

The City Council of the City of Charlotte, North Carolina convened for a Dinner Briefing on Monday, May 23, 2016 at 5:20 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Jennifer Roberts presiding. Councilmembers present were Al Austin, John Autry, Edmund Driggs, Julie Eiselt, Claire Fallon, Patsy Kinsey, Vi Lyles, LaWana Mayfield, James Mitchell, Greg Phipps, and Kenny Smith.

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**Mayor Roberts** said I want to let everyone know that the HB-2 item, on the Charlotte City Council Agenda, that was set for today has been removed. There will be no discussion item or action item on behalf of the Council on HB-2 tonight. I have been talking with Councilmembers and others throughout the day and collectively, we have concluded that a discussion of the HB-2 by the City Council tonight would not be helpful in advancing a solution to the ongoing challenges of HB-2. Staff will provide in writing the economic impact information that the City Council requested at our last meeting and staff will be providing that to the Council this week. That information will be public as well, and that is on the economic impact for the Charlotte area of HB-2. Meanwhile, the City Council and I will continue to work with the General Assembly, with our business and community leaders, to address the continuing negative impact of HB-2 on the City of Charlotte and North Carolina.

We do have a Citizens' Form this evening in our 6:30 p.m. meeting in the Chamber, and there are some folks signed up to speak about HB-2, because now that it is no longer on our agenda people can speak on it at the Citizens' Forum, but there is a limit of 10 speakers for that on any regular Citizens' Forum that deals with something that is not on our agenda.

I also want to remind Council that we have a Budget Meeting on Wednesday at noon and that will be for our straw votes. Afterwards, we are adding to the agenda a closed session item that is a personnel matter, and we hope that can take place.

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

**Deputy City Clerk Emily Kunze** said Councilmember Autry wanted to pull Item No. 34.

**Councilmember Autry** said in discussions with Mr. Yi earlier today, it was brought up that the software is to modernize the system, seeing how the current software is running on Windows XP, which saw its end of life two and a half years ago I believe and no longer being supported by Microsoft. We are moving to a product that is going to operate on Windows 7, which was released in 2011 I believe, and so there have been two other subsequent OS releases since then, and I just want to know why we were investing in old technology.

**Assistant City Manager Hyong Yi** said I will do my best to explain the City's approach to technology and at least with regard to Windows 7 versus Windows 10. The way the City manages its IT infrastructure and its IT software platforms, it is a very complex and diverse application environment. A lot of cities use very specific software for the businesses that they are in, and we support over 300 applications across the City, many of which run using Windows base clients, so we've purposely migrated in user systems that are paced to convert old systems from XP to Windows 7 to Windows 10 before the 2020 deadline. Microsoft is supporting Windows 7 until 2020; this approach insures that as we systematically upgrade actual pieces of software to run our business that they are compatible with the operating systems that we use as we get into Windows 7 and then eventually we will get them to Windows 10, when those pieces of software are designed and upgraded to work with Windows 10 because not all of them do right now. When we introduce Windows 10 on desktops, laptops, and tablets, when Windows 7 is no longer supported, we will continue to upgrade our operating systems, and we will continue to upgrade all the applications across the City along the various lines of business to run on the current platform, but we are trying to do it in a way that is manageable for the City given the level of resources that we are able to put towards it. We recognize and understand that it is not the cutting edge most modern, most current platform software that is out there or issued by Microsoft for Windows, but this is what we can reasonably manage given the resources we have and the number of applications that we have to support.

Mr. Autry said I appreciate that very much Mr. Yi for your explanation. Is there a hardware threshold that has to be met to move to Windows 10 also? I ask that because that means a significant investment in hardware for the City, and so it is not today, it is not tomorrow, but it is going to be coming somewhere down the pike.

Mr. Hi said I don't have the specifics to know hardware compatibility issues but Jeff Stovall is here and he can provide you with more details on that particular question.

**Jeff Stovall, Chief Information Officer** said in general the hardware that we have deployed today can support both of Windows 7 and Windows 10. When we find that we have these compatibility issues, it is general an issue of the base software and how the clients are being used for that software and whether they are compatible with one version of Windows versus another.

Mr. Autry said just be aware folks, someday in the future someone is going to come to you with a request for an investment in hardware that is going to be quite significant at some point.

**Mayor Roberts** said do you still want to talk about Item No. 34 in the Chamber?

Mr. Autry said no, I'm fine.

**Councilmember Mayfield** said for clarification, are we in line with other cities generally running five to seven years behind on technology?

Mr. Yi said thank you for having confidence in me to answer that question Ms. Mayfield, but I think Jeff might be better suited to answer that one.

Mr. Stovall said unfortunately, this is not atypical. What we find particularly when we are dealing with hardware, to your point, that involves embedded systems, it takes a very long time for the developers and the manufacturers of that hardware and software combination to come up to current levels and current supported operating systems. It is not terribly atypical of this City or any other city to find itself in that circumstance, particularly when we are using software that is produced by a third party. It is not software that we are creating ourselves. Unfortunately, when we have to go [inaudible] like the one we are looking at here, there often is a hardware and software component that is involved with doing an upgrade, particularly if the software is embedded specifically for that hardware or that system. In transit, that tends to be the case.

Ms. Mayfield said unfortunately, a lot of times when these requests come before Council, it is almost at the point we need to do this now in order to continue moving forward. When it comes to larger conversations, like a software or hardware upgrade, I think it will be helpful for future Council if that comes at an earlier time, but it would be helpful for me City Manager and maybe for my colleagues. We do a comparison of other cities and best practices on almost everything. It would be helpful to know what is the best practices with our comparable cities that we are in line with as far as growth and not only what model are they using but what really are the top companies out there. It is a very different conversation than having an iPad and I get an update every eight months to make sure that I get the latest software update automatically when we are talking about corporate and business. It would be helpful to know what really are the best practices that are out there. I have a concern that we are five to seven years behind on the software and leading up as my colleague said, to there being even greater increase request of funding to try to then fast forward three years to get caught up opposed to continuously improving.

**City Manager Ron Carlee** said we can do that for you; that might be a really good part of your discussion later in the year when you are doing your services review to get a broad picture on technology. You will recall, it has been a year or a year and a half now that we actually merged the office of the CIO with the IT operations so that we could get a holistic perspective on IT and our operations. I would say in my experience both working in other communities and working with other communities, the situation that was described tonight is typical, and there are two issues that make keeping current with technology challenging for a local government. One it is just the sheer size and the larger the organization the more challenging it is to migrate to upgrades, just because of the shear costs of it. It is one thing when we as an individual make a decision to upgrade to new technology, but when you are upgrading an organization the size of ours, it is a huge investment,

and you want to make sure you get a return on that investment. The second one, I can't remember the number that Mr. Yi used, how many different business systems do we operate?

Mr. Yi said 300 applications.

Mr. Carlee said we are in many more different lines of business than most corporate environments. That 300 different business systems range from really small things to really large things, like 911 system, and each of them are unique and it is a small market, and as we are trying to explain you really have to do your upgrades with your vendor and you often times don't have many choices in vendors. You will find some parts of our organization that are using truly the most recent technologies and then you will find others that are many years behind because of the vendor that provides that business system.

Ms. Mayfield said it will be helpful when we do that comparison, that it is a comparison of apples to apples and not bring back information where they aren't truly comparable city so as many of those line items that we can match up, because I'm sure there are municipalities out there that do more than 300. I think it would be helpful to have a true comparison just to make sure that we are on the right track.

Ms. Mayfield said I pulled Item No. 31 which is the Charlotte Mecklenburg Government Center Wellness Center Renovation. The question that I asked of Mr. Yi was basically, what was the County financial contribution? The cost that we have is the total costs of the upgrades, \$107,587. The County does have a 19% interest in this development, based on square footage of space that they have here since it is the Charlotte Mecklenburg Government Center, so I just need to find out what was their contribution to this renovation, and there is a contribution. Thank you Mr. Yi for getting that information, and we do that through cost recovery.

Mayor Roberts so Ms. Mayfield, you don't need to pull this.

Ms. Mayfield said no; I just wanted to make sure that the community knew that the question was asked.

**Councilmember Kinsey** said I would like to piggyback on that. When all of this started the school system was not located here, so I want to know if they have an interest in this and how much they contribute.

Mr. Yi said I can answer that right now; we looked at that and the schools' square footage is actually calculated as part of the overall County square footage, so we did do the calculation taking into account CMS's presence in the building, but it is rolled into the County calculation.

**Councilmember Phipps** said that was \$107,000 or \$1.7 million?

Mr. Yi said \$107,000 to renovate the Wellness Center.

Ms. Mayfield said I said \$1.7 million; thank you for clarifying that.

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## **ITEM NO. 2: NEIGHBORHOOD EXCHANGE & LEADERSHIP AWARDS**

**Keith Richardson, Neighborhood and Business Services** said the purpose of my presentation this afternoon is to give you an update on the ongoing activities for this year's event. I want to start with outlining our previous community engagement activities in Neighborhood and Business Services, as well as go over the new elements we have planned for this year. We think it is going to be a really great event, so most of all we want to encourage you to attend and also have you encourage other folks to attend, because this is going to be a spectacular event for everyone involved.

Just to give you an outline of our history in terms of community engagement and training, some of the events that we've held both in the past and presently. We had the Neighborhood Symposium that we held a few years ago. Ms. Kinsey may remember that; that was a very popular event. We had about 800 people attending over a day and a half period. At that time, we offered training as

well as an awards luncheon, and we also had information tables so it was a really good event. Also around that time, we had community diversity where staff would go out to communities and teach them different types of programming, everything from things like how to do a neighborhood newsletter and a class that I talked to, how to do a neighborhood watch. It was done in their communities for their convenience. Around 2012 we wanted to take a step back in terms of training and type of engagement, because we wanted to be more strategic and more thoughtful, so that is how the next piece submerged with the Neighborhood Board Retreat. We wanted the communities to take a look at this strategic planning; what was their vision for their communities, and what objectives did they have over a two to five years, and what resources would they need to make these plans come to fruition? That is how the Neighborhood Board Retreat came about; we hold that event twice a year, and we ask each neighborhood association to have a minimum of five members from their group to come and take a part in the session. It is very popular, and sometimes we have to turn people away because of our resources and can't accommodate as many as we would like.

The next piece is Need A Speaker; if you don't know who to contact concerning a certain issue, if you want to have a person come out to your Civic Organization the Need A Speaker Program is run through the Community Engagement Division, and they can connect you with any City and County speakers. If you want the Police to come out and talk about Crime Watch or Solid Waste to come out and talk about recycling, the community engagement folks facilitate that process through their program. The next piece is the Neighborhood Leadership Awards, which I am here to talk about; that was established in 2013, and as many of you know, many of you started out in your neighborhood associations with these grass roots organizations in your community, many of these folks work long hours for no pay. They do it for the love of their community. We felt we wanted to really honor their work and their accomplishments in their communities, particularly through the lens of our Neighborhood Matching Grant Program. We know there is a lot of great work happening out there, whether it is someone designing a playground for the youth to play or someone designing a community watch program to lower their crime levels. We really want to celebrate those accomplishments. We have an awards program which the City Manager has been nice enough to host for the last couple of years followed by a luncheon. The last couple of years we've added in some educational components, like communications. We know that with time constraints, it is really getting harder to communicate with stakeholders in the community, so we work with them to see what processes they can improve to improve their outreach. Branding Your Neighborhood, people wanted to distinguish their neighborhoods and what makes them unique. We know a lot of efforts are occurring around the areas like Park Road and South Tryon Street, so that is a popular item. Of Course, Government 101 is always a popular item; people may still have trouble navigating government. They may not know which services are provided by the City and which are provided by the County, so we assist them with that. Of course things like Effective Neighborhood Meetings, how to create an agenda, how to stay on topic, how to build consensus and how to walk away from your meetings having some action items that you can move forward.

Last year we had 43 nominations from throughout the City, among six award categories. The organizations in parentheses are sponsors of those awards and the winners are eventually selected from representatives from different committees, both City and County employees. This has been a very popular program, and we even have street signs that when someone wins we place them out in the communities to let them know they have won the Leadership Award. A couple of years ago, we held a presentation at the Knights Stadium and that was a really great place, and for some folks that was their first and maybe only time to see something like the Knights Stadium, so that was a very popular event. Last year we had a bit of racing, and we held that at the Go-Cart Track last year, so that was all fun.

