amount of \$104,996.27 to the lowest responsive bidder, Lifting Solutions LLC for the purchase of an In-Ground Bus Lift.

Summary of Bids

Lifting Solutions LLC	\$104,996.27
Alan Tye & Associates	\$149,699.00
C & A Equipment Services, Inc.	No Bid
Titan Project Services	No Bid

Item No. 24: Airport Asset Management Software Support

(A) Approve a contract with AECOM Technical Services of North Carolina, Inc. to provide Cityworks technical support for an initial term of three years; (B) Authorize the City Manager to renew the contract for up to two additional one-year terms with possible price adjustments; (C) Approve a contract with Amazon Web Services, Inc. to provide cloud hosting services, and (D) Authorize the City Manager to purchase such additional software license, services, and hardware as needed from time to time to optimize the City’s use of the system, and to approve other amendments consistent with the City’s business needs and the purpose for which the contract was approved including price adjustments.

Item No. 25: Airport Planning and Environmental Documentation Services

(A) Approve a contract with Landrum & Brown in the amount of \$200,000 to provide planning and environmental services as needed, and (B) Adopt Budget Ordinance No. 7036-X appropriating \$200,000 from the Aviation Discretionary Fund to the Aviation Community Investment Fund.

The Ordinance is recorded in full in Ordinance Book 59, at Page 708.

Item No. 26: Central Business District Sanitary Sewer Modeling and Evaluation

Approve a contract with CDM Smith, Inc. in the amount of \$687,200 for providing engineering services for sewer systems evaluation within and surrounding the Central Business District of Charlotte.

Item No. 27: Charlotte Water Existing Large Generator Service Contract Amendments

Approve contract amendments to the following contracts for preventative maintenance and repair of large generators: Carolina Tractor and Equipment Company, Amendment #4 for \$58,000; Clarke Power Services, Inc. Amendment #5 for \$5,000 and Cummins Atlantic, LLC Amendment #4 for \$73,000.

Item No. 28: Clems Branch Sewer Lift Station Improvements Professional Service Contract Amendment

Approve contract amendment #1 for \$132,405 to the existing contract with Stantec Consulting Services, Inc. for engineering design and construction administration services for Clems Branch Sewer Lift Station Improvements.

Item No. 29: Security Threat Intelligence Services

(A) Approve the purchase of the CrowdStrike Falcon Intelligence service from a cooperative purchases contract as authorized by G.S. 143-129(e)(3), (B) Approve a contract with SHI Government Solutions, Inc. for the purchase of the CrowdStrike Falcon Intelligence service for a term of one year under the Interlocal Purchasing System Contract number 3071615, and (C) Authorize the City manager to extend the contract for additional one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

Item No. 30: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$36,924.51.

The resolution is recorded in full in Resolution Book 47, at Page 198-200.

Item No. 31: Resolution of Intent to Abandon an Alleyway off of West 28th Street

(A) Adopt a Resolution of Intent to abandon an alleyway off of West 28th Street and (B) Set a public hearing for February 22, 2016.

The resolution is recorded in full in Resolution Book 47, at Page 201-203.

Item No. 32: Resolution of Intent to Abandon a Portion of East 17th Street and an Alleyway off of East 17th Street.

(A) Approve a Resolution of Intent to abandon a portion of East 17th Street and an alleyway off of East 17th Street, and (B) set a public hearing for February 22, 2016.

The resolution is recorded in full in Resolution Book 47, at Page 204-208.

Item No. 33: Meeting Minutes

Approve the titles, motions and votes reflected in the Clerk's record as the minutes of December 14, 2015, Combined Business and Zoning Meeting and January 4, 2016 Workshop and Citizens' Forum.

PROPERTY TRANSACTIONS

Item No. 34: Land Purchase for Tree Canopy Preservation Program

(A) Approve the purchase of approximately 24.59 acres located on Hart Road in Mecklenburg County (Parcel identification number 031-216-02) for \$270,100 from the Catawba Lands Conservancy, and (B) Authorize the City Manager to negotiate and grant a Conservation Easement to the Catawba Lands Conservancy.

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ITEM NO. 18: LYNX BLUE LINE EXTENSION J. W. CLAY BOULEVARD PARKING GARAGE PEDESTRIAN BRIDGE EXTENSION.

