

The City Council of the City of Charlotte, North Carolina convened for a Business Meeting on Monday, February 11, 2019 at 5:08 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps, and Braxton Winston II.

ABSENT: Councilmember Eiselt

ABSENT UNTIL NOTED: Councilmember Egleston

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Mayor Lyles said Item No. 49, staff has taken that off the agenda, because an updated appraisal is required. We have settled Item Nos. 66, 69, 70, 71, and 72. We have speakers on two items for condemnation, and the City Attorney will be telling us how we address that; there is a process that Ms. Root will go through with us on the process of condemnation. Is there any item that the Council would like to have a separate vote?

Councilmember Winston said Item Nos. 33 and 37 for a separate vote.

Councilmember Driggs said Councilmember Eiselt has requested that we defer action on the Cross Charlotte Trail connector item in the Consent Agenda, Item No. 37.

Motion was made by Councilmember Driggs and seconded by Councilmember Bokhari, to defer Item No. 37: Cross Charlotte Trail - South Charlotte Connector to the next Business meeting.
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Mayor Lyles said Ms. Eiselt sent an e-mail to all of us asking that she be allowed to participate in that vote and she is out of town dealing with age parental issues, so that is what we usually do.

Mr. Winston said if we are going to do that I would like to amend that motion to push it past the next Business Meeting, because I won't be at the next Business Meeting, and I would like to have a vote.

Councilmember Ajmera said in the past have we done this? I don't remember us deferring things because someone is absent, because I was in the hospital last month, and I was absent. So, if we start doing that, at what point do we say enough is enough? I would like to know if there is a process in place and what instances we start deferring items?

Mayor Lyles said it has been a courtesy to the person when it is requested, and in fact when you were in the hospital we had a conversation about how do you watch it? how do you participate? It is just a courtesy when colleagues, and we have done it in the past. There is no process except an e-mail requesting that someone said this is important to them, particularly around a lot of areas in the Districts. I would say more in the Districts when they are not there, but I think it is certainly appropriate if you are not going to be there to schedule it for the next time if that is what the body wants to do. We have a motion to defer, and I think Mr. Winston has asked for it to be deferred until the meeting following so he would be in attendance.

Councilmember Phipps said by deferring this, for however long it would be, what kind of ramifications would that do to the process for this particular bid for this construction? Does it put things out to the point that it is not conducive to orderly and timely?

Mike Davis, City Engineer said we have bid the project a while back, and whenever you bid a project there is an expiration date on that contract. The contractor had agreed to an extension for those bids which brings us to tonight or your next Council meeting. What

we would do if this item were deferred beyond that next Council meeting is we would go back following tonight and ask the contractor if he would be willing to extend their bid and it would be their choice. If they were to say no and it was the will of the Council to go forward with the project, we would rebid the project and see what kind of bids we get back.

Mayor Lyles for a vote on the motion with an amendment to do it when Mr. Winston is in attendance.

Ms. Ajmera said when is that?

Mr. Winston said that would be the second week in March.

Councilmember Mitchell said that is the National League of Cities (NLC) and we will be in DC.

Mayor Lyles said we may have to have a special meeting that week when you come back depending on what your vote is for the four-year terms.

Mr. Winston said we can vote on it tonight, but if we are going to push it back, I will be absent also, and I would like to vote on this as it is important to me as well.

Mayor Lyles said the next meeting would be March 25, 2019 or the 14th, which is proposed is necessary for the four-year terms. That is why we have to meet on the 14th; you have two date, and if you vote to support four-year terms you would have to it on the 25th or have a special meeting on the 14th just for that public hearing and that is going to be a public hearing; plus the 25th will be a Business Meeting with that same public hearing.

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

YEAS: Councilmembers Bokhari, Driggs, Newton and Phipps.

NAYS: Councilmembers Ajmera, Harlow, Mayfield, Mitchell and Winston.

Since the motion did not receive six votes, the motion failed.

Councilmember Mayfield said Item No. 46 for comment.

Councilmember Harlow said Item No. 36 for comment.

Mr. Driggs said the status right now on the Cross Charlotte Trail funding, is that still in Consent?

Mayor Lyles said it is still in Consent. Mr. Winston has pulled it for a separate vote.

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ITEM NO. 2: AGENDA OVERVIEW

Marcus Jones, City Manager said I'm going to turn it over to Liz Babson to discuss the School Zone Policy Update, which is a policy item that came out of the TAP Committee.

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ITEM NO. 3: SCHOOL ZONE POLICY UPDATE

Liz Babson, Transportation said if I may, I would like to hand it over to Councilmember Phipps, who is our Vice-Chair for the Transportation and Planning Committee. I believe he would like to make a few comments.

Councilmember Phipps said the Transportation and Planning Committee (TAP) has been very busy over the last few months, and this item was before us in our Committee

and the policy was unanimously approved by the TAP Committee. We took a look at the policy because it hadn't been reviewed since it was originated back in 2004. The recommended policy changes will incorporate the principles of Vision Zero, make it easier for schools to meet eligibility requirements and expand the areas that can be considered for school zones. We emphasized working with NC-DOT on the establishing the 25-mph school zoned on state roads. This is a process we did similar to the neighborhood calming policy, and that one also has not been reviewed in a long time so we think this would be a good starting point here to make our school zones safer, and with that said, I will turn it back to Liz.

Ms. Babson said I am the Director for the Charlotte Department of Transportation, and I will turn it over to Charles Abel in a moment, but I want to make a couple opening remarks. As you might imagine schools are an important part of our community, not only because our children go to school there and are raised in our community through that school system, but we are finding that schools are used beyond just educational purposes, and we are seeing community rec leads and families even using those facilities far beyond normal business hours for the school and over the weekend. So, making sure that those students and those families are safe as they travel to and from those schools is an important component of what we are focused on and is part of what we considered as we make the updates to this policy.

Also, it is far reaching; you might not know this, but we've got over 260 schools in the City limits. Those are public, private, and charter schools, and about 65% of those are on some pretty busy streets, so again this update to this school zone policy is really important work as we focus on a Vision Zero philosophy and making sure that we are making our streets safer in our community.

As I turn it over to Charles Abel, I want to tell you a little bit about him because you might have had an opportunity to meet him. Charles has actually been with the City for 29-years, all of that time spent within the Charlotte Department of Transportation as a Transportation Engineer. His team does a tremendous amount of work behind the scenes, and many of you have probably seen the results of some of that. They are responsible for planning, designing, operating, and maintaining all of our traffic control devices throughout the entire City. What that means is we've got 760 traffic signals that he and his folks touch on a daily basis. We've got 430 traffic management cameras and that entire system runs over 300 miles of fiber communications. Another important note, and part of this school zone policy are new mid-block pedestrian signalized crossings; we have 20 of those now in the City, and we anticipate doubling those in the next two years and a lot of that in a large part is because of this new policy and the additional increased funding that Council supported through our current CIP. With that, I will turn it over to Charles and let him step through the changes to the policy.

Charles Abel, Transportation said I'm here to update you on the School Zone Policy; the policy was adopted in 2004, and we currently have 142 school zones, with about 70 school crossings in the system. The purpose of the update is to help align the policy with the Vision Zero work that we are doing, with the tenant of making streets safe for everyone to use. It is also to provide greater flexibility in the implementation of school zones, so we can add school zones in areas where before we haven't been able to, and we want to maintain consistency with national standards today and into the future.

This is a timeline of the events of the creation of the update. As you can see, the bands in green are when we went to the Transportation and Planning Committee; you can see we started there in June of last year and went back in January where the Committee voted unanimously to move this School Zone Policy forward to the full Council. One thing I would like to note about the development portion of this is it wasn't C-DOT working by ourselves. We worked in collaboration with the Charlotte Mecklenburg Schools, NC-DOT, Mecklenburg County Public Health, as well as the safe routes top schools coordinator for Mecklenburg County.

You should have the policy in front of you; I'm going to go over four of the key elements within that policy. First is School Eligibility – the overall eligibility is not changing; any

school who has students ranging between kindergarten and the 12th grade with at least 200 students is eligible; however, we propose removing a conditional requirement that we currently have for high schools. School Zone and School Speed Zone Placement – this is where the biggest visible change would take place in that previously school zones were only allowed on the roads that the school fronted, and now we are going to allow schools zones on adjacent streets to the school as well. In response to input from the Committee, we added wording to this area that we would look at school zones at all the adjacent schools when we do a new school zone, to make sure that it makes sense to maybe combine school zones or not.

School speed limits – the speed limit will remain 25-mph; we believe that is an appropriate speed as well as that will be consistent with the speed limit in neighborhoods. We made a change to the policy where we will say that we want 25-mph to be the school speed limit for the entire City and that C-DOT will advocate with NC-DOT to make that speed limit 25-mph on state roads. Four, school crossing evaluation – an evaluation of the school crossings, previously we had a fairly complex weighted system where we primarily used the number of crossers to determine whether or not to install a crossing. Now we are looking at the character of the road itself, and the traffic as well as whether or not it is on the high injury network. The high injury network is something that has come out of our work with Vision Zero and that we are looking at segments of roadway to identify those segments where there are high instances of fatalities and injuries.

In our next steps, we would like to come back on the 25th for a Council vote.

Councilmember Winston said back to the 25-mph hour speed limit, it says it exists on a case-by-case basis on state maintained streets but we are saying no changing, but we are changing our approach.

Mr. Abel said yes, we will definitely advocate to NC-DOT to have those speed limits 25-mph on their streets as well.

Mr. Winston said I thought we talked about this as a Committee that we should change that verbiage that we want all streets in school zones to be 25-mph, even if they are state maintained. Shouldn't that be a change in the policy the it is stated in its existence now?

Mr. Abel said it now says school speed zones should be established at 25-mph City wide.

Mayor Lyles said Mr. Winston, are you asking whether or not can we change the speed on a state road?

Mr. Winston said no, we know that we can't but our policy states – I do want that.

Mr. Abel said you would like to see that there is a proposed change in our philosophy in working with the State.

Mr. Winston said correct, it is not in this slide but it should be in there.

Mayor Lyles said what does it mean when you say it is not there but the process of how we do it is changed and different?

Mr. Abel said I believe Mr. Winston was just pointing out the fact that there was a change here where this slide says no change based on input from the Committee.

Mayor Lyles said okay, got it.

Mr. Winston said just to make sure that when we do get this policy to vote on, I won't be here it looks like on the 25th, but that change is noted, and that is what we are voting on as a body.

Mr. Phipps said I don't know if we discussed it in Committee or not, but it crossed my mind. How about school bus crossings like where buses pick up students? I guess these don't apply to anything like that, right.

Mr. Abel said most of those are going to be outside the school area that we are talking about.

Mr. Phipps said it wouldn't necessarily be a school zone so to speak technically.

Mayor Lyles said adding to Mr. Phipps' question if we have areas where we know that the speed is 45-mph on the City street, I know what the school bus rules are for pick-up, but I guess the question is are we marking school bus crossings or is that something in any of our plans? I know they change a lot, so I know that might be difficult to do, but what is the best practice thinking on bus pick-up and education and traffic right now? Is there a best practice or something in that area?

Mr. Abel said I'm not familiar with marking crosswalks for school pick-up areas for buses. It doesn't mean that it couldn't be looked at as something as part of our pedestrian crossing in Committee.

Mr. Phipps said I mention it, because there is a school bus stop at Tom Hunter Road and Reagan Drive, and that has been identified to be within a high injury network. Matter of fact, it was like the number one high-injury network in all of Charlotte so that is what sort perked my interest there to see is there anything given that it is a high injury network designated height that we would take any kind of precautions even for a school bus loading and unloading protocol or whatever.

Mr. Abel said I certainly believe that if we were asked to look at such a location we would get together with Charlotte Mecklenburg Schools and evaluate the situation. This doesn't preclude us from doing that.

Mr. Phipps said let the record reflect that I do request that be looked at, particularly at that intersection that is a high concern even though we do have the three-way stops that were installed this past fall. I would like to have it formerly reviewed to see if those crosswalks could be better marked.

Mayor Lyles said I think one of the strategies I've heard and I think this came from an incident in Ms. Mayfield's District, that it is easier to change the bus routing so the kids don't have to cross. Try to route the bus so the bus is next to the curb instead of across the street. I think that is one of the things that we've been trying to address with the School System, if I recall this correctly. This will be on the Council agenda on February 25, 2019 for approval.

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ITEM NO. 4: CITY-OWNED LAND GUIDELINES AND PROCEDURES

Pam Wideman, Director of Housing and Neighborhood Services said before I jump into this, I was asked to remind you guys that you have on your agenda and I think you pulled it for comment, Item No. 36, and we've had a lot of discussion about that item today. It is simply to allow the Housing Authority to issue the bonds for the construction of that site. So, I just wanted to remind you of that; you all approved that April 23 last year; it is 180 units of affordable housing. Ms. Mayfield, as the Committee Chair do you have anything you want to say before I start into this?

Councilmember Mayfield said Ms. Wideman, I'm giving it all to you.

Ms. Wideman said let me say thank you to Ms. Mayfield and the Housing and Neighborhood Development (HAND) Committee for working on these. We have been working on these guidelines since October of 2018. You will remember that in August of last year you all approved the Housing Charlotte framework. The framework had lots of policies in there that we needed to work; you all approved the Housing Locational Policy,

and this is the second policy that is coming out of there, and it is strictly related to how we use publicly owned land to further affordable housing development. I will step back even a little bit further and try to connect some dots for you. You will remember in March of 2017, you all repealed what was old guidelines for asset management, and you considered a new directive such as affordable housing for Property Management. In June of 2017, you all adopted a policy around City-owned real estate and facilities to help ensure acquisition and the use of how we were using land. This policy that you are looking at tonight is specifically how we use surplus land for affordable housing.

The Committee had very robust discussion about this policy starting in October and ended up at their January meeting. In addition to common things like site suitability; is the site suitable for affordable housing? The Committee also challenged us to think about this being broader than just surplus land and what that means is acquisition of land and to really ensure that we are maximizing City-owned land that we already have. I will talk a little bit more about that in the presentation. We always want to consider the opportunity for a mix of uses on a piece of land and also creating inclusive neighborhoods, mixed-income housing where we are doing this. We want to align with City priorities such as making sure that we are getting affordable housing in and around transit oriented development areas, in the Center City, areas of high opportunity and employment areas as well.

We want to make sure that we are creating future opportunities by leveraging our land. We don't want to necessarily give land away, we want to enter in as much as possible long-term leases to preserve the ownership of the land and one of the other things that the Committee talked about is securing the longest possible affordability periods when we enter into these deals. So, we talked about that, but there was also a very robust discussion about how do you balance that to use the new private sector tools that we are getting into the market such as social capital that might want to return on their investment at some point.

The purpose of these guidelines are kind of four-fold. We want to establish clear criteria and to reflect the desired outcomes when we are using our City-owned land, whether that be donation, sale or long-term lease and again we are really leaning toward long-term leases. We want to provide a uniform approach for how we dispose of City-owned land. We also want to make sure that we can properly document from an accounting purpose when we are putting land into a deal or leasing land. We want to make sure that we are getting credit for that and that we are documenting, and then we also want to dispose of land in such a way that we prohibit any real or perceived conflicts, so we want to have uniform approaches.

These are our overall guiding principles for disposing of land. We want to create mixed income and inclusive neighborhoods; we want to leverage our resources so that we either eliminate or reduce our trust fund ask, and we also want to leverage our other public and private partners. We want to increase the City's long-term deed restrictions; we want to get the maximum deed restrictions we can. So, within that the Committee decided on three key components. So, again we do this in a way where we would have a periodic review of City-owned land and we would do that in conjunction with Real Estate, and we worked on this with Real Estate, so I will take a minute to thank any of them if they are here for working on this with us. We also want to make sure we are reaching our goals for affordable housing and then the disposition process; what is our process for disposing?

Let me touch on the periodic review first; we want to implement a periodic review system and we want to do two things within that. Every five-years, we want to make sure that we are maximizing fully utilized land so this is land that we might have active land and we want to make sure we are really using it. If we bought land for a reason or if we have land and we identified that there was some acreage that could be used for affordable housing; we want to make sure we are looking at that on a periodic basis. Then every year we want to make sure that we are going through our assets and looking at any surplus land that is suitable for City-owned development. Again, the City Council could request a

review at any point in time, and I want to emphasize that we would be doing this in collaboration with Engineering and Property Management.

The benefits of doing this is it allows the City to leverage all of our City-owned land to the fullest potential; it includes the evaluation of our land for more intensive uses. It balances evaluation for affordable housing with other City priorities, like public safety, economic development and then we also want to do it in a way that we consider the original funding source to make sure that we can do affordable housing on a piece of land. Instances of that might include where we've gotten money from the Federal Transportation Committee Administration and want to make sure we are in compliance with those federal regulations as well. These are guidelines, and I really want to emphasize guidelines; there are not hard and fast rules. We need to leave ourselves flexibility to look at deals based on their unique characteristics but our overall affordable housing goals we want to make sure that we are using City-owned land for housing that serves households between 30% and 80% of the area median income. Generally, we will look for 20-year to 30-years affordability period, and to the extent we can, we want to enter into long-term leases. So, again these are our goals, but we want to leave ourselves some flexibility to use other private sector tools that are out there.

In terms of the process, we would typically do this through a request for proposal process and in that request for proposal we would outline specifically what we are looking for so those would set forth our goals for a preference for a long-term lease and then the final decisions will be made by you, the City Council. We will bring these to the City Council for your input and your decision making.

In summary, our guidelines we will implement a periodic review of all City-owned land; they will create goals for mixed-income communities with deed restrictions. We want to include that language for establishing a preference for long-term lease and we want to maintain flexibility. The next step would be to have this on your February 25, 2019 agenda for approval, and with that, thank you for your time. I'll take any questions.

Councilmember Winston said with the acquisition and disposal, wouldn't this be where we would consider land banks and land trust?

Ms. Wideman said you could but it would be my recommendation that you might develop a separate policy around a land trust. A land trust is different than a land bank.

Mr. Winston said understood, but I'm saying those would be using City-owned-

Ms. Wideman said you could use some of your City-owned land to put in a City-owned land bank or another land bank if the Council made that decision.

Mr. Winston said I know since you guys were working on this in Committee, we know there is going to be this issue with Opportunity Zones, and you set up to look at it in one year and five-years outlook. Do we have any desire from the Council or any need to be a bit more aggressive considering what we are learning more about the activity that might be happening in these Opportunity Zones?

Mayor Lyles said the question I think Mr. Winston raises is whether or not this would be applicable for economic development in the Opportunity Zones as well. I think the way it is frame now did it include economic development or just the affordable housing. I see it as guidelines for the evaluation for affordable housing. Has it been assessed for economic development tools? I have met with several of you individually to say, on the Opportunity Zones, we are moving very quickly to address the issues that were raised at the Council Retreat. I have spoken with a number of people, but the Manager is working on getting an advisor for the City and working on getting the website moved up very quickly and then it has been suggested that we have a conference that would bring in people that were interested in Opportunity Zone development in our City knowing there may be people locally doing this as well as nationally. I think we are working to move as quickly as possible towards that assessment of getting that advisor and getting that website done. If you will remember at the Retreat, we had a lot of folks talk about and at our presentation

on Opportunity Zones around what Maryland was doing. Louisville, Kentucky was one, Baltimore, and we've been working with getting those folks out on their websites. I wonder if it would be appropriate Mr. Winston, to use this as a model and ask that question of the advisor to say if that is appropriate for us to do and then we could continue that next step to get some advice on it and then just see that we need to do that and ask why and how.

Councilmember Mitchell said the only follow-up, I would say Clarence Anthony said the National League of Cities were going to have several courses on Opportunity Zone, so I encourage us when we are in DC to make sure that we participate in those sessions. Most of them will be held on Monday and Tuesday.