This year we are holding the Neighborhood Exchange and Leadership Awards at the Convention Center on Saturday, October 1, 2016. I want to apologize to Ms. Mayfield, because I think you are going to be on your honeymoon during that time, but feel free to come back if you want to take part. We picked that timeframe because we know that Saturday is a very popular day for folks; we want to have it long enough that they can really get their hands dirty and some really great discussions. We also have some time at the end of the day; the agenda will start with the morning registration and of course networking among the participants and a continental breakfast to make sure that everyone is nourished because it may be a long day. We want to make sure they are fed and happy. We are having a key note speaker to kick-off things, Peter Kageyama, and I put his bio by your places at the table. Peter is what you call a lover of cities; he has written a book *The Love of Cities*, and he talks about big ideas, being innovative in cities, so he will be in some ways speaking to the

choir. He wants to keep them energized, keep them moving forward, helping them move forward with their efforts in their community by keeping them enthused. Peter will also host a breakout session, where he will demonstrate to people how to turn those big ideas into actual implementation steps so for the community starting small or just being really realistic about what you can accomplish. We are looking forward to his presentations. After his key note address we will have a couple rounds of panels; we've got 10 rooms reserved at this point to expand training a bit and that will be followed by the awards luncheon. We've made some changes this year to the awards, and you can see it will be Rebranding of the event; we added in the word exchange, and we did that for a couple reasons. First, because we heard feedback that people may not have attended because they were not nominated for an award or they didn't nominate someone for an award. We wanted to make sure they understood there was much more in it for them than just coming to the award ceremony. There are a lot of great sessions they can attend. We worked with Corporate Communications with the branding, and we sort of honed in on the word exchange, because we wanted it to be an event that wasn't about staff or presenters talking to participants or them talking to us, we are really talking to each other or people talking to their neighbors. We wanted to create a space where someone from Belmont can talk to someone in Ballantyne. That has been really helpful so we can create a space for people to have those types of conversations, people who represent diverse communities. An example I can give you is recently I participated in a Neighborhood Board Retreat and we had the Winterfield Community; I was at their session. They had a couple from the nearby Sheffield Community also at that session, and one thing they noted in the discussion is that they were looking to do the same things, so instead of competing for those finite resources, they were looking at how they could collaborate and leverage those additional resources to make a larger impact on their footprint in their community. We want to create a space for that type of engagement.

One of the things we also looked at was expanded training. As I said, we will have ten rooms and we are bumping up the number of presentations over the past couple years, and we are also looking at enhanced training. What we want to do is, we don't want to have someone come and attend a presentation that they can get anytime at their neighborhood association meeting. We don't want that; we want to have some really engaging subjects. We want to talk about leadership. We want to talk about empowerment, and we want to talk about visioning. We want something that really creates great conversation so take those sessions up sort of to the next level. The final piece is; this is part of our revitalization plan for the department that is really wrapped around enhanced community engagement which is the feedback we received from the community.

The next piece is we are looking at, increasing marketing for the event. This year we will be starting next month with the Save The Day Cards, and the reason we want to do that is because we know that summer is almost here, and people will get consumed with summer vacations and after than you have school registrations starting and then you have Labor Day, so we want to make sure that we mark October 1, 2016, on our calendars so they will know this event is going to be occurring, and we also want to make sure how we communicate to folks. In years past, because of the affordability of digital we did a lot through Facebook and social media, but we know that some people just aren't digitally connected as much as we would like, so this year we are going to have additional printed pieces that we are sending out to staff that are going to neighborhood association meetings, making sure that people are aware of the information, aware of the program and are able to register to printed material.

We are looking at a Program Assessment, and we want to make sure this is a great event for everyone, so we want to get feedback, not only for people who attend the event, but also some of our sponsors and our partners and make sure that we are achieving their objectives that they would like to have in this type of community engagement activity. The next thing we've added a couple categories for businesses and non-profits. We know there are many organizations doing great work, like Sisters of Nurses who do housing rehab work in the communities. We've had Time Warner and Microsoft who have been tremendous partners in our youth program efforts, and they have helped us move the needle along. We wanted to really show our appreciation for those organizations that are helping us out in that capacity. We are having some additional training on some components of the program so we picked the Convention Center, because it is more conducive to that type of conference setting and of course with this type of event we know what neighborhood; I've always said why neighborhoods is in our name, everyone owns neighborhoods whether you are CATS, DSS, Park. Everyone owns neighborhoods, and so approaching different partners in this is the thing I wanted to say, help me create this space. Let's shape an event that all community members can benefit, from because it is about the community. It is not about the silo the City, the silo the County

or CMS; it is for the benefit of the community and that is what we try to do here. CMS even donated \$10,000 towards this effort. We've also sought additional sponsorships just to offset some of our costs of our expanded components.

Our next steps are ongoing development by training sessions; we do have sort of a draft list of some of the topics we'd like to cover in terms of the sessions, so over the next two weeks we will be refining those topics as well as finding speakers for those areas. We will start with the distribution of Save the Date Cards next month, including the cards and evites going out to folks. We will also be seeking additional feedback on these topics for two reasons, one is we want to make sure we are validating what we think people want to learn about so we want to be able to validate so if there is a topic that is not really resonating with folks we can drop it. If there is one that really has some energy around it, we can perhaps expand the capacity and have more sessions or larger rooms for those presentations. We will be providing cards in your Council packets to help us get the word out next month so we hope you will distribute those to help also give us feedback. Registration starts next month and will be available through the website and through the brochures. We are looking to have 500 people, and we hope to have 500 participants this year. The last couple years we've had about 325 to 350 so we will look at maybe a 50% increase over those previous years, and we think it is going to be a really great event. We hope you will join us; all the event details are available at [charlotte.nc.gov/nex](http://charlotte.nc.gov/nex) and that is where the registration information will be available.

**Mayor Roberts** said I did attend the one last year at the Go-Cart place, and it was really innovative and very inspiring, just listening to what leaders were doing in the different communities in Charlotte. It was really an uplifting event.

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**ITEM NO. 4: CLOSED SESSION**

Motion was made by Councilmember Austin, seconded by Councilmember Driggs, and carried unanimously to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(3) to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to an attorney concerning the handling or settlement of claims or administrative procedures.

The open meeting was recessed at 5:50 p.m. to go into closed session.

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The City Council of the City of Charlotte, North Carolina reconvened for the Citizens' Forum and Business Meeting on Monday, May 23, 2016 at 6:43 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, James Mitchell, Greg Phipps, and Kenny Smith.

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**INVOCATION AND PLEDGE**

Mayor Roberts gave the Invocation followed by the Pledge of Allegiance to the Flag.

**Mayor Roberts** said one thing I want to mention before we start our Agenda, I want to let everyone know that the HB-2 Item on the Charlotte City Council Agenda has been removed. I made this announcement earlier in our Dinner Agenda as well. There will be no discussion item or action item on HB-2 tonight on our agenda. I have been talking with Councilmembers and other throughout the day, and collectively we concluded that discussion of HB-2 by the City Council tonight would not be helpful in advancing a solution to the ongoing challenges of HB-2. Our staff will provide to us in writing the economic impact information that the original agenda item requested and that will be available later this week to the public as well. Meanwhile, the City Council and I will continue to work with our General Assembly, with our business leaders and community leaders to address the continuing negative impacts of HB-2 on the City of Charlotte and North Carolina. We appreciate all of you who are helping find a solution as well.

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## AWARDS AND RECOGNITION

**Mayor Roberts** said we are very excited and happy tonight to welcome the SwimMAC Elite and we have several Olympians in the audience with us this evening. We would like to recognize the high caliber training programs that SwimMAC, CEO, and the 2016 Olympic Women's Swim Team Head Coach, David Marsh provides for the community and for our nation. Mayor Roberts invited Coach Marsh and his athletes to come to the podium and said we look forward to wishing you well on your best path to Rio for the 2016 Summer Olympics.

**Councilmember Smith** said this is a very exciting day for our City; while the Panthers and the Hornets have dominated the headlines in the winter and spring; this summer all eyes will be on the Olympics in Rio. We are fortunate to have an elite organization here in world class athletics in our midst. As summer gears up, the citizens of Charlotte are going to be actively cheering you on, the Good Ole US of A. I've got one point, I've got a neighbor and a friend who is a simmer so I've got an American Flag, but to make sure I was ready to cheer on Kirsty Coventry, I went to Amazon and I order the Zimbabwe Flag so we can cheer on all of our Olympic Athletics that are representing the City of Charlotte. We are really proud of you all; we are really excited. I met Coach Marsh one morning at Star Bucks and just tapped him on the shoulder and introduced myself, and he was very kind. Mr. Smith read the following Proclamation:

**WHEREAS**, SwimMAC Elite is a professional swim team based in Charlotte and has the highest number of Olympic Medals out of any other swim team in the world; and

**WHEREAS**, SwimMAC Elite athletes and staff represent Charlotte on a national and international level by competing around the world; and

**WHEREAS**, SwimMAC Elite athletes are role models to children in Charlotte and actively run community projects that continuously aim at inspiring Charlotte's youth; and

**WHEREAS**, SwimMAC Elite athletes are made up of 13 Olympians with a combination of Ryan Lochte (11 Olympic medals); Kirsty Coventry (7 individual Olympic medals); Cullen Jones (4 Olympic medals); Anthony Ervin (1 individual Olympic medal); Tyler Clary (1 individual Olympic Medal); and Jimmy Feigen (1 Olympic medal); and

**WHEREAS**, SwimMAC Elite athletes come from all over the world to train in Charlotte showing how powerful an impact unity in diversity can be:

**NOW, THEREFORE**, I, Jennifer Watson Roberts, Mayor of Charlotte, do hereby proclaim May 23, 2016 as

### **“SWIMMAC TEAM ELITE DAY”**

in Charlotte and commend its observance to all citizens.

**David Marsh, SwimMAC** said we are honored not only to be recognized today, and we appreciate the chance to be formerly recognized but we are even more honored to get to represent this City as we travel around the world. I can tell you that when results flow off of the internet at different meets, people in swimming around the world, whether it be China, Russia all around the globe know what Charlotte, North Carolina is, and we are very proud that we are putting that on the map, and we are making that part of the stamp of what this program does. This is the third version of the SwimMAC Team Elite. SwimMAC is a local 501C3 non-profit organization, swim team started by six parents 37 years ago, and nine years ago they decided they wanted to me to come over and start team elite group and have some professional swimmers. As this turned out, this is the only group in the US that is independent of a college and doing such a program. It also happens to be the most successful group as Mr. Smith said with 26 Olympic Medals, including the first ever African American to win an Olympic Gold Medal, Anthony Ervin and the second African American to ever win an Olympic Metal, Cullen Jones as part of the group. The impact is far and wide, and we want you to know when questions about what the future of Charlotte looks like, these guys really represent it. Matt Josa is a local guy who was born and raised here; his hope is to make this Olympic Team in the 100 butterfly. He is a local product, and next to him is Mark Webber who

actually moved to Charlotte for a job and started with Team Elite and happened to get really fast, so he is locally gainfully employed, and now he is one of the real candidates for the 50 freestyle. Camille Adams moved from Texas, and she is already an Olympian in the 200 butterfly and a fantastic candidate for Olympic Metal in Rio.

All of the Americans have to qualify for the Olympics and Omaha first. You have to be top two in the entire country to make the Olympic Team. Assuming that happens, then we move on to Rio. I don't want to jinx anybody here. So, Camille is certainly one of the people we are counting on as a real strong butterfly. She is in the top 10 in butterfly in the country right now for us, and I think really aspires her direction looks really good. Tim Phipps, same way 100 butterfly; Tim comes to us from West Virginia and is also a guy you will see in the 100 butterfly racing in the fastest field in history at the Olympic trials. He will be racing Michael Phelps and the other crew and what is considered Michael's best event, and fortunately, Tim Phipps has the attitude that he can still take care of the job, and that is way he has trained all year. That is one thing about these guys; they have trained great this year. Katie Miley came here from Columbia University from Texas and has developed from really off the radar in the rankings up to third in the world currently in her event, so an outstanding chance to earn a metal in the Olympic Games if she qualifies. Of course Kirsty Coventry represents so much of what our programs are about; she is a member of the IOC, one of 115 people that actually vote on where the Olympic Games go in the entire world. There is one American, and there is Kirsty; then she has also won seven Olympic metals. She is already tied for the winningest female Olympian in history; if she wins one more she will have that outright by herself, the winningest of all time in women's swimming history.

So many of these guys in the past, and I think in the future, will end up making Charlotte their home after this. The come to this City, they love this City Like so many people that come here they are surprised by this City, and we thank you guys for your leadership in creating this awesome City, and we appreciate you deliberating over the challenging things you have to deliberate over. I do hope that in the next four years we can become more intimately involved as SwimMAC Team lead as part of the fabric of this City moving forward. Thank you for having us tonight.

Mayor Roberts said Coach Marsh, we really appreciate your bringing your athletes here, especially right after practice, and we wish you every success and we are not jinxing anybody who hasn't qualified yet. What an amazing story; what an amazing achievements and accomplishments for young people giving us hope for our future. You are such role models, and we are so glad you have chosen Charlotte to practice and to qualify, and we look forward to welcoming you as your home here in Charlotte also.

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## CITIZENS' FORUM

### Carolina Theatre – Preservation of Theatre

**John Apple, 4146 Sheridan Drive** said I've been a resident of Charlotte since 1985; I'm coming to you to speak concerning the Carolina Theatre. I began to be involved with the preservation of this building over 30-years ago, when the CityFair Project was announced. This led to my founding the Metrolina Theatre Organ Society in 1989 and cofounding the Carolina Theatre Preservation Society in 1997 for the purpose of the preservation, restoration, and use of the Carolina Theatre. During my involvement in this project since 1985, I have seen a great need for the following: a facility where arts organizations can afford to present their art on the main street of the City; provide arts' programming that occurs elsewhere in cities larger and smaller than Charlotte, but does not occur here with any regularity. From the beginning of my involvement in Charlotte's Carolina Theatre, I've had a goal of return a theatre pipe organ to the chambers that remain to the left and right of the stage. These instruments were installed in most theatres between 1915 to 1930 for the musical accompaniment of silent films and to perfume the air with music as patrons attended the daily shows. Our Carolina had a Wurlitzer Organ from 1927 until about 1961.