Councilmember Smith said this was an item we voted on last term and something I didn't support. So, I just wanted it pulled for consistency sake and vote against it. No dialogue needed.

Motion was made by Councilmember Lyles and seconded by Councilmember Austin to approve a change order in an amount up to \$4,000,000 to China Construction America of South Carolina, Inc. for the LYNX Blue Line Extension J. W. Clay Boulevard Parking Garage project.

The vote was recorded as follows:

YEAS: Councilmembers Austin, Autry, Driggs, Eiselt Fallon, Kinsey, Lyles, Mayfield and Phipps.

NAYS: Councilmember Smith.

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PUBLIC HEARING

ITEM NO. 7: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF GREENWOOD CLIFF

Motion was made by Councilmember Lyles, seconded by Councilmember Kinsey, and carried unanimously to continue the public hearing until February 22, 2016.

Councilmember Smith said if for some reason the project does not move forward we are not going to close the road; is that the tie in?

City Manager Ron Carlee said yes they are related to one another.

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POLICY

ITEM NO. 8: CITY MANAGER'S REPORT

City Manager Ron Carlee said I do have a report for Council tonight; I have several items I would like to share with you since we do have a little bit lighter agenda. I try to be respectful of the Council when you have a full agenda. There are a couple of things I would like to do tonight; first of all is recognize some of our City staff. We all know that our staff does a great job and really it is nice when other people recognize it as well and I would like to recognize particularly a number of people in Charlotte Water tonight. Director, Barry Gullet is here and a number of staff. I will read the list of recognitions, and this is really pretty amazing, and then I would like for the staff to stand up. This is one of those services where I like to say we aspire to being taken for granted because we want you to know that you can turn on the water, and it is clean or you can flush a toilet, and it goes where it is supposed to and it just works, and we have a team that does that. Here are some of the awards that they have received recently: The Sustainable Water Utility Management Award from the Association of Metropolitan Water Agencies recognizing the efforts in areas of economic, social, and environmental endeavors. Only twelve utilities in the United States earned this award in 2015. Awards from American Water Works Association's Partnership for Safe Water for Distribution Program for specifically the Vest Water Treatment Plant; Water treatment awards from the North Carolina Division of Water Resources; Awards from the American Council of Engineering Companies for work on Catawba River Water Master Plan and Briar Creek Relief Sewer Project; Regional and national awards for the McAlpine Creek Wastewater Treatment Plan, the Design-Build Project; Peak Performance Awards for all five wastewater treatment plants from the National Association of Clean Water Agencies; State awards from North Carolina American Water Works Association and Water Environment Federation, and the State Trophy for operation competition by wastewater treatment mechanics. They also came in third place in a national competition event.

From national news and what is going on in one particular community in this nation, I think we all do know that we can't take clean water, and we can't take wastewater treatment for granted. I will ask our Charlotte Water employees to stand up and be recognized. Thank you for coming out tonight; Charlotte Water is 24/7 so being out at night is not old news for these people. I really do appreciate their coming out tonight to be recognized and for us say thank you collectively as a community.

Another award I would like to announce tonight is for our City Budget; the Government Finance Officers Associates governing body to apply for its distinguished Budget Award, another national award. Our budgets are reviewed on the basis of 27 criteria with three independent budget experts scoring a budget to determine that it meets their standards, servicing as a policy document, a financial plan, an operations guide, and a communication device. I'm very proud of everyone who worked on the City's budget because now for the second consecutive year we have earned the GFOA Distinguished Budget Award. Kim Eagle, first budget by the way as Budget Director. So, that is a pretty good way to start.