Ms. Mayfield said the Opportunity Zone is a different conversation that the conversation we are having on housing. I actually had a meeting last week with a developer; when you look at the gains and how the dollars are identified for the Opportunity Zone is very different. There is a timeline with a sunset on it, which is why you are hearing a lot of conversation, but the reality is for this particular conversation regarding housing and conversations that we are having in HAND Committee and conversation that we will be having in the Committee coming up. The economic development piece and business piece of Opportunity Zones is a different type of conversation than the conversation directly tied to how we ensure that we have a community that is more accessible. Ms. Wideman and I actually had a call earlier today where we are going to be bringing some things to full Committee regarding language and that full conversation around neighborhood development and what that means, just to give you and the Council an update.

Mayor Lyles said so we will get Opportunity Zones quickly moving and get the advice on how to best work with land on that.

Councilmember Driggs said we already adopted some time ago a portfolio approach to our Real Estate Management and that said that we would take the entire real estate portfolio and instead of limiting ourselves to the presumption that we would see for cash any unused property that we would actively manage. So, this is really that different? Aren't we saying here that we will actively consider our affordable housing priority in the active management of our portfolio?

Ms. Wideman said that is exactly right Mr. Driggs. I think what this does is it drills down a little bit further when it comes to affordable housing and talk about our preference for long-term leases; it talks about our preference for deed restrictions, so you are correct. We just add a little more specificity to what we are looking for and how we would do that through the RFP process when we are disposing of land for affordable housing.

Mr. Driggs said I don't want this to create the presumption that affordable housing is automatically the best use, the only use. We need to stick to a broader portfolio approach in which we take into account the City's needs and priorities. We could decide, for example, that a truck repair facility in a very expensive location could better be situated somewhere else, and we could decide to relocate it, use that land that it is on for a higher and better purpose, and of course in that context we are now very focused on affordable housing and would want to find those opportunities. I just don't want us to exclude the consideration of any other uses of land that could be very important to us as well.

Ms. Wideman said you are absolutely right and that is why we put balances the evaluation there as well.

Councilmember Ajmera said Ms. Wideman, could you go to slide #12 where you have the summary page? Where you have the last bullet point, maintain flexibility, could you elaborate on that? I see that we have the deed restrictions, and the AMI is one of our goals, but then you also have the flexibility bullet point there. How did the Committee arrive at that bullet point?

Ms. Wideman said the Committee had a very robust discussion about that, and so the example I will use is that we've been talking a lot in this community about the need to

leverage the Housing Trust Fund with our private sector tools. One of those private sector tools is this notion of social equity, and so with a social equity investor where our preference is for a 20-year or 30-year deed restriction, their preference might be for a 15-year deed restriction, so we don't want to lock ourselves in hard and fast that a developer could not utilize that social equity funding. That is really important, because that has the potential to reduce your Housing Trust Fund ask, so that is why we say we want to be able to evaluate deals on a case by case basis that leaves you, the Council, the opportunity to negotiate and be flexible.

Mayor Lyles said I wanted to follow-up with Ms. Ajmera's question in terms of maintain the flexibility on a case by case basis, let's say you have neighborhood A that had been a for sale neighborhood but as time and transition generations and most of those properties became rental I would hope that we would have the flexibility to evaluate projects that we wouldn't necessarily put rental behind rental when we should be adding home ownership if all possible. So, to me I just wanted to ask if the assumption is that every project, whether it is the application for City funding or the ability for the disposition of City-owned land would also be meeting those neighborhood assessment ideas that we've been discussing with our housing projects?

Ms. Wideman said yes ma'am Mayor; you are exactly correct. We would take all of that into consideration too.

Ms. Ajmera said even having this policy around City-owned land it would still follow the framework that was approved earlier last year. Am I correct? So, where we have in the framework at least 20% minimum AMI units which falls under 30, so even though we do have flexibility it would still fall under that framework?

Ms. Wideman said the framework are our goals Ms. Ajmera, and so we would try to stay within that to the best of our ability, but I can't tell you that every deal that we bring in front of you would have 20% of the units at 30% AMI. That is our goal, but I will remind you all that housing is always evolving our policies, right, and so the framework was approved before we got all of our partners into the game to help leverage, and that is good. We don't want to turn any partners away, but I would remind you that we have to be flexible based on the type of money that we are using or that we are attracting to the deals.

Mayor Lyles said does everybody have the understanding that this will be on the agenda for the 25th of February? Thank you to the Committee and to the team that is putting this together.

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ITEM NO. 5: TREE CANOPY COVERAGE UPDATE

Mayor Lyles said I can't remember if it was this week or last week that I went to the Crown Tree Awards that includes Trees Charlotte, but I can't tell you how proud I was of the Urban Forestry Staff. We got an award for Wildlife Conservation from the Wildlife Federation for the work that we are doing with trees. We also had an excellent presentation on how the City is managing and adjusting and if I'm taking anything away from your presentation Gina of all of these fabulous people that are passing out paper, I just want them to know how much we appreciate it. I have that plaque upstairs for the Wildlife award. It is where we create forest, so that wildlife can bury and bear offspring.

Gina Shell, Deputy Director of Engineering and Property Management said you do have coming around to you copies of the new Canopy Assessment and also copies of the Urban Forest Master Plan that was passed in 2017. Today, I'm going to talk for a minute about our current programs and initiatives just to give you a current state and then I want to move into our new canopy assessment, the approach and the findings and then end with what, we think the policy question is coming out of this new assessment.

I'm going to do an overview of the tree programs first. Mayor Lyles gave me a great intro to this. I'm standing in for our City Arborist tonight, Tim Porter. He had to have surgery right after the new year, and he is still ours, but I hope that he is watching us on Facebook

and Tim. I'm going to try to fill your shoes up here. The folks in his office have really done a great job standing in while he has been out, Erin Olivero, Laura Reid Dukes, and Quin Hall is our Director of Landscape Management. We also have in the audience Chuck Cole, Marsha Simon and Gin Rotifer who put together that great Tree Summit that the Mayor mentioned.

The first thing that we have is actually the Banner that we were given; I think this was the Banner the Mayor was referencing and we got this because we've been a Tree City USA for 39-years. To be a Tree City USA we have to have a Tree Ordinance, which we have had since 1979. We have to have an office or Board, and we've had a City Arborist since 1977. We have to spend at least \$2 per person on our tree canopy, and we do that, and we also have to observe Arbor Day, which we do. We were very proud to get this banner for 39-years of being a Tree City. That was presented to us by the actual President of the Arbor Day Foundation, Dan Lamb, which could not have been more special. It was great.

We do of course manage the Tree Ordinance; we take care of planting and stewardship. We have a great preservation program now in the City; we've managed storm responses, and you all know we've dealt with our share of that this year. We do cankerworm banding every year, and we are also now doing management in the face of threat of the Emerald Ash Borer. We do have an Arbor Day observance and celebration; we have a great partnership with the non-profit Tree Charlotte. Also, this year we had a pilot project using \$25 that Council gave us a year or two ago to figure out how to help people who had big trees in their yard that they could not afford to take care. We piloted that with the \$25,000 in one neighborhood. We were able to help 11 residents; they were all 60% of median income or less; 21 trees were assessed, and we had them assessed by one company and the work done by another company. We think that was a great pilot, and we would like to continue that program if we can.

In 2011, Council set the aspirational goal to have 50% tree canopy by 2050 and in 2017 Council approve the Urban Forest Master Plan. The areas of concern and opportunity out of the Master Plan included our aging canopy, good care and inventory of our street trees, taking care of those large trees on private property and outreach to citizens.

Briefly, our current budget for our City Arborist; \$5.1 million is what Council has approved for this year's budget for those programs. We also give to Tree Charlotte overall a million dollars to their endowment. We are in the third year of that, and the last \$250,000 of that will be given in FY20. Also, this year a contribution of \$100,000 and we also provide to them lots of in-kind assistance to the value of about \$400,000. That includes office space, space for vehicles, storing trees, mulch, doing plans, auguring, and event planning, a variety of things.

The canopy assessment is a very specialized assessment that is based on aerial data. In 2012, our last study we had 47.1% canopy coverage, and our plan and approach is to do a reassessment every five-years, and that is based on the availability of good data; the aeriels are only flown on a certain number of years, and so about every five-years is when we get good data to work on again. This is assessment is based on 2016 data; it did take us some time to get this assessment done. We started our work with the county and unfortunately their hacking of last year interrupted our progress with them, so we moved on to work with a consultant, and that consultant is Plan-It Geo. I'm going to talk a little bit about the data and the kind of findings that we can get. Doing a trend on our canopy does get a little bit challenging because every time we do an analysis the technology has improved and more trees are identified.

This study used two different kinds of aerial data; one is the National Agriculture Image Program or NAIP; that was flown in May of 2016, so that of course was a leaf on flyover so you can actually see the trees. The second data source was LiDAR, which uses a laser and operates more in terms of understanding the depth of things, so it can understand where the ground is and where the top of the tree is. So, using that data the folks who are doing the analysis can think in more of a 3-D term about the quality of the canopy that we have.

I wanted to tell you briefly about the types of gains and losses that we can see in this data, and I think these three examples are also very telling in terms of understanding the challenges of doing this kind of analysis. The first one is seen as a gain for this analysis; you can see those street trees and median trees marked there is sort of a greenish yellow. Our analyst found that those trees actually were planted in 2009, and so were there for that 2012 assessment, but it just wasn't picked up, maybe because they were too small, maybe because they were just planted. That is the type of gain that we have seen in this analysis. The second one, that whole area had actually been logged in 2009. So, back in 2012 when we look at the aerial data, again there were probably some really small trees there that had been replanted but they were not picked up so this is an area that now was picked up in this latest analysis.

Finally, the last one shows you in red an area of loss so that in 2012 trees existed in that space. That happens to be where Laurence Orr Elementary was built, and so that space was cleared, and now there is a lack of canopy there, but, a real interesting story on that campus, Tree Charlotte, our partner, does have a plan to plant that campus back. So, that will help restore some of that loss.

The results of the assessment, this is using the 2018 City boundary. In 2012, within that boundary we had 47.1% tree canopy. Using the 2016 data, we have 46.8% tree canopy. So, you can see that looks to be about a .3% loss of tree canopy; however, because of some of the reasons that I've given you around the challenge of the analysis, there is a margin of error of plus or minus .9% in those findings.

Plan-It Geo did give us further recommendations as we dig into this data. Now we own the data, we own this coverage and we have expertise on the staff to really dig into it. Their recommendations were to evaluate locations of and reasons for our losses and gains; evaluate potential planting areas, neighborhoods and various land use categories, we can do that through GIS, of course continue our assessments at regular intervals and share these assessment results with the community.

Moving forward we want to be able to use this data to really understand opportunities to keep our canopy growing and maintain it. We think this might be a good basis to re-evaluate our tree canopy goal of 50% in 2050. We might think to sort of move beyond that and think in terms of goals that really describe the value of the canopy and reinforce those tree canopy benefits, like shade, like air quality, rain fall intercepted, aesthetics that we know can increase property values and of course health. We have a real opportunity right now to coordinate this thinking with our Strategic Energy Action Plan and also to feed into our Comprehensive Plan and our Unified Development Ordinance.

Again, the policy question that we feel may be on the table here is to determine what our tree canopy goal or goals should be. It might be that the Environment Committee could review the analysis and some of the most appropriate goal setting approaches again, thinking about how to really reflect the value of trees in the various parts of our City and in neighborhoods, preparing for our Comprehensive Plan and UDO discussions and aligning with other City goals.

Councilmember Mayfield said according to this picture right here, shall I cut the tree that is next to my dogwood down and that way it will look like that in a couple of years?

Ms. Shell said ma'am Mayor do you want to tell them what this tree is?

Mayor Lyles said that is a Cherry Tree that is now the Mayor's favorite tree, and I chose it because all of us remember our trips to Washington, D.C. when the cherry blossoms were in bloom, and I said this represents learning about democracy for all of our school age children. I love red maple, but I felt that was more appropriate, because we certainly need to learn a lot about democracy right now.

Ms. Mayfield said a question regarding the pilot program, one, I am really happy that we moved forward last year. I brought up during the budget conversation an allocation of funding specifically to help those who financially were not able to have trees removed,

because that is a considerable expense. What I would like to know is it was identified that a neighborhood had already received the services; how was that neighborhood identified since a lot of us didn't know that this program was being instituted, and how will future neighborhoods have access?

Ms. Shell said Erin Oliverio is here, and she ran that program. Wesley Heights I think reached out to our City Arborist Office about the same time this \$25,000 was allocated, and we were trying to figure out what the program needed to look like. So, it gave us an opportunity to work with a neighborhood that we knew was ready to receive the services while we were working out the details. That is how that happened, and I think we feel that we've worked out most of the kinks at this point and would love to grow that program.

Ms. Mayfield said the part two of my question is as you are having consideration of growing the program, I'm going to ask for you all to consider a pause for community to actively be engaged with applying for the program whether we highlight it at our upcoming Neighborhood Retreat or we utilize our neighborhood and services community liaisons for them to share the information, because there are a number of communities, but it would be really nice if Council specifically, the District Representatives had the parameters in how we move forward with getting this information into the communities.

Councilmember Ajmera said looking at the data from 2012 to 2016, it looks like we have not lost a lot of tree canopy, but this is also being used with the 2018 City boundary. So, that does include some of the areas that we might have incorporated into the City. Do we have data that compares to 2012 City boundary? That truly reflects the tree canopy that we have lost. One of my concerns has been around losing a lot of our urban tree canopy. When I drive through my neighborhoods, I see a lot of tree canopy that has been lost and to me that is very concerning. I think this comparison, I just wonder if it is the right comparison, so I would be interested in knowing the data that truly compares back to 2012 boundaries. That is number one, and number two is the pilot project that you mentioned and also Ms. Mayfield had mentioned earlier, when does that end? I know that was implemented a few years ago, so when does that program end?

Ms. Shell said it has ended.

Ms. Ajmera said I think that is something we also need to reconsider as we look at the Urban Tree Forest Plan. If we look at the overall funding do we provide any funding to land conservancy. I was under the impression that is also one of the non-profits that we support and that provides more permanent conservancy of land. Could you just tell us a little bit about what they do and how it is important for our tree canopy effort, and how much funding goes to them?

Ms. Shell said let me go back to your first question; I do have the 2013 boundary comparison; 2013 was the boundary that was used for the last study. The change in that canopy using that boundary is 46.9% to 46.7%.

Ms. Ajmera said could you go back to the last slide? For 2018 comparison, the difference is only .2%, and what is the difference if you were to compare it to 2013 City boundary?

Ms. Shell said it is a .2%; it is 46.9% to 46.7%.

Ms. Ajmera said so, it is actually less. That is actually pretty good for the growth we have seen in the last five years.

Ms. Shell said again, there is a large margin of error, and we can dig into that data and see where the losses are that you might be seeing.

Ms. Ajmera said I know that you have already given an example of the elementary school and where the loss is. So, I think having that deeper dive would certainly help to figure out where the loss has been as we look at the overall plan. You are going back to your explanation around conservancy, and what role are we playing in funding that effort?

Mayor Lyles said could we get that in a follow-up report? We've got a closed session. This is going to be referred to the Environmental Committee, and there will be lots of opportunity to do a deeper dive into it.

Ms. Ajmera said when you bring it in the follow-up report if you could also provide a report on what other organizations do in terms of our tree canopy effort, and what is the percentage of their funding that we provide?

Councilmember Newton said I would love to hear more information myself on the location of where we are experiencing the most tree canopy loss or potentially locations where we have more tree canopy gain. I'm on the Environment Committee, along with my colleague, and I assume that will be forthcoming. I think I saw it in one of the slides, and it is something we will probably see. We have a program where we allow developers to opt out of tree save and certainly, I think that can lend itself to tree canopy loss. It takes time for trees to mature, so when we take that money we put it somewhere else to plant new trees, I don't know immediately if we are seeing any gains from the new trees. Is that considered canopy? I'm wondering if that program is taken into account here and how that might impact immediately some of the data we are seeing and how it might some of the data in the future. Has that been taken into account and is that something that we can look at?

Ms. Shell said it is very closely related to Ms. Ajmera's question, because we use that fee in lieu money to preserve treed lands. We purchase land for preservation with those funds. So, we certainly can identify those properties for you, and those will be areas where we now know trees will be saved forever, and we work with the conservancy. I can write up something for you all on that.

Mr. Newton said if we could see how that might impact numbers in the future and how this is impacting numbers that we are seeing now.

Councilmember Winston said hearing my colleagues I think this is something we might want to refer to the Environment Committee to have a chance to digest this report and move forward. Thinking about tree canopy, are there any recommendations for considering, like you said, with the comprehensive plan and SEAP, any considerations of guidance that we can do for green roofs and increasing the canopy that way?

In terms of this pilot program, have we looked at the kind of policies around looking at tree care, especially in low-income areas as a public safety issue and a threat to affordable housing, especially given the new normal of the types of storms and tree loss that we are finding in these longer wetter storm events? I'm happy to refer this to Committee and consider those answers and questions in a more proper setting.

Mayor Lyles said thank you Gina; great work to the team, and we will get a referral to the Environmental Committee this week.

ITEM NO. 7: CLOSED SESSION

Motion was made by Councilmember Mitchell, seconded by Councilmember Bokhari, and carried unanimously to go into closed session pursuant to GS 143-318.11(a)(4) to discuss matters relating to the location of industries or businesses in the City of Charlotte, including potential economic development incentives that may be offered in negotiations.

Councilmember Egleston arrived at 6:23 p.m.

The meeting was recessed at 6:23 p.m. for a closed session. The closed session recessed at 6:45 p.m. to move to the Meeting Chamber for the regularly scheduled Business Meeting.

BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, February 11, 2019 at 6:51 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps, and Braxton Winston II.

ABSENT: Councilmember Julie Eiselt

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INVOCATION AND PLEDGE

Councilmember Mayfield gave the Invocation and the Pledge of Allegiance to the Flag was led by Boy scout Troop 33 from Sardis Presbyterian Church.

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PUBLIC FORUM

Public Safety, Pay, and Benefits

Daniel Redford, 13541 Thicket Court said last year I stood before you and said that officers were leaving for better opportunities and the trend continues, because we ended 2018 with a net loss of 17 officers. So far, this year several have already left, and we know of 78 who will retire. Last month, WSOC reported that we are facing a critical shortage, how we are still 180 officers short and how you hoped last year's raise would be enough to keep officers in Charlotte. With the loss of 17, it clearly wasn't enough. You told us last year we would receive a good raise and that wasn't true because the raise included step increases and a cost of living increase that were already getting. Many officers just got a 2.5% raise, that's it. The residency incentive didn't apply to most because they don't even live in Charlotte; they can't afford to. Officers continue leaving because they are tired of being undervalued and taken advantage of. If we take vacations or get sick we lose our overtime pay because of the 28-day pay cycle. Our days off gets cancelled, vacation days blocked, all while spending more than a decade working for this City and we still don't reach our top pay. After years of enduring the hardships the officers that do stay retire with no health insurance. We now have a 25-year retirement to consider, the NBA All-Stars are here next Thursday; we still have the RNC next year. Charlotte is one of the fastest growing areas and your officers are being tasked with more and more, all while your Police Department keeps getting smaller. You can focus on recruiting new officers through the front door, but it is a lost cause when the ones you have are running out the back.

To keep your officers, make them want to stay; reinstate retiree healthcare. Provide a raise to all sworn officers, but do it through your [inaudible] and not create new ones like last year; reduce the number of pay steps. Offer a shift differential; provide education incentives for Sergeants and above. Those with a Master's Degree, create an incentive for offices who served in the military, because they come trained with the experience needed in this career. Pay time and a-half for holidays, special events and every time you promote a large venue that strains this Department. Just because you can use the 28-day pay cycle doesn't mean you have to, so pay officers for overtime so we actually benefit for the time away from our families.