Reinstalling a theatre pipe organ would cost about \$350,000; a small amount when you consider that over \$25 million has been raised for the Carolina. Its regular use for events would restore the musical soul to the building and to its audience, complimenting the proposed visual restoration. In addition to pops orchestral music, this organ can be used to accompany films, as was the case when

this theatre opened, providing art for young people and adults that have not existed here for over 55 years.

I am requesting your assistance to fulfill my vision that non-profit arts organizations will be able to use the Carolina. I am asking that a theatre pipe organ be installed so this instrument can be used regularly in providing a unique musical experience. I have printed two additional pages of support material, and I'm willing to Chair a Committee in support of these items.

I conclude with the lyrics musical "South Pacific": "You've got to have a dream, if you don't have a dream, how you gonna have a dream come true?"

**Councilmember Autry** said I would like Mr. Apple be directed to some folks in the staff; I think Mr. Kimble is standing by to arrange for the opportunity for them to be together and discuss this situation here.

### **F.W.C. Community Development Center**

**Carlos Gladden, 4732 Old Pineville Road** said I would like to thank you for allowing me to speak to you today about this great event we are having off of South Boulevard, an area that was very industrialized. As you know, me and the Pastor of the church actually were interested in opening a community development center within the area; realizing that there is a heavy need for one for community development. A lot of people don't have jobs; a lot of people don't have the proper information or resources to even move ahead, so we would like to invite everyone to the Grand Opening of the F.W.C Community Development Center ribbon cutting event on Friday, May 27, 2016, from 6:00 p.m. to 9:00 p.m. at 4732 Old Pineville Road, Charlotte, NC 28217. This is a moment when we can all come together and look at how we can improve our City and this is one we can improve by taking buildings that are operational. Ministries operating on two days a week and look at the space opportunity where we can have some programs within the area and the whole goal is for us start working together to improve our City, continuing to also open up opportunities and to also continue to offer growth to people who live in the community who are coming to Charlotte. For more information, you can go to [fwccdc.tk](http://fwccdc.tk) to register to come and also you can e-mail me at [info@360degreesgroup.com](mailto:info@360degreesgroup.com) and visit us at [www.fwccdc.tk](http://www.fwccdc.tk).

### **Economic Impacts of House Bill 2**

**Joseph Margolis, 6549 Quarterbridge Lane** said thank you for having me tonight to give this quick report. I am here to talk about HB-2 and to give my assessment of where things are going. I've been following the news, and I know our Charlotte Chamber CEO has had a lot to say in the paper recently. There have been some fact finding missions; our Mayor went and a delegation of Councilmembers went to Raleigh, and I applaud you for doing that to find solutions. As a citizen, I've taken it upon myself, and I went to Raleigh to the Legislature just recently on a fact finding mission, because of one tweet by a man named Chris Sacca; you can learn more about him @Sacca. His tweak on March 23, 2016 was "What is coming to North Carolina in May to talk about ways we can invest. Now it will be what could have been". For those of you who do not know who Chris Sacca is, he is one of the partners at a firm called Lower Case Capital. Maybe you recognize some of the businesses that Lower Case Capital invested in, if I mentioned a few names. Does anybody recognize the name Instagram or Uber or Kick Starter or Twitter? Ironically, that tweak came full circle, thanks to Chris; I'm here because he invested in Twitter, I guess. My point is he came to Raleigh to give that public talk, and I'm here to say to give my assessment that you, as a Council, are being tested. I want to share why I feel this way; I'm going to quote some of the things Chris said, I recorded it and I said it verbatim. Chris said "if I can tweet to Marc Benioff to tweet about it and pull his offices from the area, if I can get PayPal to pull their commitment back, I'm going to do that because there are two things politicians respond to, attention and commerce". He is talking about the people in Raleigh just so you know, that was the reference. I asked him, you talked to PayPal, and he said we all talk. We don't take this lightly and see our country being taken away from people who have the least skin in the game right now. Now what does he mean by that? He goes further to actually mention the test; he first of all says, if your Governor who passes yourself off as pro-business, pro-development and pro-commerce and all of that, what if all the business people said, we are not going to line up behind your agenda and pretend this is a great place to do business, a place we can't attract the best talent to our facilities, and we can't attract the best talent

here because you support an agenda that repels them, and they are going to go back to their places to work.

**Sam Spencer, 4816 Crestmont Drive** said I am a proud Charlottean and a proud resident of the Windsor Park Neighborhood. Thank you for the opportunity to speak here tonight. I appreciate the fact and I sincerely believe that every person at the dais at this meeting are elected officials; everyone here cares deeply about the City of Charlotte, and we care deeply about resolving any harsh economic impacts to the City of Charlotte. We want to create jobs here. We want to grow our families here. We want to make this City better for every single resident, and if I could yield my time to some of the people here who are much more impacted by HB-2 than I am, I would happily do that. I'm speaking tonight because I believe that it is important, number one, to thank the Council for working with Raleigh and coming together and trying to come up with a resolution; I think that is important. I think it says important things when we try and collaborate and we try and work together to make things better for others. But I also think it is important to view any deal with the North Carolina General Assembly with a heavy amount of skepticism. Unfortunately, we have been burned over and over again since the passage of HB-2; it has contributed to major job losses to our region and to our state. It has contributed to making people feel that they are unwelcome in the City of Charlotte and in the State of North Carolina. It has had an adverse economic impact of taking away artists, taking away people, taking away students who would come here to study. Let me indulge myself a little bit tonight with a parable. There is a parable I learned as a kid of the scorpion and the frog, and the scorpion and the frog are on one side of the riverbed and they are talking to each other and the scorpion asked, frog I would like to get across the river. It would be a real great help to me, if you would help get me across the river. The frog responds with some skepticism because the frog is scared that it is going to get stung, so the frog said how do I know that you are not going to sting me and the scorpion replies by saying well, it would be really dumb for me to sting you; if I sting you half way across the river we are both going to go down and drown. So the frog thinks that logic is impeccable and decides, even with the skepticism, he is going to carry the scorpion across the river. Of course half-way across the river the scorpion stings the frog and says oops. The frog asked the scorpion, why did you sting me? The scorpion replies, well it is my nature. I would just caution that as much as myself and many others in this room appreciate the hard work that all of you are doing to make this situation better for us, please treat any deal with some skepticism because HB-2 is not Charlotte's fault.

**Shane Windmeyer, 2226 Collingdale Place** said first of all I love a good allegory, so that was fabulous, and I hope we don't forget what the scorpion did. I'm the Executive Director and the Founder of Campus Pride; we are actually a national organization that calls Charlotte our home, and we work with about 1,400 different colleges across the country. We chose Charlotte to be our home because we wanted to make a difference; we wanted to make a positive difference in the lives of the LGBTQ community but also the straight community who is here who have loved ones who are trans or LGB. That is really important to you here; my mom always said it is important to tell people thank you, and I want to make sure you all hear very often and sincerely thank you. You have a wonderful job here, but sometimes it sure as hell probably doesn't feel like it. You are constantly being asked to do things, you are being called on the phone by people you don't know, but this job is so important, and what you did around HB-2, around the Charlotte non-discrimination ordinance, standing strong against HB-2 is important. We have young kids who are taking their lives, who are suffering from depression and suicide who are LGBT. Don't be fooled by the Charlotte Chamber President, because even they can give bad advice, but don't be fooled thinking that changing something or compromising or working with the General Assembly is somehow going to bring business back to Charlotte. That is not leadership; you do not compromise on basic human rights, and that is so important to understand. I always tell groups when I speak to them, as a gay man, I'm not going to stand up here and just say you know I want you to stand up for gay people or queer people, or trans people or bi people, however you identify. We need you to stand up for us; there are young people out there who need you, and I just want to say thank you so much for doing that on behalf of Campus Pride and the thousands of students we serve across the country, but most importantly for the trans young people that we serve here at Davidson College, at UNC-Charlotte, at Johnson C. Smith, at Winthrop University, all the colleges, Central Piedmont Community College. Thank you so much I appreciate your time.

**Eric Lachowitz, 15721 Castle Watch Avenue** said I have so much to say, but three minutes to say it. One of the biggest things that I have, since I was a child, I was five, that I have always struggled with was legitimacy. That was the one thing; the one thing that I never got, no validation. I was with

so many of my friends in the gay and lesbian community, and I got lumped into that. I never felt gay or lesbian; I always felt like me, and I can't understand why it has taken 40-years of my life to finally feel what you guys have stood so strong and together. What it means to me is more than I think any one of you will ever know. Our community will tell you, but I have a daughter who looks up to me. I have friends in my community who look up to me and they say, you are doing this, I can do this too. I try to explain to them well, when I was doing it we didn't have any protections. We took a risk. We took a chance. At 40-years old, there is a lot of infrastructure at 40, kids, planning, friends that you may lose. Legitimacy means so much, not only just to our youth but hope, we talk about it. When we look at what HB-2 has done; it has robbed us of that hope. You guys gave us that, and for me there are no words, there is nothing that I can do to express the validation that you have provided for my legitimacy. What I have tried so hard to tell my superiors, my family you guys have taken that stance, the bravery. I get told all the time you are so brave; I'm just living my life as a half of the past, I do not even know how long, but to be recognized, to be felt by you and your inclusion of us into your struggles, because Lord knows you've had your share. HB-2 is the vein of our existence. Loretta now sees it; she came to the table. She backs you. We would never leave your back; we've never left your side. Every single one of us was out there this morning praising you, because I don't think you realize how much you mean to myself, to my daughter, to my family and everybody else here. I love you all.

**Chris Turner, 6327 Kiftsgate Court** said thank you for allowing us to speak tonight, and I'm really not going to reiterate what has already been said by some of the folks that have already spoken, regarding the work that you all have had to do centered around this ordinance. It is hard for me to even fathom the stress that you all feel regarding the things that have occurred against Charlotte and against this state, but I want to thank you, which I should have done a long time ago. I should have done it 60-days ago, 90-days ago. I lose track at this particular point; there has been so much that has occurred over these last three months, but thank you for standing up for the LGBT community. I'm like Erica; I'm going to get emotional, because it does mean so much to me that you did this, and thank you for having our back, and we will continue to have your back because it is important as a City that we stand up together and be as one and make this a strong City. What a wonderful thing that we have this SwimMAC Team; we want things like that to continue and for any business that is listening to this, if anybody in a business takes the time to watch the streaming of the City Council, I want to thank those businesses who stood with us also. I will be doing it personally via a hand written letter, and I ask all of the people in our community to do the same. Let's make it personal, because it is personal; it has been personal throughout my life, so I thank each and every one of you whether you voted for it or not. I thank you for the work that you do, and I thank you for standing up for our community.

**Chad Griffin, 1640 Rhode Island Avenue NW, Washington, DC** said I'm the President of the Human Rights Campaign, and tonight I'm here on behalf of HRC's thousands of member all across the City and tens of thousands of member all across this state. I'm here on behalf of them to say thank you; thank you for standing up for what is right when you join more than 100 other American cities and passed the non-discrimination ordinance here in Charlotte. Thank you for continuing to stand up and stand your ground today, by defending the equal rights and equal dignity of all LGBT people. We all know there are a few in this state that day in and day out try to point blame, assign blame and point fingers, as to who created the problem and the nightmare that is HB-2. There is only one entity to blame and there is only one Governor who signed HB-2 and there is only one solution to the nightmare that he created, and that is a full and complete repeal of HB-2. When folks bring up and talk about a deal, what kind of deal? One must first ask, who are you are willing to leave on the table? That is the first question. Who are you going to leave behind amongst those that you attacked in HB-2; who will you leave on the cutting room floor? It takes all of us in this room and all of you to stand up and to stand strong and to say there is only one solution, and that is a complete repeal of HB-2. I will just leave you with this; if we are in this room tonight, if you are seated there in front of me or all of us who are seated in this hall this evening, we are the really lucky ones, the damn lucky ones and all of you and all of us are here in this room for those young people who can't be in this room. Those young transgender people all across this state that were attacked by HB-2, so when you go to bed tonight and you will get in your room, turn out the lights, get in bed and go to sleep, remember there are countless people all across the state who today will do that same thing but when they get in bed they will stare at the ceiling all night fearing the potential doom of the next day. You are standing strong for those young people and for that leadership we say thank you.

**Mara Keisling, 1325 Mass Avenue, NW, Washington, DC** said I am the Executive Director of the National Center for Transgender Equality; I'm a frequent visitor to Charlotte and even a more frequent visitor to the Charlotte Douglas International Airport. I'm in Charlotte quite a lot meeting with transgender people, meeting with the thousands of transgender people who live here in Charlotte, and I really want to thank you for the wonderful work you did in February to pass the ordinance and for your continued support of the ordinance. Transgender people have been absolutely traumatized by HB-2; there are vigilantes all over the country hunting us down, calling us out when we are just doing things we've done as we've always done for decades. In Charlotte, there is hope for the people who live here; they feel hope. They know that the City Council and the Mayor have stood with them and hope and pray that they always will stand with them. Right now, transgender people are just simply under attack in North Carolina and around the country because of HB-2. About a mile from my home in Washington, DC last Wednesday, a security guard beat a transgender woman who was using the rest room at a grocery store, something she had done dozens of times before. This is a very serious issue to the transgender people in Charlotte as you know, and thank you so much for listening; thank you so much for being a hope to them, and thank you so much for being strong.