The third thing I wanted to mention of course is what has been happening in our community over the past few days; we've had some winter weather, not as much as some communities, but we have had a lot. What we try to do when we have these storms, as you have seen, is pull together not just all of the City agencies, but county, private sector, all of our partners, and the schools in a coordinated way. We want to understand what is going to be happening, what is the real threat to the community and what can we do in preparation and response to mitigate that threat. Secondly, we want to bring the City back to normal as quickly as we can. That was particularly important this week-end because it was a really big week-end in Charlotte, as represented by the colors around the room, but the NFC Championship wasn't the only thing going on. We had NASCAR Hall of Fame Induction Ceremony, we had a Checker's match, we had Wicked in town, we had the Hornets in town. There were so many things going on in this City this weekend that we really needed to get the roads cleared, the sidewalks cleared so that

people could enjoy their activities. I want to thank everyone for doing what was truly an extraordinary job; we had 14 City Departments at least involved in these kinds of events. I never know everybody that does everything but Emergency Management, CMPD, the Airport of course, CATS, C-DOT, Charlotte Fire, Charlotte Water, CharMeck 311, Corporate Communications, Landscape Management, Solid Waste, Finance, Human Resources, the Mayor's, City Council, Manager's Office, literally every department gets involved in some way. I think our ability to be able to accommodate our many guests in the City over the week-end was attributing to all of their efforts and those of our partners as well.

Next, I would like to give you a hint of all the reports I didn't give you in the past year. Here is a summary of some of the major efforts that took place in 2015. I have extras over here if you want to have some to take with you out into the community, and you will find this is available on our website for members of the public to get some idea of what we did in Charlotte over the past year, and virtually everything in this document are policy items that in some way or another came before the Council and are representative of the body of work that you do as elected officials. With all of that is in here it doesn't capture the day to day work; this does not capture the statistics around what we do in Police, and Fire, and Solid Waste, and Charlotte Water, and all of the other agencies, that is yet another report, but this was an opportunity to try to collect for you a summary of things that you have been involved in because it is easy to forget, and when you look through it is a very long list across many different areas.

Finally, if I may, I would like to add my thanks to Carol Jennings. I will get an opportunity to do that with staff tomorrow afternoon of her farewell, but in this public venue I would also like to say what an excellent job she has done. I've worked with a lot of people over my long career in local government. She is a consonant professional. She has been an important part of my life literally every day for the past three years. A person who is willing to do whatever needs to be done, whenever it needs to be done, and someone who always try to do the right thing for exactly the right reasons.

Mayor Roberts said thank you Mr. Manager, and I appreciate that summary of all the things that the City is working on. I just want to add quickly, we talk about water, and we talk about snow removal. I was at the US Conference of Mayors when the snow began to hit, and I got out of Washington just in time. There was a lot of conversation; the Mayor of Flint, Michigan was there, and the Mayor of DC, and the Mayor of a lot of places that get crippling snow, and it is one of those things that you don't know you have to work on it until disaster strikes, and the water is part of that. We are so grateful that we have Charlotte Water that is keeping eye on the cleanliness of our water, that we have checks and a team dedicated to that. All the Mayors I spoke with were keenly aware of those aspects of government that go unnoticed that we worry about every day and we have great staff worrying about that. I wanted to add that appreciation and then in terms of C-DOT really getting out there and clearing the street, especially around key areas that are priority areas for the City. There was actually a lot of discussion at the Mayor's Conference about the right ratio to use for brine, five to one or four to one, but it is something that people understand the importance of and I we had trucks going 24 hours for about three or four days in a row, and all those trucks out there we really appreciate those crews getting up in the middle of the night and working for the safety of our citizens.

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ITEM NO. 9: AMEND STORMWATER ORDINANCE

Councilmember Phipps said as you can recall, we did postpone this matter from the last Business Meeting to this one. Essentially staff is recommending that we amend our stormwater ordinance to include an exemption for public rights-of-way with the City. It is a technical modification to the ordinance that makes it consistent with the long standing practice of not including city-maintained streets in the city stormwater fee payment. A public hearing was held on this back in May and also the Budget Committee approved unanimously to amend the stormwater ordinance back in September of 2015. So, this is just a continuation of it. I don't that we are going to have anybody to speak on it, but this is something that other cities around the State of North Carolina is consistent with their policy like Raleigh, Durham, Winston Salem; they don't pay stormwater fees for city maintained streets so it is a consistency thing that we are doing here, bringing our practices in line with some of our other peer cities in North Carolina as well as other cities throughout the nation in this consistency approach. I would recommend that we adopt this ordinance and move it forward.

Motion was made by Councilmember Phipps and seconded by Councilmember Lyles, to amend Chapter 18 of the Stormwater Ordinance to exempt the City from paying a stormwater fee for public street rights-of-way.