Finally, work to fund take home cars for all officers and Sergeants and take the time to speak with the officers to see that these issues are real and the impact that they have. It is only going to get worse if you follow the same trend of putting it off until next year hoping it will go away. This is not just a Charlotte issue but describing Charlotte as an employer of choice means you cannot be just competitive anymore. You actually have to be the competition. Before you tell yourselves you can't afford this what you should really ask is can we afford not to.

Charlotte Douglas Airport

Jaena Howey, 604 Grandin Road said I am here to address some of the working conditions and employee concerns at the Charlotte Douglas Airport. We are requesting that you consider putting a mandate in place for all Airport employers to give their employees a cost of living raise. Many of them are working for \$9 to \$12 an hour and having to raise their families on public assistance such as food stamps, food banks, and housing vouchers. We, the employees at the Airport, serve as first hand responders to your medical emergencies, as well as any irate passengers, and we also serve as the face of your City. So, we are greeting the people that come into the City first. So, you will want to keep us happy.

The working conditions at the Airport that I will address is, in some areas we have no heat and some areas we have no air. We have had readings as low as 27 degrees inside. The employee parking lots needs to be maintained a little better; we have wildlife, car break-ins. Also, our employee buses are overcrowded. We have employees falling into each other, hands being slammed in door, arms being slammed in doors. Our smoking area needs to be moved across the street. When we are walking to work we have to walk through a cloud of smoke just to get to and from work every day. Lastly, I'm saying we have addressed these issues with Airport Maintenance and Management; we've done picket lines to raise public awareness, and so we are asking you now, the City Council, for help. The Charlotte Douglas Airport provides a vital service to the City of Charlotte, and we are requesting adequate pay and improved working conditions.

Councilmember Mayfield said Mayor, may I ask that the City Manager speak to Brent Cagle for us to get an update on the concerns that we heard today.

Marcus Jones, City Manager said we will do.

Funding for a Non-profit Jump Rope Team in Charlotte

Angelicka Crawford, 7520 Monarch Birch Lane said I have a non-profit Double Dutch Team that I created two-years ago in Charlotte. These are my jumping dreams and what we are seeking is support from our community. Right now, we are the only Double Dutch Team here in Charlotte. On top of jumping rope, these girls are pushed to strive academically in order to be on the team; they are pushed to give back to their community whether it is helping feed the homeless, donating their jackets to their friends and building healthy friendships. Jumping rope is more than a thing they do for fun. It helps them physically, emotionally, and mentally. The girls kind of want to you how jump rope helps [inaudible] if you don't mind.

Amber Howard said I like Double Dutch, because it is fun; you get to work as a team, do a lot of team work stuff, and I like going to competition to compete and represent Charlotte.

Camilla Haberstroh said I like Double Dutch, because when I first came to Double Dutch I was shy, but people taught me that Double Dutch is more it is more than just [inaudible]; it is an exercise for your body.

Ms. Crawford said like I said, we are seeking assistance from our community to help these girls not only grow in the ropes but grow to be future leaders of our community through the ropes. Our website is www.jumpingdreamsdd.org.

Mayor Lyles said that you for being here tonight; I tried Double Dutch, hard work.

City Lighting Policy

Louis Terrell, 5006 Endolwood Drive said I am a Greyhound driver who was born and raised here in Charlotte, North Carolina. I come to you tonight to speak to you about the lighting epidemic here in the City. As you all know, Charlotte has dealt with lighting issues on its highways and in the City streets for over 15-years, with the light pole lamps being

blown out and light poles altogether being knocked down, and that epidemic is continuing today. The bad practices of the two entities that maintain our lighting system is what led to this thorn in our flesh which is Duke Energy and NC-DOT. They are to blame; the lights cannot maintain themselves. Humans are responsible for that. I wish we could fire NC-DOT and Duke, because if it was up to me their pink slips would be waiting for them in the morning, but we can't do that. We are stuck with their smiling faces and their polite grins. So, what do we do? Do we just sit back and allow their lack of integrity to give us another 15-years of bad light maintenance? We can't. It is not their City it is ours. This is our City; this is our brand, and safety depends on it. It can't be tolerated. After speaking to Duke executives and NC-DOT officials, they have made it clear that they will not change. Although we have new LED lighting in place with our interstate poles, we have missing, knocked down light poles on 74; one light pole in particular has been laying in the grass for one year, absolutely ridiculous.

W. T. Harris Boulevard, I-85, I-77 areas that have never had lighting before such as Billy Graham Parkway, which is a gateway to our City from the Airport. Brookshire Freeway needs lighting, Brookshire Boulevard between I-77 and I-85, it is 2019, and it is ridiculous we don't have any lighting in these areas.

My proposal is that we need more funding for lights, we also need a new designated position in NC-DOT that will be a mediator between Duke Energy and NC-DOT to keep our lighting infrastructure integral. I spoke with several NC-DOT officials, and they agreed with me that there needs to be a new position in place; they just have too many projects going on to provide the passion and the needed attention to these details. I'm asking you once again, we need funding for lighting, and we also need a new designated position. I spoke with Matt Newton about this several times, and I want to be the first in line for that position. I've had years in transportation; I'm a Greyhound Driver. I used to be a CMS bus driver, and before that I was a Charlotte Observer worker.

Mayor Lyles said we have such great appreciation for the people in this community that really care beyond just seeing but people that come down and report it. So, thank you.

Abortion Clinic Protest

Sarah Haley, 621 Mayview Drive said I am a clinic defender, a clinic escort and a local organizer on abortion rights here in Charlotte. I am here tonight to address the Council to talk about protester activity outside of the local abortion clinics here in the Charlotte Metro. Charlotte has become a national mouthpiece for this issue. Over the last two years, we have seen extremists move to the Charlotte area for the sole purpose of protesting the local abortion clinics. The reason they are here is because the laws are so lax; they are able to engage in behavior in the City of Charlotte that would not be allowed in other cities and the City of Charlotte is aiding and helping them in this harassment and in this behavior by the granting of amplified sound permits and parade permits outside of local abortion clinics. These protestors are using many tactics but one of the most harmful tactics that they engage in is the use of amplified sound. The permits that the City of Charlotte grants to these protestors allow amplified sound up to 85 decibels. Almost daily we see protestors go above that threshold. We are measuring them at 110, 115, and 120 decibels outside of clinics. This is extremely harmful to patients, and beyond that it is very harmful to local businesses. We have heard from over a dozen local businesses of a negative impact to their operations surrounding these local abortion clinics, including loss of business. These local businesses have received e-mails, calls from clients saying that they will no longer utilize their business, because they will no longer expose themselves to the harassment of these protestors, including the amplified sound. There have been many cities across the country that have taken action on this issue. That action has been in the form of buffer zones, safe zones, and quiet zones which prohibits amplified sound outside of abortion clinics. When worded correctly buffer zones are not unconstitutional. They have been upheld several times throughout the courts and the courts have maintained that the state has an interest to protect patients seeking healthcare. Abortion is normal; it is a part of essential healthcare for women, and buffer zones do not prohibit peaceful protest outside of clinics. What buffer zones do is they acknowledge that when patients are seeking healthcare they are vulnerable, and it is a

vulnerable space and therefore harassment and intimidation outside of these clinics needs to be prohibited. I am here tonight to ask for the City of Charlotte to follow suits, to follow the precedent that has been set for you by other cities and to pass a buffer zone to protect patients from harassment outside of clinics.

Ms. Mayfield said Mayor, can we ask the Manager to give specific information, because what we learned and unfortunately Councilmember Eiselt is not here, there was a conversation regarding a comment that was issued by City staff at the location, and we have been having conversation for more than three-years now.

Mayor Lyles said Ms. Mayfield makes a great point. When citizens come down and ask us, we generally try to get the information from the Manager so that we can follow-up. So, if you have spoken to the Council tonight you will get a follow-up report saying here is where we stand. Sometimes it takes a little bit longer; I understand about buffers and what we are trying to accomplish there, but there will be a follow-up contact, and we do that for every person that comes down to speak.

Councilmember Winston said this is in direct relation to Ms. Haley's comments that Councilmember Harlow and I are working with some stakeholders and looking at those three different permit issues that have been brought up around that, and we are looking at these buffer zones and how they affect businesses and the ability for people to access medical care and for providers to give proper medical care.

Leila Forbes, 3726 Providence Road said I'm also here to talk about abortion access and the emotional impact the protest has on patients. I know many of you, because I've been talking about this for the last three-years, and several of you have been out to the clinic to observe the protest. I think that anybody who has come out to the clinic can agree that these protests have a serious emotional impact on patients. You can see it in their eyes, but because not everybody comes out to the clinic and because we are a data driven society I wanted to use my expertise to show you the emotional impact it has on patients. I'm not a lawyer. I'm not a legislature, but I am a psychologist and myself and other researchers at UNC-C collaborated on a study last year to measure the emotional impact that the protestors have on patients.

Just a few highlights from that study, 733 participants were surveyed; they got the survey when they checked into the clinic, and I want to relay the information fairly and unbiased and say that 35% of those participants said that they were not bothered at all by the protestors, but that leaves 65% at least being bothered or upset a little. And 11% of those surveyed, which equals about 75 people, were extremely upset and distressed by the protestors. They recorded protestors stopping their cars, banging on their windows, throwing things at them, and hurling abuse in the form of insults.

So, there was a portion of the survey which ask the patient to write in their responses to just convey information and we want to highlight some of those responses now. One patient wrote it feels like harassment and emotional abuse; this is already an emotional experience no matter how it happened. Everyone coming here is upset that they are pregnant, and the protestors just add to the pain and the stress of it all. Another person wrote the choice to have an abortion is already a very difficult thing, but to have people yelling at me was horrible; they yelled horrible things and they were so hurtful. Another person wrote I was uncomfortable, because I didn't know if they were videotaping me; it was extremely uncomfortable. Another person wrote, driving down the road they walked towards my car, and I had to weave around them in order to move forward and not hit them. It is a street for cars, not a walkway. Finally, a last person wrote, when I got out of the car they were running up to me with pamphlets trying to make me go inside their pregnancy bus and yelling about my decision.

Revise Charlotte's Noise Ordinance

Brooke Adams, 3301 Foxridge Road said I am with the Reproductive Rights Coalition, and I'm going to be speaking about guess what, abortion access. I have a narrow issue that should be an easy issue to solve. The issue I want to talk to you about is protestors

being in the driveway of the clinic. The picketing ordinance appears to say that protestors should stay on sidewalks and rights-of-way and that they should not be on streets, which includes driveways, but yet every single day we have protestors out there stopping cars in the driveway, sometimes even in the street, and the clinic where I have been volunteering is on Hebron, which is pretty busy street. So, when you stop the cars part way on Hebron there is a great danger of an accident. The protestors come running up to a car window; they make the patient and family stop because they think they are going to hit the protestor. They stand in the middle of the driveway, sometimes with their back to the street yelling at the patients in the parking lot so, again when cars come in they have to weave around the protestors. When the cars do get stuck then the protestors just yell at them and just add to the driver and family stress. We tried to set up protestor safety zones on either side of the driveway, but they won't stay in them or even walk in them.

This situation creates a great danger to the protestors and to the patients, employees and volunteers. We've already had someone who said one of the protestors has said that one of our volunteers hit [inaudible]. So, it should be a simple situation to fix. We could either instruct the Police Attorney and the Police Officers if they can actually enforce the ordinance and keep the protestors out. We've tried this over and over again, but we keep being told that the Police Attorney says that they can be in the driveway. We recognize that they have a First Amendment Right, but they could have their First Amendment Right across the street or down the road a bit, but standing right next to the driveway or in the driveway with big signs just creates a very dangerous situation that I hope you will address.

Support for Carolina Energy Football

Ervin Bryson, 3501 East Independence Boulevard said I am the owner and Head Coach of the professional Arena Football Team that plays at Bojangles Coliseum. We are going into our second season, and I'm here to make you guys aware that we do have a professional football team, and we are doing a lot of great things in the community. Some of the great things I felt we did real well last year was because a couple schools had some issues with kids that wasn't holding up to par in the classroom. We brought the team in, we gave motivational speeches, and we fired them up for their exams at the end of the school year, and the kids did real well. We've been helping wash feet; we've been giving away free coats. We've been doing a lot of things in this community that I feel can really help this community and bridge the gap with some of these kids that are having issues.

I think our professional team has a platform, and the thing is we are going to be having an All-Star League Championship here in Charlotte, and we want to be able to have the All-Star game here. Last year, we came 55 seconds from going to the championship and also we set the arena record, and it was all over ESPN for scoring 108 points in one ballgame. We have some real good ballplayers that got cut in the NFL that are going to be coming here to play in Charlotte, and we do need the City Council's financial support as well, so we can have an even better program this year. We have something set up with the Rotary where we are going to give \$10,000 back from the tickets to Alzheimer's, and that is something my mom is dealing with, and we are doing this with every ballgame giving back to the community. So, I wish we can get your guys involved in what we are doing moving forward. Also Mayor, we would love for you to come do the coin toss at our first home game the 31st of March.

Mayor Lyles said I would be delighted to do that if I can. We will follow-up with you about opportunities and how we work with our sports teams.

Charlotte Fire Fighters Association Pay and Compensation

Thomas Brewer, 2701 East 7th Street said I would like to talk to you briefly about the upcoming budget. I am the President of the Charlotte Firefighter's Association; we represent almost 750 firefighters here in Charlotte, and the firefighters are proud to serve the City of Charlotte. Last week, we made our budget request to Charlotte City Council; all of you should have a copy of that, and if you have any questions we plan on scheduling meetings with each and every one of you to go over that. We look forward to working

with you. A couple things I want to hit on really quick is retiree healthcare. The Police Officers talked about it earlier but retiree healthcare for all workers, not just the police, not just the fire but for everyone. Like we said last year, Charlotte talked about being a world class city but when we bring up retiree healthcare we always hear well that is the national trend. World Class Cities don't follow trends; they start trends, so, let's be the City that brings retiree healthcare back.

We will talk more about the budget upcoming, but I do want to break from what I was going to talk about because when I asked to speak tonight I did not know Chief Key was going to be honored, and I don't want to talk about Chief Key. I want to talk about someone else. Firefighters work longer than anyone else in the City. We average a 52-hour week work schedule, because of that we spend more time away from our families than anyone else in the City and when we come home a lot of times we are sleep deprived. We bring home the images that we saw at work. Sometimes whether we mean to or not, it affects our family. So, while you are going to honor Chief Key tonight, I want to say a special thank you to Cynthia Key and your whole family Chief Key for them allowing you to do your job and sharing you with the City of Charlotte. Wherever you are at Mrs. Key, thank you and the whole family; we appreciate everything you have given to the City.

Myeloma Action Month

David Cash, 9704 Anklin Forest Drive said I am here to support the proclamation you will approve later this evening about making March the Multiple Myeloma Awareness Month. I am a myeloma survivor and a member of the Sandy Hersh Charlotte Area Multiple Myeloma support group. Some of you may not be familiar with multiple myeloma; I would say many are not, even though it is the second most common blood cancer in the world. While the disease has no cure it is treatable, it is treatable with radiation, with chemotherapy and more lately with stem cell transplants. I have experienced all three of those things.

Today, there are more than 130,000 Americans living with myeloma, and about 31,000 new cases are expected each year. Unfortunately, about 13,000 people a year will die from this disease. Myeloma is an insidious disease, because the symptoms may make a lot of the other more common symptoms, back pain, bone pain and that kind of things. Getting an early diagnosis from a specialist is a big problem especially with the medical community in general and with the general population, and that is why I think this proclamation will help raise awareness both in the medical community and in the community at large. Prior to 2013, there was not a single myeloma specialist in Charlotte, and no bone mare transplants were able to be done here; patients had to either travel to Duke, such as I did or to Emory University in Atlanta for treatment.

Fortunately, today it is a totally different case. Levine Cancer Institute has five full-time myeloma specialists on their staff and four part-time oncologist, and they see over 3,500 people from the Charlotte area. Additionally, since March 2014, the Levine Cancer Instituted the bone mare transplant clinic here, and over 130 patients have been treated in that time. I'm here really to represent the Sandy Hersh Charlotte Area Multiple Myeloma Support Group and some of them came with me tonight. Sadly, Sandy passed away about four-years ago from the disease, but the group is now stronger than ever, and in fact there are now three myeloma support groups in the City of Charlotte, which is a good thing, but again I think the proclamation will help raise awareness. We certainly hope that it will, and I hope you will endorse that.

* * * * *

AWARDS AND RECOGNITIONS

ITEM NO. 10: NATIONAL MULTIPLE MYELOMA AWARENESS MONTH

Councilmember Ajmera read the following proclamation:

WHEREAS, founded in 2014, the Multiple Myeloma Education Fund (MMEF), aka Lasco Cancer Fund, is a grassroots campaign working to educate Charlotte, North Carolina and

surrounding cities on the dangers of Multiple Myeloma; Multiple Myeloma (MM) is a malignant plasma cell disorder that originates in the bone marrow. MM can cause too much calcium in the blood, anemia, kidney and bone problems; it is incurable and accounts for nearly 20 percent of deaths relating to hematologic malignancy and two percent of deaths from all cancers. MM affects more men than women and more African Americans than Whites. North Carolina is one of 10 states that account for a large majority of Multiple Myeloma cases; MM is difficult to diagnose because the symptoms take on the characteristics of other illnesses such as anemia or leukopenia; and

WHEREAS, MMEF's long-term objective is to have an annual event which will consist of religious leaders, Multiple Myeloma researchers, and community activists coming together to educate all counties in North Carolina of Multiple Myeloma; and

WHEREAS, another objective is to provide support to counties of North Carolina that are lacking healthcare and educational support; the people of Charlotte and surrounding areas of North Carolina are in danger due to the lack of knowledge of this cancer called Multiple Myeloma:

NOW, THEREFORE, WE, Vi Alexander Lyles, Mayor of Charlotte and George Dunlap, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim, every third Sunday of February as

“MULTIPLE MYELOMA AWARENESS DAY”

in Charlotte and Mecklenburg County and commend its observance to all citizens.

* * * * *

ITEM NO. 11: CHIEF PETE KEY DAY PROCLAMATION

Mayor Lyles said Councilmember Winston is going to read the proclamation partially, because he comes from a lineage of strong firefighters as well, but I have to say with the support and help from Battalion Chief Nance, I have some words to say about Pete Key. Pete, you have to stand up; you have to actually be recognized, and I know that you didn't want to. You know, when someone leaves during the Christmas Holidays, they really don't want to be recognized, but he is not getting away with that because really in 2017 Pete Key was named the Interim Fire Chief, the first African American Fire Chief in the history of the Charlotte Fire Department. No, offense Chief Reggie, but Pete held us together at a time when we really needed that holding together, and he has done that his entire life. We often talk about Charlotte and what is new about it, but Pete was Charlotte born, grew up in the Brooklyn Neighborhood, went to Historic Second Ward High School and then he graduated from Myers Park after schools were desegregated and the requirements were to actually have white and black children learn together.

He came to us, his home, in 1977 when we had actually built three new Fire Stations, imagine if we tried to do that now Mr. Jones, three at one time, and it was the very first time that more than one African American was hired in a recruit class. Sometimes people don't know how tough things can be, but you and those other members that came and joined us, Hazel Erwin, David Taylor, Earl Adams, all of you came at a time when it probably wasn't easy to be a man of color or a woman of color in our Department. While we've got a long way to go, how far we've come, and you were essential to all of that change.

Today, we think about all of your guys and we think about how successful you are and that people have gone far and wide but one of the things most important about Pete, besides his golf game, is his faith, his up-bringing and his family, so tonight just like Tom said, I want to recognize Cynthia, please standup. Cynthia Key, who had to do this. He is also joined by his daughter, and she brought along what they call a son-in-law, but I like to just call another son, Rhonda and Kevin, his son Pete Key, Jr., and he's got some

beautiful granddaughters now. You know we all have beautiful granddaughters, but I think Pete says his is the most beautiful, Zoe and Zaria, Gabby and then on the row behind you, if you see all those guys in the green jackets, they did not win the Masters in Augusta, but they won the Masters in Charlotte.