**Janice Allison, 1810 Ferguson Street** said I came here after I was discharged from the Army, a disabled combat veteran. I enlisted in the Army in 1964 and was discharged in 1967. I decided to come to Charlotte about 1973 and being that I was in the construction business I was one of the five superintendents that built the mall that you tore down, Eastland Mall, and it broke my heart when I saw that go. At any rate in 1983, I opened Allison Construction LLC, and we've been in business now 30 plus years in Charlotte; I helped develop Wesley Heights. I have transgender employees' work in my office; I've had gay and lesbian employees over the years, and these people want to work. They want to live and they want to live their life free, and our Governor, Pat McCrory and Dan Bishop, I think he wrote part of HB-2. I think they are disconnected. The people here in Charlotte are a people who attracted me because they were so friendly, and they attracted my business, and now I have a problem with my business being affected. The Charlotte Chamber doesn't speak for me because I'm not a member; I'm an independent business person, and there are thousands of us out here and we are not members of the Chamber. I have customers that spend money on properties here in Charlotte, and my work has slowed down because of HB-2; they don't want to spend money in a place that has discrimination. When I go to Philadelphia in July, I'm faced with a dilemma; how am I going to fly? TSA now says three hours that I have to be at the airport; how am I going to sit there at the airport for three hours waiting on TSA and then another hour or so for my flight and not use the bathroom. I don't know what I'm going to do, and it is up to you all.

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## CONSENT AGENDA

Motion was made by Councilmember Lyles, seconded by Councilmember Driggs, and carried unanimously to approve the Consent Agenda as presented.
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The following items were approved:

**Item No. 23: Voluntary Annexation Public Hearing Date**

Adopt a resolution setting a public hearing for June 27, 2016 for a voluntary annexation petition.

The resolution is recorded in full in Resolution Book 47, at Pages 366-368.

**Item No. 24: Charlotte-Mecklenburg Police Foundation Donation**

(A) Authorize the City Manager to accept a donation from the Charlotte-Mecklenburg Police Foundation in the amount of \$100,000 for various Charlotte-Mecklenburg Police Department Programs, and (B) Adopt Budget Ordinance No. 8039-X appropriating fund in the amount of \$100,000 from the Charlotte-Mecklenburg Police Foundation.

The ordinance is recorded in full in Ordinance Book 60, at Page 70.

**Item No. 25: Charlotte-Mecklenburg Police Department Helicopter Downlink Communications System**

(A) Approve the purchase of a Helicopter Downlink System for the Charlotte-Mecklenburg Police Department, as authorized by the sole source exemption of G.S. 143-129(e)(6), and (B) Approve a contract with Visilink in the amount of \$295,000 for the purchase of a Helicopter Downlink System.

**Item No. 26: Charlotte-Mecklenburg Police Department Communications Recording System Expansion and Upgrade**

(A) Approve the purchase of Eventide, Inc. hardware, software licenses and associated maintenance and support, implementation services, and training services from a federal contract as authorized by G.S. 143-129(e)(9a), (B) Approve a unit price contract with Carolina Recording Systems, LLC and Eventide, Inc. for the purchase of Eventide hardware, software licenses and associated maintenance and support, implementation services, and training services for a term of three years under federal contract number GS-35F-0415V, which was effective May 5, 2009, and (C) Authorize the City Manager to extend the contract for additional one-year terms for as long as the federal contract is in effect, at prices and terms that are the same or more favorable than those offered under the federal contract.

**Item No. 27: Charlotte-Mecklenburg Police Department Freedom Division Station – Chiller & Boiler Replacement**

Award a contract in the amount of \$401,500 to the lowest responsive bidder Jeff Hargett Mechanical, Inc. for the Charlotte-Mecklenburg Police Department Freedom Division Station Chiller & Boiler Replacement project.

**Summary of Bids**

Jeff Hargett Mechanical	\$401,500.00
JR Mechanical, LLC	\$418,000.00
Boiler Masters, Inc.	\$437,800.00
Southern Comfort of Charlotte, Inc.	\$459,800.00

**Item No. 28: Charlotte-Mecklenburg Police Department South Division Lease Extension**

Approve an amendment to the lease agreement at 8050 Corporate Center Drive (portion of tax parcel identification number 221-181-32), for the Charlotte-Mecklenburg Police Department South Division Station, extending the term of the lease for three years with two, one-year options.

**Item No. 29: Time Warner Cable Arena Phone System Upgrade**

Award a contract in the amount of \$215,729.25 to the lowest responsive bidder Strategic Products and Services for the upgrade of the existing telephone system in the Time Warner Cable Arena.

**Summary of Bids**

Strategic Products and Services (SPS)	\$215,729.25
Arrow Systems Integration	\$248,679.58
Seibel (Avaya direct)	\$453,835.72

**Item No. 30: Various City Buildings Construction Services**

Award a contract with the following companies for general building and maintenance services: D.E. Brown Construction, Inc. \$1,050,000.00, Corner Stone Construction Services, Inc. \$750,000.00 and TEC Electric, LLC \$75,000.00.

**Item No. 31: Charlotte-Mecklenburg Government Center – Wellness Center Renovation**

Award a contract in the amount of \$107,587.00 to the lowest responsive bidder McFarland Building Group, LLC, dba McFarland Construction for the Charlotte-Mecklenburg Government Center – Wellness Center Renovation Project.

**Summary of Bids**

McFarland Construction	\$107,587.00
D. E. Brown Construction	\$146,256.00

**Item No. 32: Oakdale-Nevin Trail and Lakeview Road Upgrades**

(A) Approve a contract in an amount not to exceed \$487,149 & Kimley-Horn & Associates, Inc. for the Oakdale-Nevin Trail Project, and (B) Approve a contract in an amount not to exceed \$302,113 with Kimley-Horn & Associates, Inc. for the Lakeview Road Upgrade Project.

**Item No. 33: Albemarle Corporation Hangar License**

Approve a five-year license with Albemarle Corporation for hangar space at Wilson Air Center-Charlotte.

**Item No. 34: CATS Light Rail Vehicle Passenger Counting Software Upgrade**

Approve a contract in the amount of \$136,000 with Init, Inc. for light rail vehicles passenger counting system upgrade services.

**Item No. 35: Regional Express Bus service Agreement – Gastonia**

(A) Adopt a resolution amending the Interlocal Regional Express Bus Service Agreement with the City of Gastonia to add a midday trip service, and (B) Authorize the City Manager to amend the agreement consistent with the City's business needs and the purpose for which the agreement was approved.

The resolution is recorded in full in Resolution Book 47, at Pages 369-370.

**Item No. 36: Charlotte Water Construction Rental Tools and Equipment**

(A) Approve the rental of equipment from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3), (B) Approve a unit price contract with Sunbelt Rentals, Inc. for the rental of tools and equipment for an initial term up to three years under the Cooperative Purchasing Network (Contract #R151501) dated October 20, 2015, and (C) Authorize the City Manager to extend the contract for two 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. 37: Charlotte Water Installment Financing Agreement for Vehicles and Equipment**

Adopt a resolution approving an installment financing agreement up to \$4.6 million for the purchase and delivery of Charlotte Water vehicles and equipment, and providing for the execution and delivery of various documents necessary to complete the agreement.

The resolution is recorded in full in Resolution Book 47, at Pages 371-373.

**Item No. 38: Charlotte Water Bypass Pumping Services**

(A) Approve three unit price contracts for bypass pumping services each for a one-year term with the following companies: Sunbelt Rentals, Inc., Western Oilfields Supply Company, and Xylem Dewatering Solutions, Inc., (B) Authorize the City Manager to renew the contracts for two additional, one-year terms with possible price adjustments.

**Item No. 39: McDowell Creek Wastewater Treatment Plant – Digester and Chemical Feed Reliability Improvements**

Award a contract in the amount of \$3,082,000 to the lowest responsive bidder The Harper Corporation for McDowell Creek Wastewater Treatment Plant - Digester and Chemical Feed Reliability project.

**Summary of Bids**

Harper Corporation	\$3,082,000.00
MB Kahn Construction Co., Inc.	\$3,095,333.00
Gilbert Engineering Company	\$3,394,339.00

**Item No. 40: Granite Street Force Main Replacement**

Award a contract in the amount of \$1,017,799.20 to the lowest responsive bidder Sanders Utility Construction Co., Inc. for the replacement of the Granite Street Force Main.

**Summary of Bids**

Sanders Utility Construction, Inc.	\$1,017,799.20
R H Price, Inc.	\$1,147,883.00
Atlantic Coast Contractors	\$1,637,732.80
State Utility Contractors	\$2,461,404.00

**Item No. 41: Mallard Creek Wastewater Treatment Plant Centrifuge Maintenance**

Approve a unit price contract with Sentrimax Centrifuges USA Inc. for centrifuge preventative maintenance and repair services at the Mallard Creek Wastewater Treatment Plan for a term of three years.

**Item No. 42: Construction Manager at Risk Services for Sugar Creek Wastewater Treatment Plant Reliability Improvements**

Approve a contract with Garney Companies, Inc. in the amount of \$520,693 for the preconstruction phase services associated with the Sugar Creek Wastewater Treatment Plan Reliability Improvements Project.

**Item No. 43: Sanitary Sewer Maintenance Training Program**

(A) Approve a unit price contract with Tilson & Associates, LLC for services for the Sanitary Sewer Maintenance Training Program for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two additional, one-year terms and to amend the contract consistent with the City's business needs and the purpose for which the contract was approved.

**Item No. 44: Engineering Services for Various Storm Drainage Repair Projects**

Approve a contract in an amount not to exceed \$1,250,000 with US Infrastructure of Carolina, Inc. for engineering analysis and design services for various storm drainage improvement projects.

**Item No. 45: Trentwood Place Storm Drainage Repair Project**

Award a contract in the amount of \$434,361.40 to the lowest responsive bidder Carolina Cajun Concrete, Inc. for the Trentwood Place Storm Drainage Repair project.

**Summary of Bids**

Carolina Cajun Concrete, Inc.	\$434,361.40
B&N grading, Inc.	\$439,635.35
Zoladz Construction Co., Inc.	\$442,420.00
Davis Grading, Inc.	\$452,987.70
United of Carolinas, Inc.	\$469,362.30
Landsdown Earth & Pipe, Inc.	\$475,816.10
DOT Construction, Inc.	\$479,048.90
Onsite Development, LLC	\$499,570.50
W. M. Warr & Son, Inc.	\$509,560.70

**Item No. 46: Citywide Armored Car Services**

(A) Authorize the City Manager to negotiate and approve a unit price contract with Dunbar Armored Inc., for Armored Car Services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two additional, one-year renewal 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 approve.

**Item No. 47: City Employee Dedicated Internet Access**

(A) Authorize the City Manager to negotiate and approve a contract with Cogent Communications Group Inc. for dedicated internet access for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two additional, 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 No. 48: Telecommunication Structure Services**

Approve contract amendment #1 in an estimated about of \$470,000 with Professional Resources & Services, Inc. for engineering and maintenance services for existing telecommunication towers.

**Item No. 49: Refund of Property Taxes**

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessor error in the amount of \$147,851.54

The resolution is recorded in full in Resolution Book 47, at Pages 374-375.

**Item No. 50: Resolution of Intent to Abandon Bonnie Circle and Forest Drive**

(A) Adopt a Resolution of Intent to abandon Bonnie Circle and Forest Drive, and (B) Set a public hearing date on June 27, 2016.

The resolution is recorded in full in Resolution Book 47, at Pages 376-383.

**Item No. 51: Resolution of Intent to Abandon a Portion of Loma Linda Lane**

(A) Adopt a Resolution of Intent to abandon a portion of Loma Linda Lane, and (B) set a public hearing date on June 27, 2016.

The resolution is recorded in full in Resolution Book 47, at Pages 384-389.

**Item No. 52: Meeting Minutes**

Approve the titles, motions, and vote reflected in the Clerk's record as the minutes of April 11, 2016 Business Meeting, April 18, 2016, Legislative Breakfast and April 18, 2016 Zoning Meeting.

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**PUBLIC HEARING**

**ITEM NO. 7: PUBLIC HEARING ON VOLUNTARY ANNEXATION**

Mayor Roberts declared the hearing open.

There being no speakers either for or against, a motion was made by Councilmember Lyles, seconded by Councilmember Austin, and carried unanimously to close the public hearing and adopt Ordinance No. 8037-X to extend the corporate limits to include this property and assign it to the adjacent Council District 7.

The ordinance is recorded in full in Ordinance Book 60, at Pages 65-68.

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**ITEM NO. 8: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF GREENWOOD CLIFF**

Mayor Roberts declared the hearing open.