Councilmember Autry said I think that hearing was while I was laid up before my back surgery, but I was watching it on TV. We have a lot of short comings in our stormwater issues where all of us, especially District Representatives, on a monthly basis, receive anywhere from two to five complaints about stormwater in the City. Most of those complaints are identified as category C issues, issues that basically will never be addressed. I know that we are late for the game for stormwater with not really having the legislation in the department until the mid-90's, but I saw this as one opportunity to help fund some of those projects that need to be funded and maybe help catch up with it. If we can come up with a way to adequately fund the Stormwater Department I could certainly agree with this, but until we do I'm going to vote against this.

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

YEAS: Councilmembers Austin, Driggs, Fallon, Kinsey, Lyles, Mayfield, Phipps and Smith.

NAYS: Councilmembers Autry and Eiselt.

Councilmember Lyles said I know this is following the vote because I supported the motion to actually bring in alignment; this was something we needed to do to keep the ordinance in line with what our practice has been, I believe since 2005. I agree with Councilmember Autry and I think Councilmember Eiselt that in looking at this there is a great need and that is around the development. I want to just remind us that last week when we were talking about a very important rezoning I believe Councilmember Driggs suggested that we actually look at some of the strong development areas where we have the need for infrastructure to support the growth. I also think there is an opportunity for where we have areas that we need to have incentive for development and growth to put in the infrastructure that makes that work. I know that may not help everyone's backyard, and that list is numerous, but if we don't start somewhere we are not going to get anywhere. So, I'm encouraged by the idea that we come back and actually take serious a look it is not just our stormwater. Stormwater runoff is often caused by the amount of concrete that you place, how wide your roads are, how many sidewalks you build; it is that impervious surface, not saying to people it is okay to put pebbles instead of concrete driveways in, encouraging developers to look and as Mr. Autry has really taught me over the past 48-months that there are other ways to do things and having greener development is important. I hope as we are going forward with this idea about how we grow that we are not in a position where we are having to kind of fix our ordinance, that we are very intentional and we try to do something about our infrastructure including stormwater. I have a great appreciation for the comments and while this kind of a structural change for me; the challenge is yet to come.

Mayor Roberts said good point and we will have some time later this week the Council will go on their Retreat, and we will have some time to talk about some of those bigger issues around how we are developing in the City.

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BUSINESS

ITEM NO. 10: APPOINTMENT TO KEEP CHARLOTTE BEAUTIFUL

The following nominees were considered for one appointment for an unexpired term beginning immediately and ending June 30, 2018:

Orlando Jacobs, nominated by Councilmember Fallon
Taylor Lee, nominated by Councilmember Mitchell
Dave Pettine, nominated by Councilmembers Driggs, Phipps and Smith
Any Villegas-McCleave, nominated by Councilmembers Austin, Autry and Mayfield
Brian Withrow, nominated by Councilmember Kinsey

Councilmember Lyles said the vote we are having is on Keep Charlotte Beautiful Committee. Carol and I remember when it was called Clean City, but I too with Carol have a number of committees and boards under my belt. I got a letter from Teresa Rosa, who currently serves on it, and I won't read the whole e-mail, but it basically says that she is a member of the current board and I want to read this: "In speaking to nominees who have dropped off, the reason falls into two categories, it is either a life change or they weren't aware of what we actually did. So, they went out and started talking to people that have been nominated and explaining to what they are doing in hopes that they could continue to get people that are really interested in serving on this committee instead of just kind of putting their name on a list and it is coming up. So, they talked to 12 applicants that were on the board list, four responded with positive interest, and two of those four received nominations, and the other eight did not respond or if they did respond they no longer had an interest in serving". I don't know how to fix this, but I think it is one of those Boards that as I say it seems like Keep Charlotte Beautiful comes up every two to three weeks because we are not getting the right people in the right place. I do appreciate Ms. Rosa's e-mail, and I would encourage her and the board members to actually send us an e-mail or the Clerk an e-mail for the Council to say we've talked to these folks and they are truly interested. Not to say that the Council's purview is completely clear on any nomination, but I think it would be helpful so that we are not having this cycle of membership on this particular board because I'm not quite sure that people know what they do.