Please stand up; they were great support people for Pete Key, the Men with a Purpose Organization. Pete, this is about you tonight, and I want you to come down, and Cynthia you come down too, because no man does anything without a woman behind him. Braxton is going to read a very simple but heart felt proclamation in your honor.

Councilmember Winston read the following proclamation:

WHEREAS, Fire Chief Howard D. “Pete” Key joined the Charlotte Fire Department in 1977, at which time there was a mass hiring for three new fire stations; up until this point, only three African-Americans had been hired – Hazel Erwin, David Taylor and Earl Adams; and

WHEREAS, Chief Key was promoted to Captain in 1984, to Battalion Chief in 1998 and to Deputy Fire Chief in 2004; and

WHEREAS, Chief Key is a family man, married to Cynthia for 44 years, and together they are proud parents of daughter, Rhonda and son, Howard, Jr.; and

WHEREAS, Chief Key is a valued member of the Charlotte community, serving on the Urban Boy Scouts Committee; he is also a member of the United Way Crown Club and Black Men with a Purpose; is an avid supporter of the Arts and Science Council; and is a member of the Clanton Park Homeowners Association and the Queen City Optimist Club; and

WHEREAS, Chief Key is the longest serving African-American in Charlotte Fire Department history, and the first African-American to occupy the Fire Chiefs and Operations Chief positions in Charlotte Fire Department history; and

WHEREAS, Chief Key retired from the Charlotte Fire Department on December 28, 2018, after 41 years of dedicated service:

NOW, THEREFORE, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim February 11, 2019 as

“CHIEF PETE KEY DAY”

in Charlotte and commend its observance to all citizens.

Mayor Lyles said I just can’t be more proud of any organization, our employees and what they do in this community and the difference they make so thanks to our Fire Department.

* * * * *

ITEM NO. 12: NBA ALL-STAR WEEKEND

Mayor Lyles said the final recognition we have is about a little event that is going to be held in our City this weekend, and I want to recognize and invite the members of our CRVA staff or Board down. I don’t know who is here, but over the past year we’ve had people working very hard to deliver a wonderful, exciting, valuable visitor experience to our City of Charlotte. I had a quote somewhere that in 1992, when we hosted the first All-Star Game in the Coliseum on Tyvola Road, I think the tickets were probably around \$50, and I remember Charles Barkley was named the MVP, and he got more votes than Michael Jordan that year. One of the things that we all remembered about that was that most of the players came in and they described us as being like two or three other cities like Utah, because there wasn’t anything to do in Phoenix at that time. Well, this week

when we host the NBA All-Star 2019 weekend, we as a community have made it a place that they won't be saying we are like Utah again. We are actually going to be talking about what a wonderful visit experience.

Mayor Lyles read the following proclamation:

WHEREAS, the NBA All-Star 2019 Weekend brings together the most talented and passionate players in the league's history; and

WHEREAS, the 68th NBA All-Star Game, which will take place on Sunday, Feb. 17 at the Spectrum Center, will reach fans in more than 200 countries and territories in more than 40 languages; and

WHEREAS, the City of Charlotte truly shines when hosting high-profile events, and the upcoming All-Star Weekend will be no exception; and

WHEREAS, this event is a culmination of years of planning, preparation and collaboration across many agencies, working to provide memorable experiences for visitors and community members alike; and

WHEREAS, an event of this magnitude will also garner international exposure for Charlotte as a leisure, sports, business and convention destination – generating an estimated \$100 million in economic impact; and

WHEREAS, the NBA, through its NBA Cares initiative, will be active throughout the weekend serving the community and making a positive difference in the lives of Charlotteans, and

WHEREAS, the NBA All-Star Weekend will celebrate the legacy of basketball in the Carolinas:

NOW, THEREFORE, I, Mayor Vi Alexander Lyles do hereby recognize February 15-17 as

“NBA ALL-STAR WEEKEND”

in Charlotte and welcome both community members and visitors alike to celebrate this exciting event in the Queen City.

Mayor Lyles said on behalf of the CRVA please accept this Proclamation welcoming everyone to the All-Star Game Week-end. If you come through our Airport and you see the chairs are blue and teal, if you've got a blue and teal outfit please know that we are celebrating our Team and Kemba, who is going to be on the All-Star Team, we are really excited about the opportunity. Thank you very much for all the work everyone is going to do, all of our volunteers, all of our sponsors and especially the CRVA staff and Fred Whitfield and all of his staff for making all of this possible.

* * * * *

CONSENT AGENDA

Motion was made by Councilmember Mayfield and seconded by Councilmember Winston to approve the Consent Agenda as presented with the exception of Item Nos. 33, 37, 38, which were pulled for a separate vote and Item Nos. 52 and 73 which were pulled for speakers. Item No. 49 was pulled by staff, and Item Nos. 66, 69, 70, 71, and 72 have been settled.

Mayor Lyles said we have comments on Item Nos. 36: West Sugar Creek Apartments Bond Issuance Approval. This is to allow the Housing Authority to issue multifamily housing revenue bonds not to exceed \$18 million to finance the development of 924 West Sugar Creek Apartments.

Councilmember Harlow said my simple reason for commenting on this, I'm going to support this and imagine the Council will report this, was really just to trigger a reminder of a conversation we had back in April when we originally voted on Housing Trust Fund dollar conversations. We had 11 projects on that night, nine of which were 9% deals; we now know three of those which were approved and two of which we had a robust conversation around 4% projects. One was the Brookshire Boulevard development that had committed about 50 units, and they committed 20% of them to be 30% AMI and below. West Sugar Creek was 180 or 160 units that was just 60% AMI and Mr. Bokhari, Mr. Newton, and I voted to split that out and vote individually and voted against it. It eventually did pass, and we issued \$5.3 million of Housing Trust Fund money that is part of the current \$50 million bond that was approved. I think the community should understand that \$9.5 million of that \$50 million has already been approved that voters did approve. I just want us to consistently think about this and this is really for the Council as we go forward, understanding that in the near future we will have more Trust Fund ask of 4% deals like this, which had large amounts of units with varying and/or no commitments to our greatest need for income levels.

So, this particular item does not have to deal with that, but I just wanted to make that comment and to continue to think about that as we as a Council know that coming up and moving forward as we have more money around Trust Fund and as we have more conversations around 4% deals and other deals that we remember that conversation we had on April 23rd. In my opinion that was the most robust housing conversation we've had here on the dais. This is related to it as the Housing Authority will get bond allocation for this project to continue moving forward, but I just wanted to bring that up.

Mayor Lyles said I think we are going to have many robust conversations around deals particularly around deals where the 4% are often without some kind of other leverage. They are practically twice the costs of three times the costs of a 9% deal and money goes further when it is used and leveraged with additional partnerships.

Councilmember Mayfield said regarding Item No. 46: GAT Airline Ground Support, Inc. Lease, I just wanted the community to know if they were able to watch online of if they were joining us tonight, because there is not specifics on what GAT Airline Ground Support, Inc. is, so I wanted to clarify that the company provides aircraft ground handling services for airlines, such as Jet Blue Airlines. The services include staffing for the marshaling of the actual aircraft into the gate, baggage handling to and from the aircraft and terminal and pushing the aircraft back from the gate for departure. GAT also assists with aircraft fueling when necessary, and these services are contracted between the airlines and GAT. This lease provides support space for the actual staff, because this particular request is basically for office space for the staff, but I do hope that not only GAT but also our other partners that are on tonight's agenda heard the concerns that came from an employee at the Airport and also hope that Mr. Cagle has well as Mr. Christine and Airport staff have heard the concerns when we are looking at partnerships with sub-contractors as well as business partners within the Airport.

A vote was taken on the motion and carried as unanimous.

The following items were approved:

Item No. 34: 2018 Urban Area Security Initiative Grant Acceptance

Authorize the Charlotte Area Homeland Security Director (Charlotte Fire Chief) to accept a grant for \$2,000,000 from the United States Department of Homeland Security for the 2018 Urban Area Security Initiatives Grant Program.

Item No. 35: Charlotte Fire Department Officer Promotional Testing Services

(A) Approve a contract with Morris and McDaniel, Inc. for Fire Officer Promotional Testing Services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments, and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 36: 924 West Sugar Creek Apartments Bond Issuance Approval

Adopt a resolution granting the Charlotte Housing Authority's request to issue multifamily housing revenue bonds, in an amount not to exceed \$18,000,000 to finance the development of 924 West Sugar Creek Apartments.

The resolution is recorded in full in Resolution Book 49, at Page(s) 334A-335.

Item No. 39: Light Rail Transit South Corridor Landscape Maintenance Services

Approve a contract in the amount of 4628,005 with Taylor's Landscaping Services, Inc. for landscape maintenance for the CATS Corridor Light Rail Transit South for a three-year term.

Item No. 40: Central Yard Storm Water Control Retrofit

Approve a contract in the amount of \$812,623.90 to the lowest responsive bidder Blythe Development Company for the Central Yard Storm Water Control Retrofit Project.

Summary of Bids

Blythe Development Co.	\$812,623.90
Husky Construction	\$884,598.00
OnSite Development, LLC	\$984,054.78
United of Carolinas, Inc.	\$1,098,537.00

ITEM 41: Storm Water Repairs and Improvements

(A) Approve a contract in the amount of \$1,998,595 to the lowest responsive bidder Onsite Development, LLC for the Storm Water Repair and Improvement Fiscal Year 2019-B project, and (B) Approve a contract in the amount of \$4,013,146 to the lowest responsive bidder Onsite Development, LLC for the Storm Water Repair and Improvement Fiscal Year 2019-C project.

Summary of Bids-B

OnSite Development, LLC	\$1,998,595.00
Blythe Development Company	\$2,042,114.75
United of Carolinas Inc.	\$2,084,194.91
North American Pipeline Management, Inc.	\$2,612,738.00

Summary of Bids-C

OnSite Development, LLC	\$4,013,146.00
United of Carolinas, Inc.	\$4,323,995.92
Blythe Development Co.	\$4,344,213.75
North American Pipeline Management, Inc.	\$5,387,610.00

Item No. 42: Water and Wastewater Treatment Process Control Equipment Maintenance

(A) Approve contracts with the following companies for water and wastewater treatment process control equipment maintenance for an initial term of two years: MPG Consulting Services, LLC, and CITI, LLC, and (B) Authorize the City Manager to renew the contracts for up to one, two-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 43: Transit Management Services

(A) Approve a three-year agreement with RATP DEV USA (formerly McDonald Transit Associates, Inc.) to provide transit management services for the Bus Operations Division, at a total cost of \$2,015,510, and (B) Authorize the City Manager to negotiate and execute contract renewals up to the amount of \$730,000 per year, for up to two additional years.

Item No. 44: Airport Taxiway M Rehabilitation Construction

Approve a contract in the amount of \$14,619,652.50 with Hi-Way Paving, Inc. for the Taxiway M Rehabilitation Project.

Item No. 45: Airport Parking Deck Expansion Joint Repair

(A) Approve a contract in the amount of \$675,637 to the lowest responsive bidder Volunteer Restoration, Inc. for the west daily parking deck expansion joint repair, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Summary of Bids

Stone Restoration *	\$450,000.00
Volunteer Restoration	\$675,636.50
Restcon Corp.	\$718,116.30
Osborn Contract Services	\$940,251.40
Alpha Insulation & Waterproofing	\$2,012,481.30
Strickland Waterproofing	\$3,135,780.00

* Stone Restoration's bid did not include labor; the bid was rescinded.

Item No. 46: GAT Airline Ground Support, Inc. Lease

Approve a three-year lease with GAT Airline Ground Support, Inc. for office space in the terminal of Charlotte Douglas International Airport.

Item No. 47: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$9,024.60.

The resolution is recorded in full in Resolution Book 49, at Page(s) 336-337.

Item No. 48: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of December 17, 2018 Zoning Meeting, January 7, 2019 Strategy Session, January 14, 2019 Business Meeting and January 22, 2019 Zoning Meeting.

PROPERTY TRANSACTIONS

Item No. 50: Property Transactions – Bryant Farms Road Sidewalk, Parcel #5

Acquisition of 2,406 square feet (.055 acre) in Fee Simple plus 929 square feet (.021 acre) in Temporary Construction Easement at 9014 Bryant Farms Road from Debra G. Yeatts and Rodney A. Yeatts for \$19,000 for Bryant Farms Road Sidewalk, Parcel #5.

Item No. 51: Property Transactions – Bryant Farms Road Sidewalk, Parcel #6

Acquisition of 1,761 square feet (.040 acre) in Fee Simple plus 183 square feet (.004 acre) in Storm Drainage Easement, plus 1,345 square feet (.031 acre) in Temporary Construction Easement at 9000 Bryant Farms Road from Kathryn Miller Jones for \$21,255 for Bryant Farms Road Sidewalk, Parcel #6.

Item No. 53: Property Transactions – Cross Charlotte Trail Brandywine-Tyvola, Parcel #18

Acquisition of 3,541 square feet (.081 acre) in Greenway Easement, plus 3,987 square feet (.092 acre) in Temporary Construction Easement at 3460 Selwyn Avenue from Colby McKnight Nicholson and Samuel D. Nicholson for \$31,875 for Cross Charlotte Trail Brandywine-Tyvola, Parcel #18.

Item No. 54: Property Transactions – Cross Charlotte Trail Brandywine-Tyvola, Parcel #19

Acquisition of 4,575 square feet (.105 acre) in Greenway Easement, plus 1,606 square feet (.037 acre) in Temporary Construction Easement at 3514 Selwyn Avenue from Harry Sibold for \$23,075 for Cross Charlotte Trail Brandywine-Tyvola, Parcel #19.

Item No. 55: Property Transactions – Irvins Creek Trunk, Parcel #10

Acquisition of 2,809 square feet (.064 acre) in Sewer Easement, plus 4,399 square feet (.101 acre) in Temporary Construction Easement at 11252 Lawyers Road from Carl McEwen Ellington for \$34,000 for Irvins Creek Trunk, Parcel #10.

Item No. 56: Property Transactions – Irvins Creek Trunk, Parcel #3

Acquisition of 18,091 square feet (.415 acre) in Sewer Easement, plus 7,216 square feet (.166 acre) in Temporary Construction Easement at 11024 Lawyers Road from Richard Dale Evans, et al for \$57,350 for Irvins Creek Trunk, Parcel #3.

Item No. 57: Property Transactions – Irvins Creek Trunk, Parcel #4

Acquisition of 5,825 square feet (.134 acre) in Sewer Easement, plus 3,786 square feet (.087 acre) in Temporary Construction Easement at 11110 Lawyers Road from Billy E. Lineberger and Edith Lineberger for \$23,594 for Irvins Creek Trunk, Parcel #4.

Item No. 58: Property Transactions – Irvins Creek Trunk, Parcel #9

Acquisition of 6,147 square feet (.141 acre) in Sewer Easement, plus 2,146 square feet (.049 acre) in Temporary Construction Easement at 11232 Lawyers Road from McDowell/Cochrane, LLC, et al for \$20,625 for Irvins Creek Trunk, Parcel #9.

Item No. 59: Property Transactions – Little Sugar Creek Tributary Trunk Sewer to North Tryon Street, Parcels #4, 9, 10, 12, 13 and 14.

Acquisition of 17,050 square feet (.391 acre) in Sewer Easement, plus 13,249 square feet (.304 acre) in Temporary Construction Easement at 1107 and 1114 North Davidson Street from Thomas R. Hunter, Carroll E. Hunter and Hunter Auto and Wrecker Services, Inc. for \$208.925 and all relocation benefits in compliance with Federal, State or local regulations for Little Sugar Creek Tributary Trunk Sewer to North Tryon Street, Parcels #4, 9, 10, 12, 13 and 14.

Item No. 60: Property Transactions – NC51 (McAlpine – Ridgeloach) Sidewalk, Parcel #11

Resolution of Condemnation of 4,316 square feet (.099 acre) in Sidewalk Utility Easement, plus 3,340 square feet (.077 acre) in Temporary Construction Easement on Rea Road from the Cherokee Association Incorporated \$18,550 for NC51 (McAlpine – Ridgeloach) Sidewalk.

The resolution is recorded in full in Resolution Book 49, at Page(s) 338.

Item No. 61: Property Transactions – NC51 (McAlpine – Ridgeloach) Sidewalk, Parcel #20

Resolution of Condemnation of 1,957 square feet (.045 acre) in Temporary Construction Easement at 4527 Nora's Path Road from James G. Friend and Sandra W. Friend for \$4,525 for NC51 (McAlpine – Ridgeloach) Sidewalk.

The resolution is recorded in full in Resolution Book 49, at Page(s) 339.

Item No. 62: Property Transactions – NC51 (McAlpine – Ridgeloach) Sidewalk, Parcel #21

Resolution of Condemnation of 565 square feet (.013 acre) in Temporary Construction Easement at 4519 Nora's Path Road from Clifton S. Clardy, Jr. and Christine A. Clardy for \$4,000 for NC51 (McAlpine – Ridgeloach) Sidewalk.

The resolution is recorded in full in Resolution Book 49, at Page(s) 340.

Item No. 63: Property Transactions – NC51 (McAlpine – Ridgeloach) Sidewalk, Parcel #24

Acquisition of 1,150 square feet (.026 acre) in Storm Drainage Easement, plus 1,024 square feet (.024 acre) in Temporary Construction Easement at 5630 McPherson Drive from Michael R. Gordon and Mary E. Gordon for \$13,588 for NC51 (McAlpine-Ridgeloach) Sidewalk.

Item No. 64: Property Transactions – NC51 (McAlpine – Ridgeloach) Sidewalk, Parcel #29

Resolution of Condemnation of 342 square feet (.008 acre) in Temporary Construction Easement at 7808 Biddstone Court from Lisa Y. Strange, Cynthia Leigh Podador and Tristan T. Valerio Podador for \$400 for NC51 McAlpine – Ridgeloach) Sidewalk.

The resolution is recorded in full in Resolution Book 49, at Page(s) 341.

Item No. 65: Property Transactions – Peachtree Hills Sidewalk, Parcel #28

Acquisition of 9,172 square feet (.211 acre) in Sidewalk Utility Easement, 1,948 square feet (.045 acre) in Storm Drainage Easement, plus 13,810 square feet (.317 acre) in Temporary Construction Easement at 1029 Peachtree Road from Greater Bethel A.M.E. Church and Trustees for \$17,425 for Peachtree Hills Sidewalk, Parcel #28.

Item No. 67: Property Transactions – State Street Pedestrian Improvements, Parcel #15

Resolution of Condemnation of 146 square feet (.003 acre) in Sidewalk Utility Easement, plus 764 square feet (.018 acre) in Temporary Construction Easement at 330 State Street from Chrisan Villavarayan and Amala Nicholas for \$4,075 for State Street Pedestrian Improvements.

The resolution is recorded in full in Resolution Book 49 at Page(s) 342.

Item No. 68: Property Transactions – State Street Pedestrian Improvements, Parcel #32

Resolution of Condemnation of 164 square feet (.004 acre) in Temporary Construction Easement at 203 State Street from Cynthia Ashmore, Richard Cotton and Beverly C. Lawston for \$625 for State Street Pedestrian Improvements.

The resolution is recorded in full in Resolution Book 49 at Page(s) 343.

Item No. 74: Property Transactions – Win Hollow Pump Station, Parcel #5 and 6

Acquisition of 37,242.27 square feet (.855 acre) in Sanitary Sewer Easement, plus 37,305.97 square feet (.856 acre) in Temporary Construction Easement at 8820 and 8821 Faires Road from Michael S. Williams and Karen M. Williams for \$45,000 for Win Hollow Pump Station, Parcel #5 and 6.