Motion was made by Councilmember Lyles, seconded by Councilmember Driggs, and carried unanimously to continue a public hearing to close a portion of Greenwood Cliff to June 27, 2016.

The Pearl Park Tax Increment Grant will be considered by the following: Mecklenburg County Economic Development Committee on June 8, 2016; City Council Economic Development and Global Competiveness Committee on June 9, 2016 and Mecklenburg Board of County Commissioners on June 21, 2016.

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**POLICY**

**ITEM NO. 9: CITY MANAGER'S REPORT**

City Manager Ron Carlee said in April the City Council authorized staff to proceed with refunding of Storm Water Revenue Bonds that were issued in 2006. The effort in this refunding was to generate over \$8 million in savings. We have now had those bonds rating, and I would like to have Randy Harrington come and share some good news on our bond rating.

Randy Harrington, Chief Finance Officer said as the Manager mention, we had Moody's Investor Service come in and rate the refunding that you approved on April 11, 2016, and Moody's does not have any Storm Water Utilities that are rated AAA, none until now. On May 19, , Charlotte Storm Water System became the first and the only Storm Water System in the nation with

a AAA rating by Moody's Investor Service. This AAA rating represents the highest rating possible; to give you a little bit of context, it would be similar to you or me receiving a perfect 850 credit score on our personal fico for example. This AAA from Moody's joins an existing AAA rating from Standard and Poor's that the City received in 2006 for Storm Water. In the report, Moody's cited the following as strengths in our Storm Water System in expanding customer base and service area, strong management with commitment to rate increases as necessary, manageable levels of debt, and ample cash. What is the impact on customers? Overall what this means is that, when we sell bonds we will have attained the lowest interest rates possible for the lowest costs borrowing. That in turn than translates into helping us keep future rate increases as low as possible. I want to emphasize that these results didn't happen overnight; it has taken many years and a lot of hard work on this particular front, and it reflects years of long-term financial planning, strong budgeting practices, prudent management, and sound financial leadership of current and prior City Managers, and ultimately current and prior City Councils who have made difficult decisions to insure adequate rates and resources that are necessary to provide a strong Storm Water System.

I would like to recognize the team that has been part of this effort, and let me start with Management and Financial Services. I want to recognize Robert Campbell, Scott Greer, Ann Wilson, Chris Newcome, Matt Hastedt, Lewkytra Weddington, Marie Canter from Management & Financial Services and Kim Eagle in the Budget Staff. From Engineering and Property Management: Joe Hacksher, Darryl Hammock, Stewart Edwards, Mark Recktenwald, Mathew Gustis, Susan Tolan, Tim Richards, Gina Shell, Jennifer Smith, and Jeb Blackwell. I would like to also thank our Financial Advisors DEC Associates, Doug Carter, Jeremy Carter, and Andrew Carter who have helped advise us all along the way with our debt issuances. With that, congratulations Mayor and Council; the only AAA rated Storm Water Utility from Moody's Investor Service.

**Mayor Roberts** recognized those persons and said we really appreciate your fine work, and it is a really stellar that Charlotte can be recognized in this way as the only system that has that AAA rating. Thank you for your great work.

Mr. Carlee said that is all of my report, and thank you very much to the Council; the Council has worked really hard on Storm Water Utility over the past several years. You've had many hours of work sessions; you've agonized on how to set the fee levels. Last year you made some major changes; there is no fee increase this year because of the changes you made last year, and it ultimately is the collective policy and financial decisions that you have made that resulted in the AAA rating and our ability to go to the bond market right now and generate almost \$9 million in bonds to do additional projects. Congratulations to the Council.

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**ITEM NO. 10: PROPOSED REVISED POLICY FOR SUSTAINABLE FACILITIES**

**Councilmember Autry** said tonight as the Chair of the Environment Committee, I want to ask the Council to approve the Environment Committee's recommendation to adopt the revised policy for sustainable facilities. Staff has revised the 2009 policy to insure that Charlotte is building, renovating, operating, and maintaining high performing and efficient City facilities. The proposed policy will help the City organization to achieve the Council's Focus Area Plan vision of being an environmental leader in environmental sustainability while balancing growth with sound physical policy. In November of last year, the Environment Committee heard a report on how the process had been coming forward; there were lots of questions that came out of that presentation, and in April of this year, staff presented a follow-up presentation to the Committee to address the questions raised from the earlier presentation, including the return on investment of sustainable features. Ms. Emily Scofield, President of the North Carolina Green Building Council, was there to make her portion of the presentation and answer some of those questions. The Committee voted unanimously to ask the full Council to adopt the revised policy and then on May 9, 2016, during the Dinner Briefing portion of the Business Meeting agenda, staff gave a presentation on the revised policy in which Ms. Scofield was also a participant.

Motion was made by Councilmember Autry, seconded by Councilmember Mitchell, to approve the Environment Committee's recommendation to adopt the revised Policy for Sustainable Facilities.
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**Councilmember Driggs** said when we discussed this in the past I raised the point that we are embarking on a course here that will involve additional expense at future dates and that we don't have any evidence of what we might be committing to, so when the time comes when we have to incur that expense are we going to have the opportunity to make comparisons and see what the investment is we are making or is this kind a carte blanche authorization to travel in a different direction of our facilities?

**City Manager Ron Carlee** said I would never consider any authorization from Council to be carte blanche to do anything. In each project that we take forward, staff is going to carefully analyze what environmental elements be incorporated into the project and do a very carefully cost benefit analysis. Again, we have multiple objectives; one objective is to be the best stewards of the environment that we can, and we have to be good stewards of tax resources as well. In any tax dollar that we spend unnecessarily in buildings means that is a tax dollar not available for the additional building work that we have, and as you know from our capital discussions, we have a long list of needs across all of our buildings in Charlotte. It is incumbent upon the staff, and it is a driving factor in staff analysis to maximize the efficiency in our building projects so we can do as much work possible and to do so in a way that saves money in the long terms, which in the end is what being an environmental steward is all about. I do not see this as a carte blanche; I don't see it in any way reducing the compelling need for staff to carefully weigh the cost effectiveness in all the decisions we make in designing every element of our buildings.

Mr. Driggs said I guess then I'm wondering what is the actual vote about tonight. Obviously, we would want to make optimal decisions about investment in buildings, and there are different levels of LEED, there are different implications. I just feel that either this is something we should go ahead and do, or if we are going to vote on and adopt it as a policy we should have a better framework in terms of how we are changing what we are doing now in order to implement this policy and what financial impact that has. The note does acknowledge that there is a financial impact, and I have no basis for assessing how the cost and the benefits weigh up.

Mr. Carlee said that will be done on each and every project, and the projects obviously come back to the City Council, both in terms of approval by Council for it to be funded by your Community Investment Program, and then approved by Council ultimately in the contracts that are awarded through the competitive bid process.

**Mayor Roberts** said I wonder if Mr. Phocas would want to give us a quick – since he is here to talk about how these policies actually save money in the long run.

**Rob Phocas, Neighborhood and Business Services** said along with William Haas from Engineering and Property Management, we help to lead the effort to review the policy. Following up on Mr. Carlee's points there are several provisions in the policy that specifically address Mr. Driggs' concerns. When we are bringing forward sustainability or sustainable features, or green features as part of our recommendation those items will be called out and staff is required under the policy to present a cost benefit analysis. When projects are brought before Council as part of the RCA, the green features of the building will also be spelled out as well. One of the points I believe Mayor Roberts was getting at is, and Ms. Scofield presented as well, is that when you speak to other cities, when you speak to developers the reason they are undertaking certification programs and investing in green building is that over the long-term, there is a return on your investment in terms of reduced utilities savings. That could be energy, water, natural gas use. There is a process that is put in place that brings about more efficiencies, especially when you have a large organization and several departments that are all trying to aim towards the same goal. In the end, the research has demonstrated that building facilities does bring a return to those who are building now. I would also like to point out Mr. Driggs referenced different levels of LEED under the policy. We are not seeking the highest level of LEED certification, which is often where the highest costs come, and there is also a provision in the policy that allows for an exemption to be sought if the cost of the project is more than 5% of the total budget of the project.

Mr. Driggs said if I may just try to ask a simple question; would you be able to give me some idea, over a five-year horizon, of how much more we would spend as a result of adopting this than we would if we didn't adopt it? I would just like to be able to associate a number with a decision that has financial implications.

Mr. Phocas said I cannot give you an exact number. I think getting back to Mr. Carlee's point, it is project specific. Each building is going to be different; it is going to have sustainability features that are unique to that building, so it is hard for me to say what those costs might be. What I can say is when we have done our research, what we see that the costs of sustainability features have come down dramatically and the costs that are faced by builders and developers are often recovered over the next seven to 10 years and provide a good return on investment.

Mayor Roberts said the County has had this policy in place for a number of years and if I remember correctly in my time in the County, the time of additional investment is paid back and reduce water, utility usage and maintenance costs being reduced is between five and seven years you get your money back and then from then on the building is more efficient.

Mr. Driggs said I recognize the value of having LEED certified buildings and the potential for returns; I'm just not able, based on this information, to support the proposal.

**Councilmember Phipps** said I noticed in reading the document, the draft that was prepared, that there was a requirement that electric vehicle charging stations would be required for all new construction and any renovations over 5,000 square feet. Is this a mandate or will we have an opportunity to see if this is necessary or practical when the time comes or is this just the way it is going to be?

Mr. Phocas said the policy calls for, as you pointed out, for all new facilities to have level two charging stations installed. As I mentioned earlier, there is an opportunity for departments to seek an exemption before a staff committee, but at this point we believe with the work we've done to date and the benefits that we've seen that would be a good practice to ask that these stations be installed.

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

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

NAYS: Councilmembers Driggs and Smith.

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## **BUSINESS**

### **ITEM NO. 11: KNIGHT CITIES CHALLENGE GRANTS**

**Mayor Roberts** said I believe we have one of our winners here to talk about one of these projects. The two winners are actually both City employees, and Sarah Hazel is going to talk about the Can Do Signs.

**City Manager Ron Carlee** said Sarah is a two time winner now.

**Sarah Hazel, City Manager's Office** said I am very excited to talk to you about Can Do Signs; you see a representation of the project on the screen. So, the concept behind Can Do Signs is to think a little bit differently about typical government signage. Most often when you think about government signs you think about what is prohibited and what you can't do, a lot of no's in front of things: no smoking, no loitering, no parking for example, but my project is about thinking about what happens if we also pepper the City with positive signage, things that talk about possibilities and what people love to do in their public space. You can run. You can skip. you can roll around on the grass; you can do all sorts of things and potentially thinking about how to pepper the City with that signage such that it creates a positive atmosphere and an atmosphere of opportunity. With the grant funding that we received, we are looking to do about 20 or 30 signs in people's favorite places all around the City and see if we can add to a really positive atmosphere. I will be working with Urban Design Division in the Planning Department; Park and Recreation is real excited about the opportunity to think about where they might put signs in their parks. As we move forward with the project we look forward to sharing more details and an actual representation of the signs which this

is not the design that we are absolutely going to go with, but more of an idea of what it might look like.

Mayor Roberts said we really appreciate that and it is a great idea. That is terrific; congratulations. The other project was the Crown Town Hall outreach project and that was an \$85,000 award.

Motion was made by Councilmember Kinsey, seconded by Councilmember Mayfield, to (A) Authorize the City Manager to accept the following grants totaling \$112,900 from the John S. and James L. Knight Foundation: \$27,900 for the "Can Do Signs" engagement project and \$85,000 for the "Crown Town Hall" outreach project, and (B) Adopt Budget Ordinance No. 8038-X appropriating \$112,900 of grant funds to the General Community Investment Plan.

Mr. Carlee said it is amazing because we hit these challenges pretty hard the first time and came through pretty strong on the second round. The Crown Town Hall, you will be dragged into that one yourselves with an opportunity to further our civic engagement. We've really created a name for ourselves through the Knight challenge and are really proud of the people who have stepped forward and brought forward their own creativity and ideas.

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

The ordinance is recorded in full in Ordinance Book 60, at Page 69.

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#### **ITEM NO. 12: APPOINTMENT TO THE CHARLOTTE INTERNATIONAL CABINET**

The following nominees were considered for one appointment for a term beginning July 1, 2016 and ending June 30, 2019 in the category of International Business:

Scott Chen, nominated by Councilmembers Driggs, Fallon, and Kinsey  
Omar Kazzaz, nominated by Councilmembers Austin, Autry, and Eiselt  
Sasha Levons, nominated by Councilmembers Lyles, Mayfield, and Phipps

Results of the first ballot were recorded as follows:

Scott Chen, 3 votes – Councilmembers Driggs, Fallon, and Kinsey  
Omar Kazzaz, 4 votes – Councilmembers Austin, Autry, Eiselt, and Lyles  
Sasha Levons, 3 votes – Councilmembers Mayfield, Mitchell, and Phipps

Results of the second ballot were recorded as follows:

Scott Chen, 2 votes – Councilmembers Fallon and Kinsey  
Omar Kazzaz, 7 votes – Councilmembers Austin, Autry, Driggs, Eiselt, Lyles, Mitchell and Smith.

Mr. Kazzaz was appointed.