Mayor Roberts said while I was a Commissioner we talked about merging Keep Charlotte Beautiful and Keep Mecklenburg Beautiful because they are both involved with litter prevention, and awareness, and, recycling, and a lot of things that help our goals and objectives for the City and the County and they really just kind of divide things up, but they are very similar interest and empathies and so maybe it is time for that discussion to happen again if this is a board that people aren't clear on what is going on and that may be one way to bolster it up because Keep Mecklenburg Beautiful does tremendous work. I'm sure they do as well, adopting roads, putting up litter counts so that we know where to focus efforts on clean-up and even work with neighborhoods on other community improvement projects. It is really about keeping it clean, welcoming and beautiful City.

Results of the first ballot were recorded as follows:

Dave Pettine, 5 votes – Councilmembers Driggs, Eiself, Lyles, Phipps and Smith
Amy Villegas-McCleave, 3 votes – Councilmembers Austin, Autry and Mayfield
Brian Withrow, 2 votes – Councilmembers Fallon and Kinsey.

A second ballot was taken between Dave Pettine and Amy Villegas-McCleave and recorded as follows:

Dave Pettine, 7 votes – Councilmembers Driggs, Eiself, Fallon, Kinsey, Lyles, Phipps and Smith
Amy Villegas-McCleave, 3 votes – Councilmembers Austin, Autry and Mayfield

Dave Pettine was appointed.

Councilmember Phipps said I think the Keep Charlotte Beautiful Committee, it might have been Ms. Teresa Rosa, I think they wrote to us subsequently in an e-mail that this particular person was the one that they had vetted and was supporting and asked us to support him. I think they went through the process that they described and maybe they were frustrated by the fact, but I think this was the third attempt to do what we just did tonight. I know Keep Charlotte Beautiful Committee is a very hands-on committee. I used to be the chair of it for several years and it is a lot of engagement. We did a comprehensive review in the Governance and Accountability Committee on the retention within various committees, and I don't know if that is something we could share with the other committee chairs that are out there that gives them some insight, and even this idea that Ms. Rosa brought up. I think is a good idea because some of these applications sit languishing for a while until a vacancy comes up and that person might have moved on or might have lost interest in that particular committee but their name comes up and they are included with the list of candidates. I think there are some things that could be done in terms of explaining the expectations of a hands on committee such as Keep Charlotte Beautiful, and I think we should exercise all the measures to make sure everybody is properly informed as to their duties of these particular committees.

Mayor Roberts said I would encourage citizens to continue to apply to the boards and commissions, and if you have questions you can contact the City Manager's Office or the City Clerk, and ask about those responsibilities, but we definitely value citizen's input and involvement.

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ITEM NO. 11: MAYOR AND COUNCIL TOPICS

Councilmember Mayfield said I have mentioned it to some of my neighborhood leaders at the meetings that I have attended, but just for FYI this year I will not be hosting the annual town hall meeting that I have hosted the last four years. I have been working very closely with staff and thanks to the leadership of my staff liaison supervisor Ms. Oliver as well as our ACM we are going to be having four budget charrettes this year; we will have two budget charrettes that will be at the beginning of the year prior to our budget decision in June, and then there will be two budget charrettes afterwards to give the community opportunity, to learn a little more hands on, what our budget process looks like. We are finalizing our first day and it looks like it will be the third week of February when we have the first one. I'm going to be having them in different locations throughout the district because my district is quite expansive geographically. So, there will be a location representing the Steele Creek area, the Westside, representing my further Northside out at Charlotte Water Plant. That might be our very first meeting. So, I will keep the community updated; you will receive notices as you receive them for the town halls, but I just wanted to make sure everyone knows and to put the invitation out to all of you my colleagues if you are interested in coming to attend because we figured out a way to make a game out of it. So, we are going to have like a little board game, give the community some money and let's see how you would like to spend it when creating the budget for the City of Charlotte.

Councilmember Smith said I want to echo some of the compliments for the road crews and people that were out doing great work in getting the roads cleared. We were able to get 70,000 plus people to the Panther's Bank of American Stadium for a ballgame, but I think there may be a source of frustration with some CMS parents that we cannot get our kids back to school tomorrow. I don't know if snow removal is an issue with City streets or if it is an issue on CMS property, but I do get some questions about this. If it is a property issue maybe we can have some discussions with them on how they could use some of our resources and trucks to help get the schools cleared. The e-mails have already started coming in from parents that are having to juggle work schedules tomorrow.