Item No. 75; Aviation Property Transactions – 4217/4221 Keeter Drive

Acquisition of 3.364 acres at 4217/4221 Keeter Drive from Thomas Concrete of North Carolina, Inc. for \$1,923,858 and all relocation benefits in compliance with Federal, State or local regulations for Airport Destination District – Central.

* * * * *

ITEM NO. 33: GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT FOR DRIVING WHILE IMPAIRED TASK FORCE

Councilmember Winston said I had asked Ms. Harris for information regarding the six-years of our participation in this program; where exactly did CMPD traffic stops or road blocks or check points had been set up and where those have been? I think she is going to work on getting me a list of those locations and where those have been and at what times. I did have a couple questions for CMPD in terms of how we make these check points and how we implement them.

Marie Harris, Strategy & Budget said Deputy Chief Mike Estes is here for specific questions.

Mr. Winston said I did get a bunch of information about how these check points are selected and the criteria and some of the policy that goes into running these check points. I was wondering is there any policy as to when to call one of these check points off,

specifically if there is any other law enforcement activity happening in a set area where one of these check points was planned on being.

Deputy Chief Estes, Police said we do have policies in regard to the check points and when we call them off. We haven't had up to this point other law enforcement agencies that were interfering or operating in the area that caused one to be called off. Normally, they would be called off due to weather or some other large- I think one time we had a Presidential visit that came that necessitated manpower be used other places, but so far that has not happened as you spoke.

Mr. Winston said you know we've been having in certain areas of our community over this past week this new normal where we've had immigration and customs enforcement doing enhanced law enforcement operations in areas that are heavily populated by immigrant populations, and there have been reports- I don't know that there have been CMPD check points in these areas. Would that be a case where the community is on edge where we might consider calling off one of these types of check points because of the circumstances surrounding?

Deputy Chief Estes said most of these check points are made six-months to a year in advance where they would be planned, based on statistical analysis that we do regarding the number of our car crashes we had, fatal crashes, speed crashes, etc. They are usually done during the evening hours between 9:00 p.m. to 3:00 a.m. Most of those type instances that you are referring to I believe take place during the day. The Chief of Police always reserves the discretion to be able to remove resources as he deems fit, so each one of those would be up to his purview to be able to decide that if something like that were to take place to create undue harm to the community.

Mr. Winston said were there any of these check points put in place over the past seven-days?

Deputy Chief Estes said I don't believe so. I will have to check and make sure. I can tell you this, that every checkpoint we do is with the motoring public safety in mind. It has nothing to do with any other type enforcement, and we are regulated by that through State Statues and through the North Carolina Government Highway Safety Program.

Mr. Winston said understood, are there any other check points?

Deputy Chief Estes said there were two last week within the seven days.

Mr. Winston said where were those?

Deputy Chief Estes said Billy Graham Parkway and Central Avenue.

Mr. Winston said where on Central Avenue?

Deputy Chief Estes said right near the Eastway Division Office.

Mr. Winston said when was that check point done and for how long?

Justin Kupfer, Transportation said I set all the check points and saturation patrols. I'm the one who coordinates them and then I look at the statistical information and set them up for the Police Department. We did have a saturation patrol Wednesday off Central Avenue.

Mr. Winston said what is a saturation patrol?

Mr. Kupfer said it is when we bring multiple cars in; we had 25 officers brought in, volunteer basis or assigned, and we look for any motor vehicle infractions; headlights out, seat belt, speeding, impairment, and things of that nature. That occurred from 9:00 p.m. to 1:00 a.m. The basis for it we actually had a fatal crash at Central Avenue and Lansdale

Drive, which is right up the street within a week of that saturation patrol, and it was DWI related.

Mr. Winston said were you aware of the enhanced immigration customs enforcement actions that were happening in that area at that time that you set up that and executed that check point?

Deputy Chief Estes said no, we were not. We have no relation to any other-

Mr. Winston interrupted to say I didn't ask about relations; were you aware of those?

Deputy Chief Estes said we have no other relation or information related to any type of enforcement action by any other agency related to this.

Mr. Winston said so, Chief Estes, members of Council, I sent an e-mail a couple days ago when we were made aware of this increase Immigration Customs Enforcement where we put out a very weak, the normal CMPD response that we do not enforce immigration or federal law. These were reports of this check point that have since been corroborated by our CMPD that we had never made a statement on, that we never recognized and which was continued to enflame a very sensitive situation to our community that I understand our CMPD might have been using it to try to make our community safer, but it is something that eroded and continues to erode the trust within our immigrant community that are highly concentrated right in that area on Central Avenue and Eastway Drive. So, when we make statements that we are unaware about this enhanced enforcement, when we don't believe the people that this is affecting, when we are silent about this, it makes it hard for us to execute on these promises of bridging differences. It makes it next to impossible to continue to build trust between the most fragile communities that we are trying to reach.

CMPD came up with a bigger statement on Friday after what happened down at the ICE facility, but this exactly- if I didn't ask these questions in this kind of way on this Consent Agenda item, we would have never gotten the facts out to the community. Nobody ever came out and said from CMPD that yes, we did have a traffic stop right next to these enforcements that were going on. We claim plausible deniability, and it hurts us. It hurts us, and if we are doing these things we should be straight up and face our citizens head on, so I hope we think about this. I hope we pay attention to what the community is telling us, and if we really do want to bridge these differences, we have to listen and be reactive to our community in their needs and their concerns.

Councilmember Driggs said I'm sure there will be people who will be excited by your dark insinuation. CMPD had a job to do. I would like to read a message that I got from Captain Wagner of CMPD-South. "Today, the CMPD conducted two traffic enforcement operations at locations that were selected due to being part of a high injury network, one in the 8000 block of Ballantyne Commons Parkway from 8:30 until 10:45 and another one at the 8860 block of Park Road from 12:15 to 13:45 hours. In that one, the total number of stops was 95. Violations found were 113." This procedure of creating these high-end density things is part of the general responsibility of keeping roads safe, and I think the idea that there was sort of collusion with anybody else is just disrespectful to our Police Department.

Councilmember Egleston said I didn't sense that Mr. Winston insinuating that there was collaboration.

Mr. Driggs said he asked the question pretty pointed.

Mr. Egleston said what I thought and I called Chief Putney the other day and had this same conversation with him. It does create a lot of confusion in the community when something is going on with what ICE is doing and something is going on with what CMPD is doing, whether those two things are coordinated or not, it creates confusion. It creates additional anxiety than what is already there, so I called Chief Putney to have that conversation with him. What I didn't think to ask him, but I will ask you is, you've said that

we set these things up six-months or so in advance. Would any other law enforcement agency have access to know when and where we are going to conduct those, because if so, that would allow them to potentially time their operations with ours to create that confusion? Would they be aware of those or would they not have any access to those ahead of time?

Deputy Chief Estes said only our partnering agencies, which would be the North Carolina Highway Patrol our local agencies here who participate in these check points, or in this case we are speaking of a saturation patrol, not a physical part where people stop, would have access to that. So, to my knowledge, there would be no other federal agency that would have any access to activities that we would be conducting. We are put in a predicament here; we have a fatal crash that happened the week before, so it is our charge to make sure that our roadways are safe. On the one hand, we are trying to ensure that the roadways are safe for the motoring public; we know that alcohol is responsible for a good portion of the 74 fatalities that we worked last year in our area where people died on the roadways. In this case, it appears that it just happened there were other federal activity going on at the same time that we were trying to discharge our duty.

Mr. Egleston said I'm not questioning the value of the work that you guys are doing because those check points are important, and it does help keep our streets safe. It was incredible unfortunate timing that it happened in coordination, not in coordination, but in sight of it happened simultaneously to the ICE activities, because again, I think it does create a lot of fear and a lot of confusion and it erodes the trust that I know CMPD and this entire City Government is trying to create with the community and it feeds into the narrative that CMPD is assisting ICE, and that is not any of us want the message or the perception to be. I do think we need to evaluate that when certain circumstances like that pop up. While it is important that we focus on those high-crash areas or high whatever areas that we say, you know what this week that might be as important as maintaining the trust that our community, particular our immigrant community and not allowing that narrative to be fed that we are somehow partnering with federal agenda on other operations and that we reevaluate when maybe deploy at a different time the check point.

Councilmember Ajmera said as Mr. Winston and Egleston have already pressed on some of this, I live on the eastside, and I have had neighbors tell me stories where CMPD had check points, and I did not believe it, because the statement that we had put out there, the City said that we don't enforce ICE. We don't enforce federal laws, but I think it does create confusion, and if it wasn't brought up, we would not have known that that was the case.

We may not have a solution to this right now, but I think somewhere in there we do need to come up with some sort of messaging that there were check points which was not coordinated necessarily with the federal agency, but there were check points for safety reasons that we do this occasionally, and there is a good reason for that, but it does create anxiety and fear in the community where when we are out in the community, and we hear that we get one message from the community that yes CMPD is working with them. I think it does create that confusion, and I do not know an answer to that, but the timing is just unfortunate as Mr. Egleston had mentioned earlier. Last week, I got so many messages from immigrant neighbors being concerned about going out of their homes to work or to even drop their kids off to school. It is our responsibility as a Council to ensure that people that they are part of our community and first generation immigrant, I'm particularly very sensitive to this topic, because that anxiety and fear is real. So, we need to do a better job of communicating some of this check points once it is done but also ensuring that our immigrant community feels safe and can trust our CMPD.

Councilmember Newton said I live in east Charlotte too, and I've received a lot of the same concerns from my neighbors, my constituents. They explain to me and express their fear; they also express the disruption of their daily lives. This goes certainly in the immigrant community but in the community as a whole so at large. We had disruption within businesses, and we had low attendance at our schools. So, that has all been corroborated, as far as I'm concerned.

Having said that, I don't mean to conflate what your job is, the check point last week with the ICE raids, but I think it is very clear particularly after we heard the press conference from ICE themselves, this is the new normal. Those were the exact words they used, the new normal. That means it is not going to stop, not at least right now. I think some of my colleagues, and I have had discussions pertaining to what we can do in the interim and what we are told is that our hands are somewhat tied here, but I would ask you to be sensitive to this, aware of this and in any way shape or form if you get any word whatsoever that these raids may be taking place again, maybe at a moment's notice-

Mayor Lyles said that is not in order for this discussion. The ICE raids you are talking about, I think that is not in order for this discussion Mr. Newton.

Mr. Newton said I'm getting back around to it. The point I'm making is this, if we are talking about check points given the confusion, given the disruption that occurs in the community with these raids and that will be that much further exacerbated with your participation in the check points, we need to be aware of that. Please be sensitive to that and in the future, we are talking about appropriating money for check points right now. In the future, as you look for where you are going to be placing check points, I would ask that you do everything you possibly can to be on top of what they may be doing so you don't further exacerbate the already existing problem for our community.

Mayor Lyles said again, let's be very careful here in terms of we all understand the issues that are going on. As you said Mr. Newton, the new normal is here and so we all have to face that issue, and it is not just in policing. It is in our EMTs; it is in our Fire Department. It is when people walk in for our services at all. I think to ask for that sensitivity is important, but I think we also need to make sure that we are very clear, and we've already said that this is a welcoming diverse community and that is our attitude. I haven't seen the Police do something that would actually [inaudible] that. We all are adjusting, but I think that we need to be really specific when we are talking about that, so right now we are talking about the driving while impaired taskforce grant, and we are going in a number of different directions. So, I'm not quite sure if you are watching this discussion you would know what we are talking about. I'm trying to be a little bit more concise around let's stick to our agenda item. We all have opportunities to work with our Police Department. Chief Putney and the entire command staff have been very open about conversations and most of you know him on speed dial, and that is something that we should consider but again we have an agenda item that we need to work.

Mr. Winston said Ma'am Mayor, I would say that this all germane discussion. If you look on the responses to the questions of the Consent Agenda Item, it talks about how check points are selected, and that is relevant to this grant as this grant does go to funding these check points. I think it is relevant for any Councilmember to ask about these check points and the criteria that goes into it and the surrounding nature of it.

Mayor Lyles said I would agree with that. I don't think I misstate that.

Mr. Winston said I think every line of questioning has been relevant to this specific Consent Agenda Item, and I would encourage us to continue to question, because that is what we are elected to do.

Mayor Lyles said I thought we were elected to serve our community.

Mr. Winston said that is what we do by asking questions.

Mr. Eggleston said the immigrant community is part of our community.

Mayor Lyles said I'm sorry, I apologize for saying that.

Mr. Winston said that is our job to guide the City staff on how we want our City to be run, and that is what we are doing right now. I'm sorry if that is inconvenient or confusing or whatever, but if we can't question this I don't know who can.

Mayor Lyles said I'm not debating whether or not you can question check points. I'm saying let's make it applicable.

Mr. Winston said if you look at the responses it is applicable.

Mayor Lyles said Mr. Winston, please allow me. Sometimes it has been a long day, and I get a little bit tired, and I apologize for saying that. That was an inappropriate comment on my behalf, and I hope you will accept my understanding that it was not meant from the heart but perhaps just the fatigue of the body. I apologize.

Mr. Winston with all due respect Mr. Driggs mentioned what is happening in District 7, but this new normal, as was told me by the Assistance Field Director, it carries levels of consequence that are inequitable around different parts of town. District 7 will not feel this the way District 1, District 5, and other Districts will feel this. I understand that the concerns in District 7 may be a little different than different parts of town and vice versa, but we should recognize that the inequities that exist in this City are not just subject to land use decisions. They are about police policy; they are about federal policies and this is what we are dealing with right here right now. You mentioned two different types of check points, a DWI check point as well as saturation patrol. Are there any other types of check points.

Deputy Chief Estes said I would like to make a distinction if I could right here, actually two. The first I've heard the term check point thrown about, there wasn't a check point on the day that we are discussing as a saturation patrol. Separate and apart from a check point. A check point is where people are stopped; every car is stopped. Every car is questioned, every single car.

A saturation patrol is where they go into an area with an increased presence, in this case based on the fatality we had the week before, point one. Point two, this took place between the hours of 9:00 p.m. and 1:00 a.m. I believe this enhanced ICE thing took place during the day time hours, so I do not believe that there was –

Mr. Winston said I can tell you it was all hours; that is what the Assistant Field Director told me that it was a week-long event at that point in time at about 12:00 on Friday 200 people had been arrested state-wide, where normally it is about 54 in an entire week and this new normal will be something that will continue indefinitely.

Deputy Chief Estes said further to the second point, I want to make it clear we don't have information as to when these things are going to take place. We aren't forewarned that, hey we are going to have this type incident to take place. I just want to make it clear, we don't have foreknowledge and then decide we are going to do it anyway. So, we understand the issue.

Mr. Winston said do we have knowledge from the community that on Wednesday between 9:00 and 1:00 a.m. did CMPD have any type of knowledge from the community or from observations from patrol units that these types of activities were happening around this area?

Deputy Chief Estes said not that I'm aware of. Once the operation is already in place. I can tell you the information and concerns that have been brought up a valid, and we understand them.

Mr. Winston said are that any members of the Fraternal Order of Police in here right now? Any of the uniform officers here members of the Fraternal Order of Police?

Deputy Chief Estes said I don't see any.

Mr. Winston said is the Fraternal Order of Police an organization for all law enforcement officers, including Federal Law Enforcement Officers to join?

Deputy Chief Estes said that I don't know.

Mr. Winston said okay, now that we know that we are in this new normal and we know about what is happening, do we have type of policy in place as we are going through this policy that would call off these flow operations or check points if there is knowledge of enhanced enforcement by other law enforcement entities in the area?

Deputy Chief Estes said we do; any member of the Command Staff or Chain of Command can move any police operation due to any type of interference or decision to be made otherwise.

Mr. Winston said Mr. Manager, I think we should have a conversation with Chief Putney to determine policy moving forward in these new normal times because of course none of this policy was determined within these new normal times to continue the mission of bridging the difference and bridging these gaps in serving our community and making sure that everybody does feel safe in our community, because the current policy will not ensure that in this new normal.

Mr. Driggs said for one, I would like to point out that my reference to District 7 was meant to illustrate the fact that these were occurring everywhere in Charlotte and were not being targeted into a particular area. What we are talking about right here is whether or not to accept money to help fund a program that is meant to address DWI. This has been politicized and distorted in a way that undermines the ability of CMPD to do their mission. Their basic mission is to ensure public safety, and if you look at statistics on deaths on the road, deaths from traffic accidents are a key part of it. This helps us to find our program for safety on the roads, and the thing that is ironic in my mind is that if we had any indication that CMPD was talking to the Feds in order to coordinate these activities on the roads, what do you think the story would be then? Wow, you guys knew that there were going to conduct a raid over there, and you didn't do anything about it, and you let all those poor people get scooped up by those bad Feds? This is a no-win situation here, and the logic is utterly twisted. I hope we can support CMPD in its safety mission which is what this number is about, and we can give the taxpayers the benefit of a little of relief of the cost of conducting these operations.

Councilmember Bokhari said I would just add on to that, because I think we are in a dangerous point right now where emotions are high in this community; there is a lot of justified reasons for that, and sometimes people walk away with false information that must makes things worse. We are about to approve a grant for DWI, and we've been told crystal clear that these are placed based on data. They are placed six to 12-months in advance; they do not have knowledge on where ICE is going to be, and ICE does not have knowledge of where they are going to be. So, anyone who things that we've got some big ah ha moment we caught you that is suddenly corelated or it isn't, that is not the case whatsoever from what we've heard today, and don't make that think we don't care and are just as concerned about the anxiety and the fear that is out there, but we are City Council and just like City Council or County Commission or School Board we all have our lanes and where we need to focus. We can speak up and champion certain things, but when we talk about this new normal, we have to look internally when we played in other lanes trying to make a broader point like taking away 287g to realize we are in this new normal today, because of that action when in effect they thought that we were going out there saying no to ICE and reform immigration. What happened now is they took it out of the jails and into the streets, and we are seeing that as a direct ramification there. So, when we play outside of our lanes to make points it can have dangerous consequences for the very people we are trying to help.

Motion was made by Councilmember Bokhari, seconded by Councilmember Phipps, and carried unanimously to adopt a resolution to apply and accept a grant award in the amount of \$197,598 from the Governor's Highway Safety Program for a Driving While Impaired Task Force.

The resolution is recorded in full in Resolution Book 49, at Page(s) 333-334.

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ITEM NO. 37: CROSS CHARLOTTE TRAIL – SOUTH CHARLOTTE CONNECTOR

Franklin Keathley, 2144 Park Road said I am here representing the Board of the Charlotte Running Club; we are a volunteer led organization whose mission is to build a strong and healthy community through running. Our 400 plus dues paying members much like the rest of Charlotte's running community are an extremely diverse group of people, because of that, we don't weigh in on many political issues. Instead, we advocate things that unit us and the Cross Charlotte Trail and the South Charlotte Connector are both some of those issues.

We want to first state that we the Charlotte Running Club voice to support Council's decision to move forward with the funded sections of the Cross Charlotte Trail and its affiliated projects. That decision starts tonight, and we urge you to award construction for the South Charlotte Connector. People who get up at 5:30 in the morning in January to go for a run don't have much trouble making it to the poles in November. Most of our membership along with 76% of Charlotte residents voted in favor of the Transportation Bonds in 2016. As a \$3 million budget item, the South Charlotte Connector was specifically listed in those bonds as a project separate from the Cross Charlotte Trail. By voting for those bonds, we voted for the South Charlotte Connector; The South Charlotte Connector is on City-owned land, and it will cost less than the \$3 million budgeted to the project that will connect residents from the Little Sugar Creek Greenway all the way to McMullen Creek, Four Mile Creek and McAlpine Creek Greenways as well. By completing this small project, next year's residents can run, bike, or walk from Marion Diel Park on Tyvola Road all the way down to Rea Road in Ballantyne.