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#### **ITEM NO. 13: APPOINTMENTS TO THE CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION**

The following nominees were considered for three appointments for terms beginning July 1, 2016 and ending June 30, 2019:

Theresa Halsey, nominated by Councilmembers Kinsey and Phipps  
Binh Phu, nominated by Councilmembers Kinsey and Phipps  
Kerry Shipman, nominated by Councilmembers Driggs and Phipps

Results of the ballot were recorded as follows:

Theresa Halsey, 7 votes – Councilmembers Austin, Autry, Eiselt, Kinsey, Lyles, Mitchell, and Phipps.

Binh Phu, 9 votes – Councilmembers Austin, Autry, Eiselt, Fallon, Kinsey, Lyles, Mayfield, Mitchell, and Phipps.

Kerry Shipman, 9 votes – Councilmembers Austin, Autry, Driggs, Eiselt, Kinsey, Lyles, Mayfield, Mitchell, and Phipps.

Ms. Halsey, Mr. Phu, and Mr. Shipman were appointed.

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**ITEM NO. 14: APPOINTMENT TO THE CHARLOTTE REGIONAL VISITORS AUTHORITY**

The following nominees were considered for one appointment for a term beginning July 1, 2016, and ending June 30, 2019 in the At-Large Category:

Martha Dockery-Clark, nominated by Councilmembers Austin and Lyles

Peter Grills, nominated by Councilmember Mitchell

Zachary Newton, nominated by Councilmembers Autry and Phipps

Savannah Smith, nominated by Councilmembers Driggs, Fallon, and Kinsey

Results of the first ballot were recorded as follows:

Martha Dockery Clark, 4 votes – Councilmembers Austin, Eiselt, Kinsey, and Lyles

Peter Grills, 1 vote – Councilmember Mayfield

Zachary Newton, 2 votes – Councilmembers Austin and Phipps

Savannah Smith, 2 votes – Councilmembers Driggs and Fallon.

Results of the second ballot were recorded as follows:

Martha Dockery Clark, 7 votes – Councilmembers Austin, Autry, Eiselt, Kinsey, Lyles, Mitchell and Smith.

Ms. Clark was appointed.

The following nominees were considered for one appointment for a term beginning July 1, 2016 and ending June 30, 2019 in the General Travel Category:

Martha Dockery Clark, nominated by Councilmember Kinsey

Kenneth Kilpatrick, nominated by Councilmembers Driggs

Nasif Majeed, nominated by Councilmembers Fallon and Phipps

Shannon McKnight, nominated by Councilmember Austin

Tommy Nichols, nominated by Councilmembers Autry and Mayfield

Thomas Sasser, nominated by Councilmembers Eiselt, Lyles, and Mitchell

Results of the first ballot were recorded as follows:

Martha Dockery Clark, 1 vote – Councilmember Kinsey

Kenneth Kilpatrick, 1 vote – Councilmember Driggs

Nasif Majeed, 2 votes – Councilmembers Fallon and Phipps

Tommy Nichols, 2 votes – Councilmembers Austin and Autry

Thomas Sasser, 3 votes – Councilmembers Eiselt, Lyles, and Mitchell

Results of the second ballot were recorded as follows:

Nasif Majeed, 0 votes

Tommy Nichols, 3 votes – Councilmembers Austin, Autry, and Mayfield

Thomas Sasser, 8 votes – Councilmembers Driggs, Eiselt Fallon, Kinsey, Lyles, Mitchell, Phipps, and Smith.

Mr. Sasser was appointed.

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**ITEM NO. 15: APPOINTMENT TO THE COMMUNITY RELATIONS COMMITTEE**

**Karen Jensen, 311 Baldwin Avenue** said this is a Committee that is supposed to help people file complaints against the Police Department; I have contacted them, as you are aware, and the gentlemen paid to run the Committee said that they would not assist because the Police Department did not want to take my complaint. I would urge anyone who is considering joining this Committee to discuss with everyone up here and the Management, that that is unacceptable or not join. Also, this is the video that was censored from being shown here and anyone who wants to follow it at CLT\_truth can follow the video that you all wouldn't let me show. It shows a little bit of the criminal activity at my house, which you all continue to deny. The complaints on record now are still that you are not giving police reports or assisting in any way to stop these crimes which means you are helping them to continue. I don't have my public records report, and this Committee that you are talking about now is a farce, because it doesn't do anything to move that along either. I have received, since we were last here, information from the Assistant Manager saying the Police Department is not part of this City and therefore you won't give me any records. The lies that you all are telling to promote the Police misconduct and crimes going on are unforgivable, and to sit up here and say that you are here for civil rights for people and everybody's safety is really laughable. It is not funny to me, but it is a laughable thing to sit here so if Mr. Manager could send me a statement, because clearly your assistant has no idea what the truth is, saying that the Police Department is not part of the City. You send me a statement saying you refuse and then I will move along to the next step. Just send me a statement that you will not convict crimes, you will not give me the records I'm entitled to by law, you will not do investigations in the Police Department and that these people on this Committee still will not assist in any way, and it will be endorsed by everyone here on City Council who is fully aware that whether you sign up for it or not. Anyone thinking of joining this Committee or any Committee really ought to think about the people that they are representing, because they are you and you are not telling the truth. You are supposed to be representing us, so I hope the people in the Control Room who were instructed to censor the video that I brought before, will zoom in so anybody else can see that you are lying when you say there are no crimes being committed, or they could check the court records and the six different judges that found guilty verdicts for assault and communicating threats and other things, when I did find an honest magistrate to file a charge.

The following nominees were considered for one appointment for a term beginning July 1, 2016 and ending June 30, 2019:

Kawana Davis, nominated by Councilmembers Austin, Autry, Eiselt, Lyles, and Mayfield  
Erin Hamrick, nominated by Councilmember Kinsey  
Yolanda Perry, nominated by Councilmember Fallon  
William Robinsons, nominated by Councilmember Fallon  
Glenda Spann-Hinnant, nominated by Councilmember Phipps  
Gary Young, II, nominated by Councilmember Driggs

Results of the first ballot were recorded as follows:

Kawana Davis, 5 votes – Councilmembers Austin, Autry, Eiselt, Fallon, and Lyles.  
Erin Hamrick, 1 vote – Councilmember Kinsey  
Yolanda Perry, 1 vote – Councilmember Fallon  
Gary Young, II, 2 votes – Councilmembers Driggs and Phipps

**Councilmember Autry** said let's muster the sixth vote for Ms. Davis; this is her second time coming around for the nominations, and she fell short the last time around, and she is really committed to serving.

Results of the second ballot were recorded as follows:

Kawana Davis, 9 votes – Councilmembers Austin, Autry, Eiselt, Fallon, Kinsey, Lyles, Mayfield, Mitchell and Phipps.

Ms. Davis was appointed.

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**ITEM NO. 16: APPOINTMENTS TO THE HISTORIC DISTRICT COMMISSION**

Deputy City Clerk Emily Kunze said this has been pulled from the agenda, and we will bring it back to at a future meeting.

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**ITEM NO. 17: APPOINTMENTS TO THE HOUSING ADVISORY BOARD OF CHARLOTTE-MECKLENBURG**

The following nominees were considered for one appointment for a partial term beginning immediately and ending July 1, 2018 in the Hospitals Category:

Brian Middleton, nominated by Councilmembers Austin, Kinsey, Lyles and Phipps.  
Delores Reid-Smith, nominated by Councilmember Fallon  
Vivan Thomas, nominated by Councilmember Driggs

Results of the ballot were recorded as follows:

Brian Middleton, 9 votes – Councilmembers Austin, Autry, Eiselt, Fallon, Kinsey, Lyles, Mayfield, Mitchell, and Phipps.  
Vivan Thomas, 1 vote – Councilmember Driggs.

Mr. Middleton was appointed.

The following nominees were considered for one appointment for a term beginning July 1, 2016 and ending June 30, 2019 in the Real Estate Category:

Joe Padilla, nominated by Councilmembers Driggs, Eiselt, Fallon, Phipps, and Smith  
Julie Porter, nominated by Councilmembers Austin, Autry, and Mayfield  
Teresa Sandman, nominated by Councilmember Kinsey

Results of the first ballot were recorded as follows:

Joe Padilla, 5 votes – Councilmembers Driggs, Eiselt, Fallon, Phipps, and Smith  
Julie Porter, 2 votes – Councilmembers Austin and Autry  
Teresa Sandman, 1 vote – Councilmember Kinsey  
None of the above, 2 votes – Councilmembers Lyles and Mayfield

Results of the second ballot were recorded as follows:

Joe Padilla, 6 votes – Councilmembers Driggs, Eiselt, Fallon, Kinsey, Phipps, and Smith

Mr. Padilla was appointed.

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**ITEM NO. 18: APPOINTMENT TO KEEP CHARLOTTE BEAUTIFUL**

The following nominees were considered for one appointment for a term beginning July 1, 2016 and ending June 30, 2019:

Daniel Herrera, nominated by Councilmembers Autry and Phipps  
Jamal Tate, nominated by Councilmember Kinsey  
Vivan Thomas, nominated by Councilmember Driggs  
Brian Withrow, nominated by Councilmember Eiselt

Results of the ballot were recorded as follows:

Daniel Herrera, 6 votes – Councilmembers Austin, Autry, Eiselt, Mayfield, Mitchell, and Phipps  
Jamal Tate, 2 votes – Councilmembers Kinsey and Lyles

Vivan Thomas, 1 vote – Councilmember Driggs  
Brian Withrow, 1 vote – Councilmember Fallon

Mr. Herrera was appointed.

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**ITEM NO. 19: APPOINTMENTS TO THE PLANNING COMMISSION**

The following nominees were considered for one appointment for a term beginning July 1, 2016 and ending June 30, 2019 in the Zoning Committee Category:

Rob Bilbro, nominated by Councilmember Mayfield  
Damiko Faulkner, nominated by Councilmembers Austin, Autry, and Eiselt  
Elizabeth Frere, nominated by Councilmembers Driggs, Fallon, and Kinsey  
Elizabeth McMillan, nominated by Councilmembers Eiselt, Lyles, Mitchell, Phipps, and Smith  
Mark Miller, nominated by Councilmember Smith

Results of the first ballot were recorded as follows:

Rob Bilbro, 1 vote – Councilmember Mayfield  
Damiko Faulkner, 2 votes – Councilmembers Austin and Autry  
Elizabeth Frere, 2 notes – Councilmembers Fallon and Kinsey  
Elizabeth McMillan, 5 votes – Councilmembers Driggs, Eiselt, Lyles, Mitchell, and Phipps

Results of the second ballot were recorded as follows:

Damiko Faulkner 2 votes – Councilmember Austin and Autry  
Elizabeth Frere, 2 votes – Councilmembers Fallon and Kinsey  
Elizabeth McMillan, 6 votes – Councilmembers Driggs, Eiselt, Lyles, Mitchell, Phipps, and Smith

Ms. McMillan was appointed.

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**ITEM NO. 20: APPOINTMENTS TO THE PRIVATIZATION/COMPETITION ADVISORY COMMITTEE**

The following nominees were considered for one appointment for a partial term beginning immediately and ending March 1, 2017 and one appointment for a partial term beginning immediately and ending March 1, 2018:

Rob Hsin, nominated by Councilmember Fallon  
Michele King, nominated by Councilmembers Autry, Kinsey, Lyles, Mayfield, and Mitchell  
Menahem Mezahav, nominated by Councilmembers Driggs  
David Reynolds, nominated by Councilmember Phipps  
David Thompson, nominated by Councilmembers Driggs and Phipps  
William Turner, nominated by Councilmembers Kinsey, Lyles, Mayfield, and Mitchell  
Richard Woodcock, nominated by Councilmembers Autry and Fallon

Results of the first ballot were recorded as follows:

Michele King, 8 votes – Councilmembers Austin, Autry, Eiselt, Kinsey, Lyles, Mayfield, and Phipps  
Mehahem Mezahav, 1 vote – Councilmember Driggs  
David Thompson, 1 vote – Councilmember Driggs  
William Turner, 8 votes – Councilmembers Austin, Autry, Eiselt, Kinsey, Lyles, Mayfield, Mitchell, and Phipps  
Richard Woodcock, 1 vote – Councilmember Fallon

Ms. King and Mr. Turner were appointed.

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**ITEM NO. 21: APPOINTMENT TO THE TREE ADVISORY COMMITTEE**

The following nominees were considered for one appointment for a term beginning March 1, 2016 and ending February 28, 2019:

Patrick Bradey, nominated by Councilmembers Austin, Autry, Eiselt, Kinsey, and Lyles  
Chris Breedlove, nominated by Councilmembers Driggs, Fallon, Mayfield, and Phipps

Results of the first ballot were recorded as follows:

Richard Bradey, 6 votes – Councilmembers Austin, Autry, Eiselt, Kinsey, Lyles, and Mitchell  
Chris Breedlove, 4 votes – Councilmembers Driggs, Fallon, Mayfield, and Phipps

Mr. Bradey was appointed.

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**ITEM NO. 22: MAYOR AND CITY COUNCIL TOPICS**

**Councilmember Austin** said I just want to wish you guys a wonderful Memorial Day Week-end and to say for residents please don't throw trash out of your car windows and try to keep our City clean. I appreciate your support in that.