City Manager Ron Carlee said I certainly do not want to speak for the schools; we do connect and have assisted them with resources when they have needed them. I don't know of any outstanding requests but the Superintendent and I connect regularly and at times they have needed that. The school decisions are different than other openings obviously; there are a couple of factors that are really critical as I have learned over the years. One is the buses being able to actually navigate all the side streets which could be problematic whereas with our CATS buses we can just run detours and we are not leaving children at the bus stop. The second factor which is really challenging is sidewalks, and one of the things that southern cities tend not to do well that don't get much snow is really get sidewalks cleared rapidly. We put a lot of city resources and probably contractor resources into uptown for the game but there is no way any municipal government can really handle all of the private sidewalks in the city, not even in the downtown areas. One of the pleas that I would put out to the community right now, is that if you live on one of those streets, particularly one that tends to be shaded where you don't get the sun and the melt, if you could get out and clear any remaining ice and snow off your sidewalk that would greatly enhance, not just the ability of children to be able to get to their schools bus stop, but for other people in the community to get to their regular bus stops and get out and run and exercise and do everything else.

Mr. Smith said I just want to be clear I was not taking a jab at the City; I know we were out doing a lot of good work to get folks around town.

Mr. Carlee said we really need the private effort on the sidewalks.

Councilmember Phipps said I want to remind everyone that we are having a big public meeting tomorrow night from 6:00 to 8:00 at Newell Presbyterian Church at 1500 Rocky River Road West and will be discussing the Northeast Area Transportation update and also the Rocky River Road West design presentation. We sent out 6,000 of these notices to people in District 4 along that corridor so I'm going

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to encourage everyone to come out and my colleagues that want to come on that side of town, expecting to see you there Ms. Lyles tomorrow. Come on out and get an update because a lot has happened since the last update we had last year. There is a lot more going on than just the Blue Line Extension; a lot of concurrent projects going on, the double track project with Norfolk-Southern and a host of other things.

Councilmember Lyles said many of you know Blanche Penn, who is a former employee of Mecklenburg County, as a leader of the Silver Fox Cheerleading Squad, but Blanche also has another vocation or avocation actually. She is really active in the African American History Month, and I'd like to on her behalf invite you on two dates as a community on February 1st and February 10th to attend African American History programs at the Wallace Pruitt Rec Center which is located at 440 Wesley Heights Way; some of us know that formerly as being Tuckaseegee Boulevard. Both of the programs begin in the evening at 6:00, and I think there is going to be a lot of fun but, there is going to be a lot of opportunity to learn African American culture as well.

Mayor Roberts said I have a couple of things; first I want to let folks know that the Chinese Embassy in Washington is actually hosting its Chinese New Year here in Charlotte, first time they have left Washington to do that and not doing it because of the snow. They are doing it because they want to increase cultural and business connections between Charlotte and China. So, we've got a group working on making sure they have a great welcome here, and I think it is good for the community to have that taking place. I also want to let folks know there is a community conversation February 1st at 6:00 p.m. at the Palmer Building, 2601 East 7th Street hosted by our Community Relations Committee and the Community Building Initiative. The topic will be on the LGBT non-discrimination ordinance for folks in the community who are interested in learning more about that non-discrimination, what it means and its implications for Charlotte. It is open to the public, and you are welcome to attend.

Councilmember Austin said mine is just a community appeal; I'm asking everyone to be the one to calm down volatile situations that might occur in your home, your business, or your neighborhood. There have been a number of instances that have led to deaths, a couple in our community and let's be the one that will actually change that narrative as opposed to filming it and uploading it to Youtube and those types of things in social medial. Get engaged, and calm people down that might have a different narrative and different outcome for Charlotte.

Councilmember Kinsey said congratulations Panthers and Keep Pounding. I want a new shirt in a couple of weeks.

Mayor Roberts said I appreciate everybody showing their team spirit tonight, especially our Attorney.

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ADJOURNMENT

Motion was made by Councilmember Mayfield, seconded by Councilmember Lyles, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 7:37 p.m.



Emily A. Kunze, Deputy City Clerk

Length of Meeting: 2 Hours, 22 Minutes
Minutes completed: February 10, 2016