The South Charlotte Connectors connects more miles for less money than any other section of trail. It is a no brainer to build and a great start for the Cross Charlotte Trail as a whole. Now, me like many Charlotteans are still a few miles and a few too many busy streets to actually get to the Tyvola Trail Head by anything other than a car, but I recognize the South Charlotte Connector's importance to the Trail as a whole. I also recognize that we must recognize the importance of completing the entire Trail so that all of Charlotte can enjoy it. There is not much equitable than running, almost everyone can run, if you can't run you can walk, if you can't walk you can roll and if you can roll you can be pushed or carried. We all deserve a safe place for this to happen. There are health benefits, safety benefits, economic benefits to the Trail, we want more tourism, every week I field calls, Facebook messages asking where in Charlotte they can run, but unlike Atlanta with the beltline; Greenville with the [inaudible] Sacramento with the American River Trail. Durham, Indianapolis, Chicago, Akron, Knoxville, Burlington, I don't have a solid place to tell them where to go. Our trails just don't compare to our peer cities, especially when they are not connected. In the end, we all have a role to play. As elected officials, you guys create the vision of what this City should look like. City Manager, you execute that vision and make it happen and us, we just run the City. Thank you for moving forward with the Cross Charlotte Trail and helping us to do that.

Motion was made by Councilmember Driggs and seconded by Councilmember Phipps, to approve a contract in the amount of \$2,333,078 to the lowest responsive bidder Onsite Development, LLC for the Cross Charlotte Trail – South Charlotte Connector project.

Councilmember Driggs said on this there are a couple of things I would like to point out to everybody. There was an original approval for \$35 million for the Cross Charlotte Trail and then subsequently there was a \$3 million approval for the Connector. They were two separate authorizations; the \$35 million piece is way underwater. It is the one that we've heard about. We are not going to get the thing done; that was supposed to happen as a result of that. The \$3 million Connector is on budget; it is a very valuable little piece that hooks up about eight miles of greenways to the Trail and is justified entirely on a standalone basis, and the voters approved that Connector.

We need to talk more about the Trail, which is the \$35 million, and I thought we had reached a consensus about how we wanted to proceed there, but my point for tonight is that we can go ahead and do this and not necessarily prejudge any action that we might want to take with regard to the completion of the Trail in other places. I hope for the sake of South Charlotte, which gets so little capital investment that we are going to be able to ahead and authorize this and if necessary talk more about what happens for the rest of the Trail subsequently, but this is a perfectly legitimate standalone investment and is entirely justified and has been approved by the public.

Councilmember Winston said on top of our inability to hold up our end of the bargain for creating a Cross Charlotte Trail and not sections of it, or this wasn't even a part of the original proposal of the Cross Charlotte Trail; this was something that was added later on. So, we shouldn't perpetuate it as being part of the Cross Charlotte Trail. This is an issue of equity; this is an issue of health where Council has hung our hat on undoing the legacies of the past of creating economic mobility, and we have done some good things. I would argue that some of those things that we have done is easy by passing and voting yes on asking the voters to float us \$50 million of debt with limited necessity to raise taxes to do that. That doesn't impede on our future debt capacity, and it didn't replace any other type of spending. If we vote yes on this we are just perpetuating the status quo of how these inequities come about by saying we will invest, because it makes more economic sense right now. I will be more expensive to figure it out in the places where more black and brown people live and where people that make less money live. We will get to it later. That is how we build the City that is one of the most segregated in the nation, by not holding our own feet to the fire and saying let's figure out how to get it right where we have messed up. This is literally something that we can do right now; not too far in the past but in the past, a bad plan was voted on and approved. So, if we choose to go forward on this and we don't say hold up, let's figure out a plan for the whole Trail, let's build a nice beautiful Trail just with enough money from Ballantyne to uptown but not enough above that to have black and brown people, people that are low on the economic ladder need to run on the streets in a less safe environment and a less healthy environment, we are just doing the same thing that got us here in the first place. I don't know how we can be truthful with our public in saying that we are going to be willing to make the difficult decisions to disrupt what got us here in the first place so I'm voting no on this.

Councilmember Newton said from the very beginning, I had conversations with our Engineering Department, Property Manager, C-DOT, and I asked why is this within our purview, building greenways isn't this what the County does? I've been told that it is, because we are building transportation corridors. It seems like a real liberty with the use of language there.

I asked in that respect why aren't we building them for the areas of town that have the most need? Having said that, I do believe that this was passed by the voters; it was specific language on the ballot, and that is what causes a lot of conflict and tension for me. I have a question; I don't know if this is something that would be posed to Mr. Reiger in our Budget Office or if this would be posed to the City Manager. I read this, and what we are talking about is approving a contract for someone to come in. It is as if this has already been allocated. All we are talking about is proving a contract to a lowest bidder; what happens next if we were to vote no? Is this something that then you go out there and you look for the next contractor or the next person to come in and build this, or is this something where that money then gets put back into our budget for allocation somewhere else? What is the next step on a no vote is what I'm asking?

Mike Davis, City Engineer said to answer your question it might depend and we would probably be working with the Attorney's Office on some of the interpretation of this, but I think what we would be looking for is what is Council signaling through their no vote. As I think about contracts that have been deferred or declined there is usually some- my mind thinks about something like CBI reasons, for example, that might cause us to doubt something about awarding a contract. So, I think we would have to infer what is Council telling us, whether they are signaling through that no vote that would cause us to evaluate,

do we go back and rebid that, or is something that is different that requires us to have a different conversation? I don't know if there is a legal standard that needs to be applied to that as well.

Mr. Newton said this was a decision by Council before I was elected and before my service, but I think for me the sticking point here is that is something was put to the voters. So, correct me if I'm wrong; this was specific language on the ballot for this particular piece of trail in this particular amount.

Marcus Jones, City Manager said it is my understanding that there is a tieback to a budget that was approved by Council that outlines this as a segment, so the tieback is to the budget, correct?

Mr. Newton said just so I'm clear then, there was nothing on the ballot that said you vote for this, it is the South Charlotte Connector, and this much money will be allocated to that. This is something that has arisen out of a more generalized language on the ballot that we have been put over to this, is what you are saying in our budget process.

Hope Root, Interim City Attorney said it is my understanding that it was not on the ballot specifically.

Mayor Lyles said the additional language for that Connector was not on a bond referendum.

Mr. Jones said again, my understanding is that it is clear in a budget that was passed by the Council that a portion of this funding would be used for this purpose.

Councilmember Ajmera said Mr. Jones had provided us the two options last week at the Budget Workshop, and I had strongly opposed that for a number of reasons. Inequity was definitely one of them and was pretty clear that it is unfair for us to choose winners and losers, which parts of our City gets Trail and which doesn't. The plan that was proposed back then last week did not propose funding options for northeast, and since then, I have had conversations with our City Manager, in fact earlier today, and I said I am not pleased with what was proposed last week, and I would like for us to figure out how we can construct the northeast portion; however, today's vote is just for the South Charlotte Connector does not mean that we are not going to do the northeast portion, because I will make sure that I continue to have conversations with our City Manager and figure out funding options to ensure that we are looking at equity.

We are ensuring that every resident has access to equitable transportation and recreational options. More importantly, we are delivering on our promise to voters who had approved this Cross Charlotte Trail from north to south, so with that I will be supporting this ask which is for \$3 million, because it does provide connectivity and transportation options where at the same time as we continue our budget discussions I want to make sure Mr. Jones, you figure out a way for us to fund northeast portion because it is an equity issue as my colleague Mr. Winston has mentioned, but that doesn't mean we stop what we have from moving forward.

Mr. Driggs said to the question Mr. Newton asked, if you will look at the ballot, it's got one paragraph in it. It says \$120 million for infrastructure, and the voters decide whether or not to support that based on budget information, marketing campaigns, and other proposals that are circulated to them, so that they have a basis for saying yes or no. You couldn't possibly look at the ballot and make a decision about whether that money was appropriate.

So, we started our affordable housing framework so that people would have a better idea of what it was we were asking them to do and they were told in 2016 that part of the plan was \$3 million, and I think this proposal is for \$2.3 million, for this Connector which does not form a part of the Trail that was originally drawn, the line that was originally drawn by Charlotte. It is an annex to it, so I think the whole idea of rolling this into the Option 1, Option 2 is actually unnecessary. The problem that we have and in order to address the equity, the one that we need to solve is, how do we take \$35 million and leverage that

into a solution that is fair to everybody but you are not going to solve the problem by taking one of the most productive pieces of this, which is already well down the road and in which a lot of money has been invested, some money has been invested already. You are not going to gain progress by taking \$2.3 million at this point and trying to divert. We have a much bigger issue we need to address.

Councilmember Harlow said I'm appreciative of this discussion, understanding how it looked like what might be happening in the Dinner Briefing earlier today. I was actually prepared to not support this but I've gotten more information just by hearing some of the conversation around here; number one, this was not on a ballot, there was no specific language around this particular segment, separate ballot initiative, and number two, this does not preclude us from having any future conversations around any other part of the Trail at all. This is probably the most scoped out portion of the whole Trail that is remaining to be built, and we learned last week the Strategy Session how we are kind of taking a step back and trying to do more complete project design work so we can be more informed around costs so that we are not stuck holding this big bag trying to figure out how to do it all.

We are left with some unpopular options, right? One is how do we complete all of this and complete the promise to the citizens at an enormous cost, and one is how do we do that while still trying to save money so the costs don't continue to have more overruns? This segment doesn't necessarily inform us on anything else as it relates to the original \$35 million and now \$70 something million dollars. That was a little uncertain to me until I got in here today, so I'm actually going to support this. It is a bridge to other greenways that was not part of the original segment, but we are still going to be able to have future conversations around other parts of the Trail, whether that is changing up the full scope or whether that is still piecemealing it. We heard the few options last week or whether that is a totally different conversation and direction the Council wants to go as we start talking about other parts of the City. This particular segment though I'm not certain we are having the right direction where we are talking about equity and that is important always but in this \$2.3 million doesn't take away our purview later to have future conversations around the rest of the Trail, so I will be supporting this.

Councilmember Phipps said as the District Rep for two portions of the Trail that haven't even been planned or designed yet, I'm hopeful that we could at least get some money to plan and design it. This proposal that we gave you direction on last week, my constituents up there are not very happy with it. So, if I thought that this \$2.3 million would be some sort of panacea that we could rob Peter to pay Paul, I certainly would do it, but it does not do it. I worked and I'm still working on a lot of different greenways, Toby Creek, Mr. Hass Nature Trail in Hidden Valley that was supposed to hook up to it, so I would think that this money would be well spent to connect something so we could have something contiguous, I think it was 18-miles of contiguous Trail that we could get just by hooking up a group of greenways together.

We have to come up with a way, at least some planning and some design money for segments 10 and 11 up there, because otherwise we just need a plan to get something done up that way and just figure out a way to complete the whole thing, but I do think that inasmuch as we could use this piece to make some connections so people can start using it, I don't know, if we stop this what would it mean? Would we have different sections of hop-scotch no real connectivity, no real Trail for anyone? Is that what we want? That would be equity; nobody would have nothing, right? So, everybody would be in the same boat. Are we saying we would be happy with that; is that our definition of so called equity? Please Mr. City Manager, I employ you to help the north end out; at least come up with some planning money, because we are the only two segments that haven't even been planned or designed yet. If a benefactor came and said look, I'm willing to give you the money, but you still two years out because nothing has been put on paper and planned where would we be. I definitely would employ you to help me out in that regard, because my constituents are not happy. They are looking for a plan that is more specific and more definitive than just markings painted on the street or whatever.

Mr. Newton said so, what I gather from my line of questioning was that was not something approved by the voters. I thought it was, and that was what had me inclined to support this and then after when I asked what is going to happen with this money if we were to vote no, but what we are being told it is up to us. So, if we are talking about planning and design for the north segment of this Trail that money could go to that Mr. Phipps. It could literally go to anything I think based upon the direction we give staff. That is what I think I heard, right? I'm getting a head nod here, and that is why I'm inclined to now rethink what I was thinking before for those reasons.

Ms. Ajmera said when I met with the City Manager earlier today, he knew I was frustrated; I was very disappointed in the options that were given last week; however, he had assured me that there is a way we could figure out the funding for the northeast segments within our budget. Even with the \$3 million for South Connector, we should still be able to find planning and design money for northeast. Am I correct?

Mr. Jones said yes, thank you for clarifying that. If I may Mayor, we're in the beginning of a process, and we started to talk about the construction of the Trail and even in my memo to you about the next 30-days you will see at the next Budget Workshop, we will talk about actually financing the CIP as well as public safety and some other areas. So, where we are right now is we are looking at every project and scrubbing those projects to see if there were any balances left over from any project, and we have projects from a decade ago. We are scrubbing those pots, and we are also each year we look at our capacity so, if we start to look at segments 10 and 11, the only two segments that do not have any planning or any design, while the number out there has been \$19 million for those two segments, but again, because there is no planning and no design we don't hang our hat on that, but if you start to think about planning and design being 10% of a project, we are talking about something less than \$2 million to begin the planning and design of segments 10 and 11, and I commit to that. So, even with the planning and design of segments and 10 and 11 it is a two-year process, because we haven't started, but we need to start the planning and design for the last two segments.

Councilmember Bokhari said I think it is important for us to remember all that we've learned in this unfortunate situation over the last several weeks is that we are presented with a challenge that has three options proposed by the Manager and staff that can make 18-miles of continuous trail and an unidentified amount, that isn't even close for you to be able to tell us a figure, but we've also made the same promise to the community that they need the same kind of amenities and connections all this. So, the only thing I will say is that shovel readiness is what got us into this problem in the first place. On tonight's agenda, there is a shovel ready option that is for this amount relatively small in relation to the other dollar amounts, a project that is shovel ready that can get going and that we know what those costs are going to be. We are just almost as certain with the other two projects that make us the eight continuous miles. So, we have a tough decision to make tonight, which isn't that tough to me. I'm going to support it, and when that other project which is just almost an inch above shovel ready gets there what we can't do is say okay this one is shovel ready but I'm going to take that money and go back ideation mode for something that isn't going to be done until 2024. That is how this all was scoped out in the beginning. So, I don't know what the solution is, but I know that we made a promise for a dollar amount from taxpayers today that we need to figure out how to make as much of that promise possible for as much of that money or finding money or reprioritizing or creatively using opportunities zones or using opting MSDs or whatever it might be to fund the whole thing at that level of impact to taxpayers, but if we go in a route where we say well let's go over here to something that is not at all shovel ready and start throwing darts at it, that is how the folks in 2011 and 2012 and were having this discussion got us into this nightmare to begin with. Shovel ready has to be the key when we move forward on all of this.

Mr. Phipps said Mr. Manager, I would like to request a chronology of spending on the Trail thus far in terms of what was originally budgeted for each section that has been constructed and what was spent. As I can remember initially, a lot of emphasis was placed on the Little Sugar Creek Greenway when we first got started, and I'm just curious as to if there were any kind of overruns with new things added that might have taken away

from some of the funds that might have otherwise been spent on planning and design. If we could get a chronology of the scoping and what has been built, how much was originally budgeted, what was actually spent on the Trail, that would be helpful to me.

Mr. Jones said we will do.

Mr. Winston said again this is an equity issue that we should not take lightly. I want to find a solution to this but continuing the status quo of building an equitable City is not okay to me and I would employ my colleagues to not let it be okay with them.

A substitute motion was made by Councilmember Winston to refer the South Charlotte Connector and the Cross Charlotte Trail to the Transportation and Planning Committee to review options for the entire trail.

Without a second, the motion was not considered.

The vote was taken on the main motion and was recorded as follow:

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

NAYS: Councilmembers Newton and Winston

Summary of Bids

J. D. Goodrum Company, Inc. *	\$1,399,138.40
Onsite Development, LLC	\$2,333,078.00
Sealand Contractors Corp.	\$2,348,287.70
Eagle Wood Inc.	\$2,359,448.10
Blythe Development Company	\$2,952,630.23

* The bid was withdrawn.

ITEM NO. 38: CONSTRUCTION MANAGER AT RISK SERVICES FOR THE INNOVATION BARN RENOVATIONS

Motion was made by Councilmember Mayfield, seconded by Councilmember Newton, and carried unanimously to recuse Councilmember Mitchell.

Motion was made by Councilmember Ajmera, seconded by Councilmember Winston, and carried unanimously to authorize the City Manager to negotiate and approve a Construction Manager at Risk contract in an amount not to exceed \$2,000,000 with J.E. Dunn Construction Company for the Innovation Barn Renovation project.

ITEM NO. 52: PROPERTY TRANSACTIONS – BRYANT FARMS ROAD SIDEWALK, PARCEL #9

Dana Hoegh-Guldbert, 8722 Bryant Farms Road said we are just asking for a postponement of the condemnation transaction, if that is possible, until we get more clarity with the City. We do support this project, and unfortunately, I think it is going to be detrimental to my home value and the curb appeal. The property goes back 110-years, and it is the property for which Bryant Farms Road is named. It is not on the historic registry, but we cannot seem to come to an agreement right now with the City, because they have not been negotiating in good faith with us. We did our due diligence before we bought this home. This was my dream home; seven-years since I've moved here, I have desired to buy this home. My time came. I did my due diligence, and I found out about

the sidewalk project. I had the City Project Manager to the potential property to discuss what this would like and the scope of the project. We understood what was going to happen, and that was great. In my mind I knew where the sidewalk was going to go and what it was going to look like.

Unfortunately, months after closing the acquisition process is moving forward and the project design has changed and I can get little to no detail about what I'm going to be left with afterwards. It is very difficult for me to decide how to recover from that. I'm sure that my property resale value will go down, because no longer am I just going to have a straight line with a sidewalk, which would be nice for the community and for many family, going across my yard, it is now going to come in on a diagonal and cut off a portion of my yard. We have a unique situation, because our survey lines are under the road of Bryant Farms. It goes out half-way; the City claims it, because they've been on it with the road; it is by a prescriptive right-of-way, but it is on my survey. They don't have any easements, and they are coming in and what they had shown us is different from what is now. I don't understand why that sidewalk cannot go linear near the road and then beyond my property where they own the easements already, because when the parcels were divided they purchased those easements at the time, and at that point curve at a 90-degree angle and connect with the future sidewalk over there, which would be less dramatic impact. Anyway, I'm asking for a postponement because I would like to do more due diligence and seek an appraisal.

Niels Hoegh-Golberg, 8722 Bryant Farms Road said our property has been around for 110-years; 60 more days is all we are asking. So, I will leave it with you guys.

Mayor Lyles said it is always difficult when we have these condemnation projects; we have a legal process that we usually follow, and I know that we have the information on the appraised value from our appraisal and then we have the counter offer that you have made, and I would like the City Attorney to review what the next steps are so that you know what they are to go forward.

Hope Root, Interim City Attorney said it is not uncommon for there to be disputes in the value of property when there is a condemnation, and this is just simply the first step. At the same time, the City has a fiduciary obligation by using taxpayer's dollars, but the action that we are requesting tonight to the City Council is simply the first step in the process where we get the authority to take the property, build the sidewalk on the property, but this is not the end, and this approval does not set the price of the property.

The City will continue to negotiate with you as the property owners and you mentioned that you are seeking an appraisal. If you decide to get that appraisal the City will look at that and take it very seriously and will continue to negotiate with you on that. The majority of these issues usually reach an acceptable settlement between the property owner and the City and if not, then there is a [inaudible] in the court system, but like 97% of the ones we enter into are an acceptable settlement. Again, this is just the first step; it is not the end step to the process.

Mr. Hoegh-Golberg said I understand, but talking with some City officials they say they are expecting the construction to start in the next month, and I find it interesting that there is going to be construction on a piece of property then don't even own yet. Where are my rights?

Ms. Root said the way that is done is again they continue to negotiate through that process. The condemnation process works that we simply deposit the money into the court and then if you do not like anything that the City offers to you then there is a remedy through that court system. I think you will find that the City does take all— there is an opportunity for mediation. There is an opportunity to submit an appraisal, should you choose to do that, and again, this is the very first step. This approval request tonight is not the end step in any way.