**Councilmember Autry** said I would advise our citizens to please observe the posted speed limits; the speed limits are posted for a purpose, because that is the recommended speed. I am flabbergasted at how fast we navigate through our streets to communities and neighborhoods, every day here in Charlotte. I would ask that you be a little more cognizant of the speed you are traveling for the safety of everyone. Drive down the streets and pretend that it is your children playing along the streets.

**Councilmember Kinsey** said I want to wish everybody a Happy Memorial Day Week-end and don't forget to put out your American Flag.

**Councilmember Fallon** said I think we made a big mistake with the drive thrus and fast food, because instead of using the baskets now, it goes out the window and on the street and the place looks terrible. There are baskets there; you don't have to use the street as a garbage pail.

**Councilmember Eiselt** said I just want to acknowledge and we didn't last week, that last week was Police Week, and we had a full week of activities that celebrated our Police Officers. Unfortunately, a few of those events got rained out, but you don't need a certain week of the year to celebrate and to honor our Police Officers, so even though I think the blue ribbons are down now, please when you see a Police Officer thank them for the job they do to protect all of us.

**Mayor Roberts** said there was also a nice Awards Ceremony that many of our Officers were honored for amazing community policing and other acts of courage and bravery and their contribution. There was a lot going on last week; we had Paul Brightner here with the Munich Soccer Team; he is actually a player from long ago, but an amazing World Cup Champion and incredible athlete. He was here in Charlotte, helping us talk about the July 30, 2016 game between Munich and Milan, which will be real exciting. I was also honored to welcome the Incubator and Escalator Expo, that spent a day here talking about how we grow more entrepreneurial companies and how we really incubate more small companies with great ideas and help them grow and provide opportunity, and I was there for the launch of a new product that the Portal Building at UNC-Charlotte has helped to sponsor through the connection with their research and again entrepreneurs taking products to the market with OncoTab, and that is going to help women detect breast cancer earlier and help save lives and it was launched right there at UNC-Charlotte OncoTab product and an all female research team in a medical sense.

**Councilmember Lyles** said I would like to recognize and congratulate Beverly Howard, who is retiring as Executive Director with the Loaves and Fishes Program. After 27-years of fighting hunger and poverty in Charlotte Mecklenburg, she is going to take a little bit of a break. I know her well enough to know that she is not going to completely retire from fighting this fight that we have to have so we can have everyone in our community live in a way that we expect them to be, being

able to have food in their homes and a place to sleep. So, Beverly, thank you for 27-years of exceptional service to our community.

**Councilmember Mitchell** said I have three, and I will try to be quick; the first one is this Wednesday at 12:00 noon the new Women's Business Center Open House will occur. Citizens and small business owners please come out and join us at 9115 Harris Corners Parkway, Suite 440, 28269. Second is an announcement of my Town Hall Meeting Thursday, June 2, 2016 at 6:30 to 8:00 p.m. Please call Alban Burney at 704-336-4947 to attend the Town Hall Meeting. The title is Engagement through Economic Development. The third item is Council and staff, I think we need to do a better job as we talk about removing items from the Dinner today. I think it caught some of us a little bit off guard that we got an e-mail very late in the , and we need to work on our procedure, because I know staff was working very hard this week-end on that item, and if we decide that we need to pull it, I think we need to work on the process, maybe do it on a Friday so staff wouldn't have to waste time working through that. I don't know if we need to refer that to a Committee, but we need to do a better job of pulling items so it will be fair to our citizens as well.

**Councilmember Phipps** said as we enter the second week of our Motor Sports and NASCAR Speed Week coming up on Friday and also some good races come up this week-end; the Coca Cola 600 coming up, I would encourage everybody to get your NASCAR gear out and walk Speed Street this week, and let's cheer for the motor sports industry in the Charlotte region.

**Councilmember Smith** said it was a long and interesting weekend to say the least, and I just want to officially go on record supporting the Chamber in criticizing the HRC for the language they used towards them to imply that they were bigots, when they are in their minds working for a way to extend the LGBT rights throughout our community. It is easy for Chad Griffin to come down here and wag his finger; he was in Washington, D.C. He doesn't have to live through the consequences of our inaction.

Motion was made by Councilmember Smith and seconded by Councilmember Driggs, to add an agenda item to the May 25, 2016 meeting to approve a resolution that affirms the City's values, the City opposes discrimination, and an ordinance that will clean up the Charlotte City Code by removing items that have been invalidated by the North Carolina General Assembly.

**Councilmember Mayfield** said I don't really see a need for us to have yet another discussion. It is kind of interesting that we are letting an individual at the Chamber lead the discussions that we are having. Also, when, if, until, Raleigh General Assembly Representatives actually send a request in writing to the Charlotte City Council either with a statement, a comment as well as stating okay, if you address this any further than we've already have, this is what we are going to do, I'm not understanding why we keep trying to meddle around to try to come up with something. The moment our General Assembly passed this legislation our ordinance was null and void; it was rescinded. There is nothing else for us to do on the Charlotte City Council; this whole conversation lands in the lap of the General Assembly. I will agree that I am not happy with outside groups; at this point this whole conversation has become very politicized. This is a fund raising effort the Democrats,, for Republicans, for the Human Rights Campaign, for Equality North Carolina. For me and for a number of my colleagues, we are talking about people's lives here. We are talking about their everyday life and their quality of life; this should not be used as a political ploy to raise money, but I feel like if Charlotte City Council tries to play like we are going to come up with a resolution that has absolutely no meaning whatsoever without the General Assembly putting something in writing to us, not having a conversation with one of my colleagues or two of my colleagues or three of my colleagues, to put it in writing, what exactly do you expect us to do? Because the moment you passed your legislation, which now has the United Nations looking at North Carolina, why because it was so sweeping across the state. We did not have any businesses threatening to boycott Charlotte when Charlotte passed its fully non-discrimination ordinance that was fully inclusive. You did not hear any conversation regarding businesses, regarding concerts, anyone talking about boycotting, not showing up, I'm going to take my business elsewhere, until our General Assembly passed this legislation. Now you think it should come back to Charlotte, when as a municipality we don't have the authority to change what happens in Raleigh? I'm just not understanding the logic that is being used to say this now falls in Charlotte City Council's lap, because it doesn't, because we didn't have any business tell Charlotte, you passed this ordinance so we are leaving. In fact, we had businesses lined up to come immediately after we passed our ordinance. It was not until weeks later that our

General Assembly passed legislation that was sweeping that businesses said you know what, that is not where we want to take our employees, because we care enough about our employees that we want them to be protected.

**Councilmember Driggs** said I think we need to recognize that there are a couple of levels in this conversation. The issue of LGBT has progressed to the national and international stages; it is in the courts, but what we are left with in North Carolina is basically a standoff between City Council and the General Assembly. Members of the General Assembly who recognized that they needed to take some action said to us, help us out here, get out of the way and certainly my involvement in all of this had to do with just trying to participate in a solution in order to get the state out of where we were. My feeling is that advocacy groups have held us up as a human shield as they charged in with their machine guns. This is a battlefield and all the casualties are here in North Carolina, and I'm very anxious to take any path that leads us through that, and what we are running up against here is a history of a shoving match between City Council and Raleigh, and I don't think we should let stubbornness and pride on that level obstruct an answer. I believe the question about rights protection and certainly the bathrooms has moved on to other places anyway. We should be really interested in finding any way that we can relieve the pain of North Carolina and Charlotte and if means that a few people have got to swallow their pride then I think our responsibility to the City should make us willing to do that.

Ms. Mayfield said I agree with you.

Mr. Smith said prior to outside interest groups, there was not an up cry in the City of Charlotte to include the bathrooms; that was done by outside interest groups that have sway with our body. They came in and made that requests. We had MetLife. We had PayPal. We had the MBA All Star Game; we have a litany of corporate relocations that came to our community prior to us having an ordinance and they made commitments to come to our community, invest millions of dollars prior to us having an ordinance. I cannot stand by and watch as we lose events and more to come and not feel like I was not working towards some sort of a solution that is for the people that I represent. I was elected to represent the citizens of Charlotte; that is the person making \$10 an hour down at the arena that is the person that has got a job that is depending on tourism. It is a lot of people, and I just can't stand by with inaction so I put it forth. If you don't want to vote for it that is fine, vote against it; everybody has a right to do that. We have spent the better half of a month trying to figure out a way to do it; we appeared close, and now we are not and I can no longer stand by and watch. If you don't want to vote for it, don't vote for it. We don't need to re-litigate everything; we probably know where each Councilmember stands on this. I think it has been evident over our conversations over the past eight weeks. February 21, 2016, we had companies that were willing to come here; PayPal was willing to come here. MetLife had come here; we had people that had come, so I don't think to suddenly say that a handful of companies that have made characterizations that they will not come based on pressure they are receiving from outside interest groups, that we should not be part of a solution.

Ms. Mayfield said the one thing that I love about local politics is that we don't necessarily get into as much of – really we don't have the discourse that they have in Raleigh so I don't think that every decision we make is based on making the other party look bad or with a purpose of hurting the other party. I am going to acknowledge that both my colleagues Mr. Driggs as well as closest buddy next to me have a valid point. I just want you to expand that thought to recognize that a lot of those workers that you are talking about at the arena do identify lesbian, gay, bi, or trans, so those are employees also that are not protected that do deserve protection. For me, I don't have a particular bone in this fight one way or another outside of the fact that discrimination is not okay, period. Yes, we had companies that were committed to come to Charlotte because Charlotte is a great City to be in; we have amazing opportunities, and we also embrace the diversity of this City, but when you try to compare and when my colleague Mr. Driggs says that we need to take action, you are absolutely right and the moment that Raleigh sends something in writing stating exactly what it is they expect opposed to a verbal conversation that all the 11 of us have not been a part of, is the moment I would seriously consider what does that look like. Just like we have members of the business community saying Charlotte, it is all your fault, we have hundreds of business community leaders who have never gotten involved with politics ever. They have sent letters to Raleigh stating HB-2 is hurting our business. Why, because we have reduced five pages of legislation to one point and it is the most redundant, ridiculous point of where you use the bathroom. Since people like to have this conversation of don't compare the Civil Rights Movement to this conversation, let's recognize that

the majority, a good number of the people sitting around this table, you had restrooms that were labeled men/women and then colored, so we weren't as African Americans as African American female or male, we were not considered male or female. It did not matter whether we took a child into the bathroom with us or not, because in this great nation of ours we were not even recognized as human beings much less male or female. So, if we are going to have a conversation about the impact of HB-2, then why don't we start having a conversation about the fact that this legislation that our leaders passed, that our Governor had 30-days to think on before he responded, included taking municipality rights, including taking away the rights for any minority, whether that means you are a senior, whether you means you are African American, Asian, Latino, veteran or handicapped. If you are fired you can no longer file a case on the State level. No let's send it to federal where oh, crazy thought, short of timeline it is going to be much more expensive and the burden falls on you. Let's talk about this four or five pages and not get stock on this page and a half where if it was really about protecting all the women and children, why is there no language in there that actually talks about any protections. If it was really about protecting our families, in the State of North Carolina your minimum sentencing for assaulting or animal abuse is longer than that of abusing a woman or a child. So, we weren't ever talking about protecting women and children and now we are talking about protecting a business community. The business community has made a decision; they said we have these protections on our books for our employees, so we are not going to bring employees into a city into a state that is not going to protect our people. Don't give me this BS excuse and try to play the role of the victim all of a sudden because all of the business community is saying we need to make a choice; we need to do something. City of Charlotte you did a very bad thing. Well guess what, Raleigh General Assembly, grow up. Do your job. Fix the mess that you made instead of looking to the City of Charlotte who were expanding our ordinance to protect all people. If you want something done either one of you, my colleagues, I would gladly consider it if you would get something from Raleigh stating what they plan to do opposed to having private conversation about what they might do.

Mr. Austin said Amen. I will say I do appreciate the members of Council that did go to Raleigh and try to come up with a solution. Yes, we are hurting all over the State, and we are hurting here in Charlotte; however, I take issue with the fact that Charlotte needs to wink, dip, burp or whatever we needed to do, in order to move ahead. This is an issue for our General Legislatures who are creating laws that have hurt; we created something that was inclusive. We created something that 200 other cities in this country have. We were trying to be progressive; we are a global City. We are trying to move forward. We are trying to move Charlotte, and we are trying to move North Carolina forward. Any resolution that we would have to repeal something that we have done, I would not be in support of that at any point. If we are making a resolution that says we are going to repeal Hate Bill 2, that would be something I would support, but I would not support any sort of wink, nod, or any other thing that they are requesting us to do. I don't know why Charlotte has to do anything. Why does Charlotte have to do anything? We don't have a City ordinance anymore; that is my perspective on it, so you have a Bill that has been created; do something about it. Take care of it, and stop the pain around North Carolina. That is what needs to happen.