Councilmember Mayfield said I have concerns with this particular item, because what we just heard is that there have been conversations with staff, and there has been little

to no negotiations. I'm glad the District Representative is able to be a part of this conversation, since this is in his District. I will be much more comfortable if we did look at a deferral for the simple fact that conversations were happening prior to the purchase of this particular property. We had identified what was going to be a project on our end; the scope of that project has changed, but we are attempting to still move forward without having clear understand.

We have gone through this condemnation process on multiple projects. There is not a process that I have seen in the seven years, where after the condemnation it comes back and we as Council know what the final result was. We tell people that this is the process; we are going to move forward with it, and we are going to hope for the best. What we identified as a Council and through the City Manager's Office is to do something very different for our City when we look at access and bikes. That means clearly across the board, how we are engaging with community? There is not a process for it to come back to us prior or after to know what the negotiating amount is; that is getting into the weeds. We don't need to know that, but what we do need to have a clear opportunity and voice in on the front end is if we hear concerns from the beginning and there are challenges in what we say staff's responsibility is and what staff has been doing, it is then our opportunity to say let's put a pause on this, because we made changes. They didn't make the changes on their property line; what was identified before this project and before the purchase whether the purchase has been in the family for 100-years or purchased 90-days ago, there was different conversations happening. I don't see why we would have a challenge with doing a deferral tonight.

Motion was made by Councilmember Mayfield and seconded by Councilmember Driggs, to defer this agenda item to a future meeting.

Councilmember Ajmera said Ms. Root, could you just walk us through the process of condemnation, where the negotiation takes place, when does the construction start, and what is the timeline around that? I know it depends and varies from project to project but specifically for this project, I would like to understand the timeline as what we are looking at in terms of the construction.

Ms. Root said I don't know anything about this specific project.

Mayor Lyles said I think we can get Mr. Davis and Mr. Korolos down; the thing that I want to make sure is that this doesn't come back. I goes before a judge and a jury so it is going to be the citizens that will decide if we've been treating those folks fairly or not in the end result. I think there is a legal process, and usually that is around money. I think the question that is being asked today is there an issue around design, because it reads in our book, it says loss of parking which is compensating event.

Tony Korolos, Real Estate Division Manager said a reference to this specific issue, it is a compensation issue, and we have appraised the property for \$28,000, and the couple engaged an attorney, and their response was \$100,000. We encouraged them to get an appraisal back in October. I believe that did not take place. We continued the negotiation efforts from October until now. I personally got involved, and we increased the compensation level to \$50,000, and there is still negotiations going on. To the Interim City Attorney's point, the negotiation will continue even after the approval of condemnation tonight. It is almost a 12-month process of condemnation where the negotiation will continue, so it will not end tonight.

Ms. Ajmera said there are really two issues here; first is the amount of compensation that is being offered, and that is going to be a continued process from what I understand. The second concern that I am concerned about is the loss of parking due to the location of the sidewalk and that starts next month from what I understand. Am I correct?

Mr. Korolos said the design issue has not been a fundamental problem; I think the fundamental issue has been compensation and landscape compensation, meaning there was some trees and things of that nature that was a major concern for the owners, which

we will be more than happy to discuss with them and work with them in that effort. We will continue the conversation; this is not the last meeting that will take place, and this conversation will continue. The negotiations will continue, and we will make them satisfied at the end of the day.

Ms. Ajmera said based on the conversation the timeline of the construction might change, correct?

Mr. Korolos said if Council approves condemnation tonight, because this is one of two parcels, that is at the end of the project. Obviously, we do not want to hold up the project, so we will continue that process, but if the issue is landscaping and compensation dollar wise that process will continue, but once you approve condemnation tonight the project will continue.

Ms. Root said I can talk about that second process; if you approve the condemnation we deposit the money into the court system and then it is after that the negotiations begin for the dollar amount, and it goes through discussions with the land owners and if necessary they get an appraisal and then have further negotiations, then to mediation and then court if possible and that the state law remedy through that.

Ms. Ajmera said I guess I'm clear on the legal aspect where you are having the continued conversation when it comes to the money part. What does it mean if we approve this; does the design remain the same? The design is still an outstanding concern of the speaker. What does our vote mean for the design; are we approving the design?

Mr. Korolos said if the issue is the design concern we will be open to defer the decision tonight, but my understanding is the issue of the compensation. It has not been a design issue however, if that is a major concern of the speaker and the property owner we will defer until we resolve the issue, but I have not heard that has been the issue.

Mr. Hoegh-Golberg said it is a design issue.

Mr. Korolos said okay then we will be open to defer until we conclude the design problem.

Ms. Ajmera said okay because that is what we have in the Council packet and it says there are two concerns; first is the compensation and the second is the loss of parking so I would think that is part of the design. If that is a concern I guess we've got to address it before we move ahead.

Councilmember Driggs said if we decide to defer tonight, does that actually delay the implementation of the project?

Mr. Korolos said yes.

Mr. Driggs said by the full amount of our deferral?

Mr. Korolos said yes.

Mr. Driggs said so, it stops if we defer, and if we don't defer you are saying that the conversation about the valuation can continue.

Mr. Korolos said that is correct and any landscaping issues regarding replanting or taking trees out etc., that can be all part of the negotiation after the condemnation; however, if you defer we cannot do anything until we agree on other issues such as design.

Mr. Driggs said I'm concerned about the huge gulf in the valuations. I don't know what to make of that, and ideally, I would like to give the owners of the property more time. This has been going on since October, is that right?

Mr. Korolos said we have worked with the land owner prior to October actually, and we have recommended to them that they obtain an appraisal, so we can work with them on

our number versus their number, but that has not taken place as of yet. They came up with \$100,000 valuation which is not based on an appraisal or any type of logical approach behind the number, so we said we will continue the negotiations, and we went up to \$50,000, but without having an appraisal to counter with we really don't have anything to work with. So, it is quite difficult.

Mr. Driggs said my other concern is I'm sure residents in the area would like to see this project move ahead. We have a hard enough time getting stuff done in District 7. So, on that basis I would like to withdraw my second, and I would just hope that we can make a really good faith effort to arrive at a good resolution to the valuation issue but not hold up the project.

Councilmember Winston seconded the motion after Mr. Driggs withdrew his second.

Mr. Winston said this is directed to the Manager; I don't like this idea that- This is one example of many examples when we just get a decision where it is either you hold up a project, or we consider the other side. This is something that has been going on; if you need guidance from us on how we want these negotiations to go I feel like these types of things should be brought to us earlier. It shouldn't be holding hostage; it is either stop the entire project and hold this economic impact of our decision over our heads versus giving good guidance to come to a fair common ground decision. This is one small example of how I feel this often happens, and I feel like there should be a different type of process where we can guide staff on how we want to go about resolving the issues within our community.

Mr. Korolos said just to make a point; our percentage of condemnation is about 10 to 15% of the total acquisition for any public project, so out of 100 projects condemnation typically is about 10 or 15% out of 100, and those 10 or 15 typically they are not around compensation issues but typically are around title issue or ownership of the parcel that we need to work with; a title attorney to figure out who owns what. So, to your point, that the number of condemnations are very low.

Mr. Winston said to say this is something that you are telling me that if we vote to defer to this, which I am in favor of, it seems like right now, even if we do it for 30-days or 60-days for these property owners to do their part, it is going to hold up this huge project that will have significant impact to the District, when something like this if we knew this was an issue, and this could have come up 30-days ago. So, maybe we could have had some type of guidance, so it would not hold it up at this point in time or 60-days ago if that is how long it was going to take so we can come up to a common ground solution without holding up the whole project. I don't like that at all.

Mayor Lyles said I can understand that; I think that one of the things that we have to always worry about is when we have the law about the condemnation process, and I think what Mr. Winston is saying is that we needed to do this earlier. I still think this is the step that we have to take.

Councilmember Phipps said I just want to know what is the hold-up on ordering a new appraisal from the property owner? Are you going to engage in an appraisal or not? It has been stated that a value of \$100,000 has been presented without the benefit of an appraisal. I thought it was a recommendation from staff that an appraisal be obtained. Is there any intention of getting an appraisal?

Mr. Hoegh-Golberg said I have never seen this gentleman before in my life, and I have never been told to get an appraisal from anybody. After our dealings with the initial City officials, we felt we were not being fairly treated, so we hired Counsel, and our Counsel decided not to get an appraisal until this process got to where we are now. So, that is where we are, and now we want to do our due diligence and get our appraisal. This is a design issue for us.

Mr. Phipps said it is a \$72,500 difference between what our appraised value is and the counter offer, so that is why I was curious as to some discussion about the need for a new appraisal. What that communicated in any kind of formal way or what?

Mr. Hoegh-Golberg said make no mistake, I know this is good for the City, and it is a good project for the City, and it is for the benefit for the City, but I don't personally want this project. So, you could pay me \$1 million, and I'm still not going to be happy about it. It is not what I want. I don't want the City coming in and taking my property, and I certainly don't like being treated the way I've been treated, and that is where I'm at. The valuation difference, I'm going to let my lawyer talk about the finance issues with this fine gentlemen here that I just met, and we are going to go from there, but that is where I'm at. I hope you understand where I'm coming from.

Mr. Phipps said I would be interested in hearing from the staff about where the discussion about appraisal come in.

Mr. Korolos said you have not met me, because we typically hire an outside company to do the dealing with property owner and then they raise the issues for us, so basically we come in [inaudible] with them. We have a good record of all the communication that takes place between property owners and agents, so back on October 9th that suggestion came basically from the outside agent to the property owner that if there is a disagreement on appraisal, we recommend the property owner obtain his own appraisal, and we will look into it.

We acquire 1,500 parcels a year for public projects and the same process for everyone. We do all our own appraisals, and we recommend an appraisal from the property owners. In this specific situation, the compensation and the [inaudible] was not based on any type of compatible property or any type of logical process where the number came from; however, we were willing to go up to \$50,000, but that was dealt with no satisfaction. If the issue is design as the gentleman mentioned, it doesn't really matter getting an appraisal, because it doesn't seem that is going to solve the issue from his perspective. It seems like it more a design and likeability of the project.

Mr. Driggs said just to clarify, if we allow this to proceed tonight, the design and the valuation are not finalized. Is that right? There is still time for more conversation, or are we making an irreversible decision tonight?

Mr. Korolos said if you decided to defer the project obviously, if you don't defer it, and we go through condemnation the time to get another appraisal and the compensation process will continue for another 12-months; however, the design will not change. Once you put the money into the court, now we are ready to move with the project, and the design will stay the same.

Mr. Driggs said aren't there unresolved design issues?

Ms. Ajmera said from what I understand, what he is saying by voting tonight, we won't be able to change the design, but the value can continue to be negotiated. Am I correct?

Ms. Root said you are correct Ms. Ajmera.

Ms. Ajmera said so, from what I understand from hearing the speaker is there are two issues, First is the value and that could be ongoing in negotiation, which usually happens in many cases, but his design concern, if we do end up voting tonight, we are pretty much going along with the design that is currently being presented. So, this vote confirms the design as is today.

Mr. Korolos said correct.

Mr. Driggs said I haven't seen the design; therefore, I'm kind of at a loss to decide whether we should go ahead and ignore the objections to the design. Is this something that we could postpone for a week or two?

Mr. Korolos said yes.

Mr. Driggs said could we do that.

Mayor Lyles said I think we have a motion to defer on the table by Ms. Mayfield, seconded by Mr. Winston, so yes you can defer two weeks or you can put a timeframe on it, yes of course.

Mr. Driggs said alright but we have a pending motion denying the request for a 60-day deferral, so what do I have to do to get two-weeks?

Ms. Root said you could do a substitute motion.

Ms. Mayfield said my motion was to defer.

Mr. Driggs said I don't know where we are in terms of where of deferring for 60-days.

Mayor Lyles said let me say; we have a motion and second to defer. Is there a substitute motion?

Mr. Driggs said to defer for 60-days?

Mayor Lyles said no, it was a deferral. I think the Manager, the City Engineer, and the Real Estate guy have heard what your concerns are. I don't think they are going to come back until they are ready after addressing your questions. I'm just guessing at that, but I'm pretty sure, so I don't know that you need to put a timeframe on it as much as we know to come back when you have addressed the issues, but either we could explain the design or not.

Mr. Driggs said I'm in favor of deferral, not necessarily for 60-days. I would like to clarify a little bit what the design questions are. If you could move expeditiously to let us see this again that would be helpful.

Mayor Lyles said so, we have a motion to defer; the Manager, the Engineer and the Real Estate guy have heard your questions. You heard what we said. Yes, we want to finish this project; yes we care about design, and yes we want you to get a way to resolve the financial issues. Those are the three issues on the table.

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

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ITEM NO. 73: PROPERTY TRANACTIONS – WIN HOLLOW PUMP STATION, PARCEL #3

Mayor Lyles said I thought we had speakers signed up but we don't.

Motion was made by Councilmember Driggs, seconded by Councilmember Winston, and carried unanimously to approve Resolution of Condemnation of 19,633.02 square feet (.451 acre) in Sewer Easement, plus 21,899.94 square feet (.503 acre) in Temporary Construction Easement at 11425 Faires Road from Marcie Heslop Seibert and Steven Paul Seibert for \$13,350 for Win Hollow Pump Station, Parcel #3.
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The resolution is recorded in full in Resolution Book 49, at Page(s) 344.

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POLICY

ITEM NO. 13: CITY MANAGER'S REPORT

Marcus Jones, City Manager said my report is in the 30-day memo that I alluded to earlier which sets out some of the topics that will be discussed over the next 30-days.

Councilmember Mitchell said the only thing I would ask is maybe at the next meeting, the Mayor made reference to a great opportunity during the Opportunity Zone Conference, and so maybe the month of April we can get it scheduled. I think it would be very helpful from the discussion has been having.

Mr. Jones said okay, very good, will do.

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ITEM NO. 14: AMEND CITY COUNCIL'S RESOLUTION ON BOARDS AND COMMISSIONS

Motion was made by Councilmember Winston, seconded by Councilmember Mitchell, to amend the City Council's Resolution on Boards and Commissions to adopt a revised resolution on Boards and Commissions amending the section on residency requirements for Boards and Commission.

Mayor Lyles said we had a presentation on this at our Strategy Session on February 4th and Council voted 9 to 2 to remove the voter registration and just require Mecklenburg County residence, remembering that two boards are exempted from this change, the Civil Service Board and the Citizens Review Board.

Adrienne Martinez, 3918 Willow Green Place said I am here to speak on the topic of Boards and Commissions eligibility requirements. I am a resident leader in the community of Brightwalk, which in the historic Double Oaks Community, District 2. After hearing the latest episode of RND in the QC, I understand that there might have been some confusion around the impetus of changing the requirement from being a registered voter to being a resident of the County of Mecklenburg. I can tell you from the point of view of the Intercultural Relations Subcommittee and the Community Relations Committee, which I am a member of, that this is not an effort solely to offer opportunity for individuals who do not have US citizenship to serve on Boards and Commissions.

I am glad to know that some additional individuals who would benefit from this change were mentioned in the Council's discussions, such as people who may have lost their right to vote while incarcerated and yet to regain it. Others who may not have been named are residents experiencing homelessness. I would also like to remind the Council that as unfortunate as it may be voter suppression is a real occurrence in the State of North Carolina, and Charlotte is not immune. I believe we can name at least a few tactics that have been used to block voter registration. Additionally, according to the North Carolina State Board of Elections, there are just over 700,000 registered voters in Mecklenburg County, and the adult population of our county is estimated to be a little over 800,000. That means there could be at least 100,000 adults in the county who are not registered to vote or roughly 10%. Are you willing to possibly overlook upward of 10% of the voices in our community?

Finally, since the idea of non-US citizenship was brought up, let me offer you some examples of who that includes: permanent residents, international students, and others living here on special visas that are possibly on the path towards citizenship, and yes even residents who may not have the lawful right to be in the US but indeed are members of our beautiful City, pay taxes, and who also want to have their voices heard. If we truly are a welcoming City we need to ensure all of our residents have the opportunity to be heard and improve their community through serving on a Board or Commission.

Councilmember Driggs said I wanted to point out the population of Mecklenburg County is actually over a million.

Ms. Martinez said adult population.

Mr. Driggs said oh, adult, thank you. When I first heard about this I thought the point was that people shouldn't have to register to vote in order to be able to serve on Boards and Commissions, and I'm absolutely find with that. Then we got a little further into the conversation, and it turned out that now it could be that people who are undocumented could also serve on the Boards and Commissions, and to me that changes the tone of this considerably. I know that the national immigration situation is a mess right now and that there are a lot of people who live in uncertainty and limbo and understandably unhappy about that, but at the same time we have sworn an oath to uphold the US Constitution and abide by the laws of the country, and for national security and economic reasons, we can't just throw the borders open and not worry about who comes in. There needs to be some sort of control, so this situation that we have is not good, the alternative is not to just kind of stop asking who might be here or whether they are here properly.

Charlotte is a very welcoming City, and I think we know that; our Police Department does not actively enforce immigration laws, and we do everything we can to make people enjoy their life here. On the other hand, undocumented immigrants are in fact in current violation of federal law, and allowing them to participate in government is not the same, for example, as taking in past offenders who have served time and paid their debt to society. They are actually currently in violation of the law by being here. I think that we should not just sort of brush that aside as a minor thing; you may not like the law, but the need for a law can't be disputed, and I would remind people that during the Obama Administration there were 2.4 million deportations a year. It is not like this is a partisan issue. National security requires that we have some control over who is here. We can't avoid inflicting hardship on immigrants, and I think we should so there is no question that while the state of limbo exists; we should do everything we can to avoid any kind of specific hardship. At the same time, I don't think we have to roll out the welcome mat either. To do so effectively sends out an invitation to others to circumvent immigration laws and just make their way to Charlotte. It is also unfair to those who have respected our laws and gone to the trouble of establishing legal residents here, and I know about this because my wife is one of them. She is a naturalized American, she is a UK subject, and it took her five-years to gain her US citizenship. So, I can't support the idea that we could have on our Boards and Commissions participating in our government people who are here in violation of federal laws. I hope the laws will be clarified and that we will get out of the situation that we are in right now, which is an unhappy one for everybody, but I absolutely cannot endorse this and therefore I would like to make a substitute motion propose that we insert in front of word resident in Section 4 the word "legal". That would expand the participation in Boards and Commission to include people who haven't registered to vote but would not make allowance for people that aren't even in the country legally.

A substitute motion was made by Councilmember Driggs and seconded by Councilmember Bokhari to insert the word legal in front of word resident in Section 4.

Councilmember Phipps said if we are going to get rid of the voter registration requirement, I would be interested in knowing what protocol and procedures would the Clerk have to confirm residency status then. Do we have any protocols?

Mayor Lyles said the City Clerk is going to talk about verification on applications.

Stephanie Kelly, City Clerk said Mr. Phipps in reference to that, we would first of all employ going the Board of Education as verification if we can, but we also would leave the responsibility to the individual to provide us documentation and verification of their current address. That is the process that we talked about.

Mr. Phipps said so, inasmuch as has been mentioned talking about citizenship, do we have any requirements right now in our policies that you have to be a US Citizen? Are we more or less transforming the Clerk's Office to be like checking immigration status or something as a part of the Boards and Commissions application process? How does that work?

Mayor Lyles said is that rhetorical question, because we all know the Clerk can't check that status.

Mr. Phips said with Mr. Driggs' substitute motion, if we insert "legal resident," how would we expect the Clerk to be able to verify those kinds of things?