Mr. Phipps said I appreciate the motion made by my colleague Mr. Smith. I too as well as all of the Council are concerned with the impact that this dilemma is causing the City, but I do think that we over the last couple weeks or so that we looked at certain resolutions and even the one that you purport to bring forth on Wednesday, we looked at it, and I guess we didn't have any traction around it so I would be hesitant to go through that whole machinations again with little affect that I would think we have around the dais, little support, but while I can sympathize with where we are, it doesn't look like we have the votes.

Mr. Driggs said I will do you all a favor of not responding to all the points. I'm just telling you as your Intergovernmental Relations Chair, that we would have gotten closer to getting North Carolina out of its misery by working with the General Assembly than we are by taking the position we do. This is a Dillon's Rule State; they have the authority and sitting there and demanding that they come to heal and do things on our terms invites a lot of problems. I've been warned by Representative Brawley, for example, who has taken some actions that benefited us like deflecting the sales tax redistribution and passing the STI on transportation fund allocation, and he says that his ability to kind of protect Mecklenburg County in those areas is going to be impaired, and we need to be a little bit more realistic here. We can stand on sort of principles and we can point and say it is their fault, it is their fault. Let them fix it, but the fact is the whole state is suffering and the word we got from some members in the General Assembly was that they were concerned, that they

were looking for action they might take, and it was being made more difficult because the historical tensions between Charlotte and Raleigh are getting in the way. At some point, we take ourselves out of the way and then they can answer to the other people who are leaning on them, in fact the pressure on them to do so is going to be all the greater, but what we are doing now is causing positions to become more entrenched. Speeches like that one are going to enflame people in Raleigh, and if you think you can win a shoving context with those guys I'm telling you, you are wrong.

Ms. Eiselt said can I speak to that point; I think all my colleagues know that I have said that I stand firmly against discrimination of any kind and two that I am really trying to figure out how we can find a solution because this is hurting so many people. I think the elephant in the room is there is no trust. I have had one member of the General Assembly call me and say hey, you are new on Council, let me introduce myself and talk to you about this. I've reached out to civil leaders in the community; nobody is willing. No one that stood up against the repeal of HB-2 is willing to go on record because they are so afraid of what Raleigh will do to them. I think the fact is we do have every reason to be afraid of the threats of Raleigh and perhaps that is the problem, so before we can get to a vote, which I would very much like to get to. I think we've got to figure out a way to build trust, between ourselves and Raleigh and from my limited time on Council, with the Airport, with the managed roads, with the business tax repeal, where we are now trying to plug a hole in our budget, time and time again, I just don't see the evidence that is there that leads us to believe that our own delegates – this bill was sponsored by Dan Bishop who is a Mecklenburg County Delegate. I just don't see that they are there saying to us, hey folks let's figure out a way to get along with the General Assembly. I know, I've heard as long as I've lived in Charlotte that Charlotte is vein of their existence, the Great State of Mecklenburg. As someone who was just a citizen six months ago and worked very hard on public education, I feel like I'm always being shamed by what we are asking of our General Assembly, and there are times when I feel like calling up Nicky Haley and say would you take the burden of Charlotte on yourself. I don't think we can get to a place of a vote, until we figure out a way to establish trust and get the facts out on the table. You are asking us to repeal an ordinance, and we don't know what you are going to do in return. We just don't know, and I don't see how that is sound risk management on our part.

Mr. Smith said the surest pathway to build trust is to offer a symbolic gesture of taking an ordinance that is not valid; it is already off the books. If we want to build trust let's take an action, show them that they've got a good faith partner in Charlotte. We are not giving anything up. The ordinance is not valid.

Mr. Austin said my question simply is they want us to wink and do this action and repeal our ordinance; what will they do?

Mr. Smith said there are several things that they discussed with the bipartisan group that they are willing to put on the table, every one of which puts the LBGT community in a better place than they are today because right now we've got HB-2 in place, and we've got laws in which the LBGT community have no rights, and they are willing to push the ball forward, and I want to part of the solution. I get constituents coming up to me every day of the week begging us to help find an answer, begging us to participate in the solution, not being part of the problem. Like it or not we passed the daggum ordinance that caused this mess. You can say you don't think it should have caused this mess, but it did cause this mess. We got an e-mail the day my father was dying from the Governor saying don't include the bathrooms; we let the HRC bully us into including the bathrooms, and we ended up here. Can we not just offer a jester on an ordinance that is not valid and by doing so we recognize we are going to move the ball forward for the LBGT community. I call the question. It is like a broken drum; we know where everybody is. I just couldn't stand by anymore.

Mayor Roberts said I think what we have seen here this evening, for those who are still watching and listening, is the difficulty that our state is facing, that our City is facing, and that our future is facing with the tough questions. So many issues wrapped into one, the relationship between Charlotte and Raleigh, the stand for equality. The question about, how do you back away from non-discrimination without looking like your symbolism is actually supporting returning to a time when there were no protections? This is a problem with symbols; symbols mean things for different people, and for a City to repeal something that has already been pre-empted it is a symbolic statement that we think there was something wrong with the action in the first place, which those of

us who voted for it do not believe. We have had a conversation; we've had numerous conversations with people in Raleigh. Many of us are trying desperately to figure out a way forward. All of us are feeling the pain, and if anybody in Raleigh watches us they need to know that as well. Charlotte absolutely feels the pain whether you voted for this or not, and it is my sincere hope that our legislators, our delegation will seriously think about what they can positively do to remove the cloud from our state. I am not going to vote, unless I need to, on this, but the procedure around this is also suspect, because if we do want to have this conversation, I'm not sure that we do, we should give notice, and we should have things in writing ahead of time. I'm talking process just like Ms. Lyles, we need to have things in writing, people need to see them in plenty of time. The public needs to see them and weigh in and our delegation needs to see it and weigh in. We need to do that in a more structured orderly fashion, if we are actually going to think about policy. This motion tonight does not allow for that to happen.

Ms. Lyles said I think Mayor; it is really a difficult conversation to have right now. I think Mr. Smith is asking that we place it on an agenda, and it would come forward. I guess I just really have, like many of us have had, to really figure out, what are we being asked to do and who is being asked to do it and why? I have given this a lot of thought; we've been talking about it, and we know the implications for our community, and when we talk about the loss of economic opportunity we are not talking about millionaires, we are talking about people who are working second and third jobs in the hospitality industry. We are talking about people that go to work every day in a corporate office that has signed a letter saying you must repeal and people are coming and saying well how do you do business in this state when we have HB-2. I have really tried to examine how do we do this, and what I would really ask Mr. Smith, my friend down there, that to say when we talk about this there are three parties. There is the General Assembly who passed HB-2. There is the Governor's Office who has filed lawsuit against the third party that I would talk about which is the civil rights office in the Department of Justice. When I look at those parties all of them have a level of control over this issue that Charlotte does not, and when we start thinking about what does this mean for us to take the first step, it is like asking us to take step one instead of step 99. I still can't figure out if those three parties can understand how we are suffering economically, how our image is suffering and not come to the table. So my ask is to say, if there is any conversation that could be had that we can speak to individually or as a community, as a community, 822,000 people living in this City, how do we come together and say to you this is very important, and how do we come to you say the three parties need to sit down and figure this out? I don't know how that happens in this conversation around this dais when the power is held by some other part our governmental system.

Mr. Smith said the concept that I put forth as a motion had been discussed ad nauseam amongst a lot of Councilmembers; it is not a shock. It is not a new topic. It surrounds the principles that if we had been working towards again, affirmation that our City does not support discrimination along with the code clean-up. The process by which Councilmembers are allowed to do that is we get six votes, so in regards to Ms. Lyles this is a process that fits well within our procedures. I consulted with the Attorney, if fits well within our procedures, again I just couldn't stand by anymore without trying to do something that I think will help get Charlotte back on track. Again, if you don't want to vote for it, don't vote for it. I call the question, then we can all go home.

Mayor Roberts said Mr. Smith; do you have a proposed –

Mr. Smith said I would propose working with the City Attorney to craft the language between now and Wednesday. Would that be adequate time Bob for you to craft language that we could put on the agenda? This would come in the form of a resolution and an ordinance; if not we vote it down and move on.

Mr. Autry said Mr. Hagemann, last year when our plan to issue municipal ID's to municipal workers was pre-empted by action by the General Assembly, we asked you then did we need to do anything to repeal the ordinance that we had on the books, and I believe I recall that your response was no we didn't need to do anything. Was that correct?

**City Attorney Bob Hagemann** said that is correct and I will be even more precise; in a memo that I wrote to all of you on April 1, 2016 of this year, where I did the analysis of HB-2 and the effect of that legislation on the City ordinances and other City policies and practices, I did advise you that in my opinion by operation of law the General Assembly had pre-empted your authority to prohibit discrimination in public accommodations and invalidated the public accommodations ordinance and

that action was not necessary. Now, I have given you my legal opinion that action is not necessary; that does not mean that you cannot choose to take action along the lines Mr. Smith is suggesting if you choose to do so.

Mr. Driggs said I just want to say, it underscores again there is actually nothing of substance at stake here; this is like a war situation. I'm trying to negotiate a peace. I'm looking for peace and peace when you get two people who are engaged the way we are with Raleigh right now and everybody is going, he started it, it is your fault, he started it. Peace means that you get together and everybody is prepared to do what it takes to end this suffering, and right now, as I say, this is a battlefield and all the casualties are from North Carolina, even though it is a national issue and an international issue. It is going to get worked out in the courts. The question of discrimination is going to get resolved elsewhere at this point. I don't think there is anybody around here that advocates for discrimination, but the State of North Carolina has been made to look, because of the characterization of opponents of the Bill, as if it was an entire environment. Jim Crowe this, how dare they talk like that? We have run into a problem here that was the result of an action that Council took with good intentions on the part of most of us; it got an over-reaction perhaps from the General Assembly, but I'm just saying at some point you've got to look a little further down the road, and you've got to say how do we end the bleeding, and how do we not get into a contest we can't win with the General Assembly. There is nothing at stake here, there is no ordinance, this is just about us saying no to them, and congratulations, go ahead and say no, and you will see what happens.

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

YEAS: Councilmembers Driggs, Fallon, Phipps, and Smith.

NAYS: Councilmembers Austin, Autry, Eiselt, Kinsey, Lyles, Mayfield, and Mitchell.

Mr. Smith said I thank my colleagues for entertaining my motion and the robust discussion.

Ms. Mayfield said it was noted earlier around the table that we celebrated our 37th Annual Community Relations Awards, and I want to say a hearty congratulations to Captain Michelle Hummel. I am extremely proud, because the Freedom Division did very well; there were over 400 applications that were received for our officers, so those in the community that nominated officers thank you, continue to do that. This is one of the many ways that we get to recognize our officers and thank them for the amazing work they do in the community on the ground. I want to acknowledge Officer Rene Jean-Jumeau, Officer Matthew Wilson, Officer William "Bill" Haynes, Officer Robert Hartley, as well as Lieutenant Blow. I want to personally thank Charlotte Mecklenburg Community Relations Committee and Donna Murrell; Donna raised more than \$20,000 for the event, because our officers are also awarded a very minimal monetary award, so I want to thank her for that.

On a completely side note and this thank you is in all honesty to Tami Fitzgerald and the North Carolina Family Values Coalition, mainly because a conversation that has needed to happen in our segment of the community for more than 20 plus years is happening on a national stage. Regardless of how you feel one way or another; it is not about your moral compass. It is not about what you necessarily think right is wrong; a conversation is happening across the nation. The transgender community has a platform they've never had before. and I say that because I am going to read a letter. and I'm not going to give her name until I have the chance to write her back and ask her and her mom for permission. I had a young person who is a 7th grader in a small town in Massachusetts. In English class, I am doing a letter writing topic. As a topic I chose transgender rights; moreover, I'm writing to gratefully say thank you for agreeing to revoke HB-2. I'm fond of all of the work you put into for everyone to be equal in North Carolina and am impressed of how much you care about this topic, because not many people do. Although I'm not transgender myself, I believe everyone is equal and all members of the LBGT community should have the same rights. Because of you, I decided to take action; I also wrote a letter to the Governor of North Carolina asking him to revoke HB-2. Hopefully he hears what I'm trying to say. Thank you again for your astounding work and your persistence and dedication. Hope to hear from you soon.

There is a 7th grader in this small town in Massachusetts who has no connection to North Carolina at this point, but a conversation is happening across the nation. That conversation would have never

gotten to this point had it not been for the individual that I thanked earlier, so I say thank you because we needed to have a conversation in this nation that is happening. Regardless of what happens moving forward between Charlotte, the entire state, and our representative, it is going to work its way out. Things are going to be the way it should be. I don't like the idea of someone saying we were warned as if we need to be threatened about how to govern, just because we are all elected, but that is a different conversation. I want to say thank you to all of our citizens for being engaged; please continue to stay engaged. This is community, show up on the ground, be active, let your voices be heard, and come to North Carolina, because we are an amazing state, we are just going through some growing pains.

Mr. Phipps said I wanted to congratulate Ms. Mayfield on getting back to Police Law Enforcement Week. Before Michelle Hummel was at the Freedom Division, she was in the North Tryon Division.

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### **ADJOURNMENT**

The meeting was adjourned at 8:47 p.m.



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Emily A. Kunze, Deputy City Clerk

Length of Meeting: 3 Hours 27 Minutes  
Minutes Completed: June 16, 2016