Mayor Lyles said if I could just take a moment; it is really a difficult thing, because if you look this resolution was adopted in 1997, and it has been amended and never that I can confirm with the Clerk's Office has there been any visible way of checking on what you are or what you say. It is a self-selection except for those Boards where we have background checks. The thing that I really worry about here is that there was a time that we didn't have anything except check to say you lived here, and the world didn't fall apart. We didn't have a bunch of people running in and saying well let me hurry up and serve on something. These are advisory committees that should reflect our community; that means anyone that defines themselves as a part of our community. They are not in charge of laws; they are not going to make any – I wish they would come and sit with us at almost 10:00 at night, but they don't.

So, in my opinion the idea that we try- The letters that I've gotten have been from people that have all of those requirements that you have here and that are met, they are here and you could say legal resident but just imagine checking that box every time. I just go back and say, we've been doing this, the City has had a lot of advisory boards for a very long time and the willingness for people to serve is very important, and we've not ever had an incident as a result of someone signing up and saying that they were a resident, willing to serve, that we would say no to. In fact, many of our task forces are structured so that we can have that kind of dialogue and communication. I just really think we are in a hyper-sensitive period of time and we all get on edge about this, but I think the scheme of things out of our 30 plus boards, with maybe five to 10 people on them, we have a tough time getting people to come in and be willing to do this, and I say let's make this advisory effort reflective of the community at all points. As much as I agree, I think that our past history has really just said people that want to serve should be able to serve. People that are in this community and live in it help us be better. So, I would hope that the Council would support the preliminary vote that we remove the voter registration and just require that you check your Mecklenburg residency.

Councilmember Bokhari said I just want to make sure everyone remembers that when this came up for a vote and I glanced up randomly at the screen and saw the wording, I was about to support it and vote until a couple of my colleagues said, this is so we can have undocumented immigrants be able to serve. That is like when I was like- I'm in support of letting anyone who wants to serve, serve. I am not in support of proactively going out of our way to thumb our nose at other parties, because that is unintended consequences. Just like we are asking things from our State Legislature right now, at great risk to some of us here to go out on a limb and say things like subpoena power. If we do this it is different to say check a box, are you a Mecklenburg resident and we allow that to happen. Now, we are in another situation where we publicly stated this is what that is for, it is going to compromise things we've been working for, for over six-months now on other fronts that are just as important as this. Things have unintended consequences, just like 287g had unintended consequences and when we go out and try to make a point on something broader that is out of our lane, it is the very people that we are trying to protect that get hurt.

Like I said, I'm for anyone who is around here having the opportunity to serve, until it gets to a point where it is going to compromise what it is we are trying to do on many other fronts that are just as important, and I think that is what we are doing but to recognize the world we exist in. Our vote doesn't make ICE go away. Our vote doesn't make the

General Assembly controlled by Republicans go away. If we are not pragmatic about that, we are going to repeat what frustrated this City for so many years before this Council got on board, which deteriorated those relationships and had us on the front page of all these newspapers and made businesses want to stop coming here. That is what taking that approach to these different bodies does.

Councilmember Mitchell said I'm like you Mayor; I don't know where to start. We are talking about having citizens who live in Charlotte give their time and talent to serve on a Board. We are not comparing this to 287g or any other thing that would confuse. This is about people in Charlotte want to serve, so I'm going to say something I probably haven't said since 1999. I don't like when national platforms are played out in our community, whether you are a Republican or a Democrat; the Citizens of Charlotte elected you in District 6 and District 7, no congressional, no state senate. So, if you are going to take that narrative on a federal level, run for those positions, but stay true to your citizens who elected you in this City.

Fear paralyzes us, and we are not here to paralyze anybody in our community. You fill out the application you want to serve in this community, we welcome you. So, this is a sad day when we take the national narrative, and we bring in the City of Charlotte, and we put out this fear people don't want to serve. We are a better City Council than this, and I know how it is going to go probably down party lines, but I ask the two who are going to vote negative check yourself, and make sure you are doing what is the best thing for the City of Charlotte.

Mr. Driggs said I just wanted to note; you talked about the fact that we didn't have trouble in the past, and in the past you had to be a registered voter. So, we don't have experience with this particular kind of open door policy. I also noticed you used the word citizens instead of residents Mr. Mitchell. They are not citizens.

Mr. Mitchell said so, you want to have a real conversation about this sir, or are you going to take it to the national platform?

Mr. Driggs said that is a red herring too; I'm sorry we are not debating this it is my turn to speak. My point is, I don't think that introduces the ugly elements of national politics and I have a five-year track record here I think of avoiding doing just that. I would like the courtesy of some recognition of that. This to me is about the rule of law, and I think as the Mayor pointed out we live in a highly-charged environment right now. I think it would be appropriate to give the Boards and Commissions a little more credit for actually making a difference in what happens in City government and therefore recognizing that the possibility of elements that are not here as they are supposed to be whose identify may not be even completely established.

If you have a gas bill that says do you live somewhere, the name on that bill isn't necessarily who you are. I don't mean for this to be ugly. I think we should all co-exist in peace, I hope we can resolve the immigration issues, but I just think there is no need for us to go above and beyond and extend that particular invitation to people who are not here legally. Don't you go there and start making this about national ugliness. I would like to have the opportunity to express the dissenting opinion and not have you try to turn it into some sort of ugly Republican versus Democrat confrontation. I'm entitled to an opinion; just let me have my opinion.

Mr. Mitchell said I guess the old saying, the truth hurts right. I think as you say have candied conversation around this dais, so I was being candied with you. I applaud you for being honest and telling me upstairs how you were going to vote. I laughed at your remark to me upstairs, because I knew we had a political national platform slant. Name a Board of Commission in the City of Charlotte has done some of the things you are saying fear wise would occur.

Mr. Driggs said I don't see how that could have happened, since we were required until now that members of these Boards and Commissions be registered voters.

Emily Kunze, Deputy City Clerk said I just wanted to point out the resolution changed to citizenship in November of 2009. Prior to that, it was residency.

Mayor Lyles said that is what I was trying to say. I didn't have the exact date, but up until 2009, this was wide open; what has changed is the conversation around this dais that I don't believe really relate to the idea that if you live here you should be able to serve on one of these Boards. I don't know how you ask the question; registered voter certainly does eliminate even those that are residents that are legal or have visas or have appropriate paperwork, because what was done is excluded a certain portion of our population. I guess I weigh on the side of a risk analysis that you do this, and we have everyone participate, and if that becomes a problem we will discover it and these are advisory boards. On boards that we have very deep concerns about, we do background checks; that would be where you would require lots more checking than just registered to vote, but before 2009, we just had resident, and I think our experience is being taken in a context of the debates that we've been having tonight. I don't think that those debates have really reflected a lot of the true values that we have, many that you mentioned that everybody has an opinion. Everyone can have a perspective, and at some point this board will vote, this dais will have a vote and we are going to walk out of here knowing that it may not have been unanimous, but it is what this Council has decided to do. I'm not so sure that this benefits a lot more; it is pretty much a yes or no. We've had these requests from people that have work visas that have their papers but are not registered to vote. I'm not willing to exclude, and I'm actually more willing more often to grant welcoming to those.

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

YEAS: Councilmembers Bokhari and Driggs

NAYS: Councilmembers Ajmera, Egleston, Harlow, Mayfield, Mitchell, Newton, Phipps, and Winston

A vote was taken on the main motion and recorded as follows:

YEAS: Councilmembers Ajmera, Egleston, Harlow, Mayfield, Mitchell, Newton, Phipps, and Winston.

NAYS: Councilmembers Bokhari and Driggs

The resolution is recorded in full in Resolution Book 49 at Page(s) 327-331.

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ITEM NO.15: RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CITY CHARTER TO INCREASE THE TERMS OF OFFICE OF THE MAYOR AND MEMBERS OF CITY COUNCIL AND SETTING A PUBLIC HEARING ON THE NOTICE OF INTENT

Sam Spencer, 4816 Crestmont Drive said I am personally a believer in four-year terms for Council. As many of you know, I've worked with numerous political candidates, and I know how much of a distraction a political campaign can be from the important work of doing the work of our citizens and our City; however, I believe that tonight you should reject this resolution and that you should not pursue putting four-year terms on the ballot. I think there are many reasons why; number one, I believe that will dominate way too much of the bandwidth during our elections and during our discussions over the next year as we try and deal with real solutions for the community. I also don't think it is the best way to remedy the problem that many members of Council have identified while speaking in favor of four-year terms. That is a problem I see of one as the velocity of information, the velocity of our ever increasing faster digital and connected world. There is so much on your plate, and while I've only had to experience a small amount of that on the rezoning Committee, there is a lot of work to be done.

It makes sense that we want to have four-year terms so that people could focus on governing. I would like to suggest some alternatives; number one a full-time staff member for each member of City Council that would assist with delivering services as quickly and as efficiently as possible while giving members of Council the bandwidth to do the best possible job, to make sure that members of Council are as prepared and informed as possible and to make sure that when we elect somebody to be our advocate on City Council that they have somebody who is in this building full-time, five days a week advocating, not only for the member of Council but for the people that member of Council represents.

I do obviously think that the trials that all of you face are immense. It is hard; you have many options on the table. You have four-year terms; you have higher salaries that would allow those of you who have to be employed to devote full-time to being a member of City Council, but while those challenges are immense, I do believe that there are other ways that we could handle this. I also believe that by putting this on the ballot and making the discussion this year about four-years, when we have so many other crisis facing our community, we miss an opportunity to speak about things like affordable housing. We miss an opportunity to speak about things like our land use policy and the big lift that we are doing over the next three years with our TOD, our UDO and our Comp Plan. I think now is not the time, and I would ask you to table this. Thank you very much for your consideration.

Councilmember Phipps said we have six action steps, and each of them depends on whether they pass or not and whether we go to the next one, but I'm wondering if it is worth it to have a recap of what we are asking, what came out of Committee in terms of the recommendation. Maybe if Ms. Root could give a brief summary before we go into the actual motions.

Hope Root, Interim City Attorney said it is my understanding that the recommendation of the Budget and Effectiveness Committee was to put in place a resolution of intent that would propose that the terms of office for Mayor and Council would go from two-years to four-years. The second recommendation was that those terms would be staggered, and the third recommendation was that it would be put forward with a referendum vote to the people.

Mr. Phipps said that was basically it in a nut-shell, so I must admit that in hearing Mr. Spencer talk just now, I am also in favor of four-year terms, but I'm wondering as he had mentioned is this the right time to do it. We are in the budget cycle, the re-evaluation cycle; there is a lot of things on our plate, and the triggering term for me was next year's census and then the redrawing of District lines based on that census. I don't know if we've had District lines redrawn since I don't know when, but even with that said we have several motions, and I can start with them right now unless there are some other questions.

Motion was made by Councilmember Phipps and seconded by Councilmember Mitchell, to state the City Council's intent to approve an increase in the terms of office of Mayor and members of City Council from two years to four years if approved by a referendum vote of the people.
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Councilmember Driggs said I think we are all tired, so I will be very brief. I've been clear about my opposition to this on the grounds; for one that a blue ribbon panel a number of years ago concluded that this was not a move we needed to make. The public in a vote a couple of years ago, two to one, rejected it, and there has been no call from the public for this. There is no indication that the public feels that we need to go to four-year terms, and I agree with Mr. Spencer that the timing is unfortunate to be trying to cement these positions in place when news is unfolding like what we've had recently, and I think the people would like to have the right on a regular basis to decide about who represents them.

Councilmember Winston said I would like to correct the record that the blue ribbon Panel never really came to a conclusion. There was basically one side that says I feel like this is the right thing to do; there was one side that said I feel like this is the right thing to do. If you read what they came up with, the blue ribbon panel actual said, this is probably the right thing to do, but we are not going to do it literally because.

Now, we are working from a totally different set of data points. We have a data point, we have consultant who is very well respected on how municipal governments run that has told us to our face that four-year staggered terms are the best practice for a City like us that is set up like us and that there is data to show that. That data point was not present in that blue ribbon panel, and so we should be honest about that. This is not necessarily about people's feelings or people's emotions around this. This about good governance for an organization that has a \$2.7 billion budget that is the 17th largest City in the country. We are in a state where three-quarters of all of our municipalities have four-year terms or more than two-year terms at least. This is an issue of good governance and we are seeing how continuity of government can lead to so many issues and so many problems where the people's voice is so often times absent in the long-term decision making.

You are right; we have so many other issues here. We have affordable housing; we have transportation infrastructure. We have the economic development issues trying to get off a circular economy, issues that more than two-years that need concentration so I agree that there are other things going on. I said this literally in our first business meeting. I think what we should do is look at the totality of how we govern ourselves. Look at all those issues of staff support, how we run this system of a Council/Manager government, look at pay. It is ridiculous in the types of decisions that have to be made that people have to work two, three, and four jobs to serve our City. It is not honest to compare this blue ribbon panel and say that they just thought that was a bad way to go. I think we have somebody who sat on that blue ribbon panel; if I'm speaking wrong, that may be able to correct that record in Councilmember Mitchell. This is important, and I also agree that I wish this wasn't something that would get pushed to the ballot. I think we are elected to make good governance decisions; this is something that will continue to give accountability to the people to vote and change the flavor of this Council and also give a check to the Council to say we like the direction that you are going or we don't by having citywide elections one two-year cycle and District elections another two-year cycle.

Unfortunately, by putting it on the ballot, this does basically start the campaign season, because this will be something that we will have to talk about. I wish we could do it by a Council vote, but I know we don't have the political desire to go about it that way, but it will be up to us, and there are a lot of vociferous people that are outside of this side of the fight but there are many people and many organizations that do understand how government works and the necessity to do big things in this manner. To the people out there that worry about accountability, I would say the most important things you can do to hold your government accountable is to vote.

It is a problem when this Council is elected with less than 25% of the electorate. So, what you can do most importantly to have accountability in government is go out and register more people to vote. Make sure they get out there and participate in campaigns for people that they believe in. Make sure that they ask the questions and may sure that they get people that are going to work over those two or four years to enact the agenda and make the decisions for the type of City that you want to see. Then ultimately when you get out there, we need to have 65%, 75%, 85% of people voting for their City Council and their Mayor and not 25%. It doesn't matter how long the terms are, if 23.7% of the electorate votes you are not going to get the type of City that we deserve, because you are not going to have the best type of leadership that we can have.

Councilmember Mayfield said when we started this conversation 20-years ago and I know when I first came to office, so now I'm seven years in, I realize that one, this is not a part-time job. Now, I made a personal decision when I first ran for office that I did not want conflict. I didn't want to work a corporate job that could possibly come before us with any votes. I didn't like the look of it, and I didn't like the feel of it. I also recognize that four-year staggered terms, when I started the conversation with now Assistant City

Manager, Kim Eagle when she was in the Budget Department, we looked at both salary what would be a full-time salary for a Councilmember so that you don't have conflict and you are not making a lot of money, but you are making a decent living. Many years ago that was a different cost of living than it is today. I have a challenge with the language that is in this particular resolution.

There are six different ways that this action is going forward with everyone voting on each piece of it; approve staggering the terms for office, determine the method of staggering terms for office including groups of officials and dates. So, basically put Districts on one term, put at-large on another, which one does the Mayor go on. When I originally made the recommendation, and I did not make a recommendation for the Mayor to be full-time; I made the recommendation that Council are full-time at four-year staggered terms. The Mayor stays at two, because realistically the Mayor doesn't have a vote; your Council has the vote. The Council has to be the one to learn how to govern so that we don't keep having a number of the conversations around this dais that we have, to understand what is policy making, to understand rezoning, to understand this work. Not everyone is able to adjust to that learning curve, so when you have a two-year cycle you are really only hopefully working 15 to 17-months before you are campaigning again of which you hear the campaigning from the dais and what is taxing on the community when we are going back and constantly have to fund raise. Outside of that piece, learning the work of Council, learning rezoning, understanding the development process, actually showing up at neighborhood meetings, at community meetings.

This is not a part-time job. It is not a Monday through Friday job; this is a Monday through Sunday job depending on what is happening in the community. There are many times where the community may have an event and we are out as early as before 7:00 in the morning or as late as 10:00 at night, depending on what is going on. I will not be supporting what is in front of us tonight. I do not support the idea of moving it to the ballot. What I have always supported going back to when I originally started the conversation in 2013, if this conversation between political will versus political ability. The political ability, according to North Carolina statute, is that Council has the legal ability to move forward to four-year staggered terms; however, that is done we have the ability. If registered residents of the City of Charlotte, 10% or 5,000, whichever is less, so if 5,000 residents of the City of Charlotte sign a petition to say they have a concern if we do this with enough time then it will be put on the ballot opposed to putting it on the ballot first. I have a challenge with that conversation of political will versus political ability and always trying to delegate our responsibility to say okay, we are going to take it to the community. At the end of the day, there is a process. I am a process person, and you can agree with me, disagree with me, like what I say or not like what I say. The process is the process; there is a process. There are two processes. One of them is to put it on the ballot; one of them is to make the vote. At the end of the day, what is presented in front of us is one the processes, not the entire information.

My Council is going to do what it wants to do; at the end of the day it take six votes. Again, that is the process, a minimum of six to either support or deny any petition, but I want there to be clarity on the conversation and understanding of why I am not supporting what is in front of us, because it does not speak to the mission and address the goals. I have been lucky, and I have been blessed, and it is only through God that I can point to development every time that I've been in office. There are some people around this dais that cannot tell you one particular thing that they have actually led or done. That is not necessarily their fault. Our process is not one where you are necessarily able to get in and move things forward, because at the same time that, I have had a project every time I have also been working on several other things for more than five-years that would benefit the community as a whole that we are just now getting incremental steps on. The system needs to be changed, your Council, whether it is this Council or a future Council, Council has to be the one to change it.

Mayor Lyles said I had rather make this statement with us around the dais than wait for some reporter to ask about how I feel about it. I've been pretty clear that I fully support the idea of four-year staggered terms for the Mayor and the City Council, especially in the job that we have and everything that Ms. Mayfield talked about is true in terms of the

requirements, the effort, their attention, all of us understand that. I think as a voter I wondered if I would be prepared to make the decision under the timeline that we have today. I wonder where would be our information education.

We were very fortunate to pass all of our bonds this past year; imagine going from \$15 million to \$50 million for housing, but we put a lot of education and effort into it. We had people go out and work on this, and I wonder where is that education and effort to make this possible on a November election. We have forums, websites all the tools that we've had to help voters make decisions about our governmental issues, and I have to say in the past when these issues have come up, they've been driven by governmental committees all the way from District Representation to the changes that we've made today. I hope there is a reflection in this community that says this would be valid, but I don't know that we've actually ask anyone or ask enough people to validate this in a way that would make us successful. I think everybody always points to the County Commission's failure as something, and I guess I'm just not prepared to fail on it. I think it is something that we ought to be doing in a way.

I also say, just as Mr. Phipps said, the 2020 census is coming. We used to revise our District lines every two-years before the state changed our law on annexation. So, the rule was 10% population change in a District would trigger a change to rebalance to make sure every District was representative across the community, and we haven't done that in 10-years, and I expect that will be result of the change in the 2020 census; we will have new District boundaries, and we will have a discussion around where those precincts are going to be located and how they are going to work. Even for every capital project, we have we have citizen engagement, and if Councilmembers are running for re-election, who is going to be conducting all those Town Halls to help citizens understand the importance of this decision, because I do think it is one of the most important decisions that we have to go forward in a City that needs to have these terms. I'm just not willing to risk the idea that we have known a proven formula, maybe it is not required, maybe that is not necessary anymore but for my lens of looking at success it has actually been when we've had education, actually had people working hard to make it happen and knowing our history I think the people will understand they need to change and they will vote yes when we have an education and a campaign and we are all speaking in a united front to make this happen. I don't know if we've met the bar that I would say in the past it has worked for us, and I don't know if everyone feels that that bar is necessary right now. I feel very much so that we need to have more citizen participation in this decision, and if we decide that we are doing it we are going to put that participation on the ballot.

Mr. Winston said there will be plenty of outreach, and should we pass this, by law there is a certain change of events that will occur. The people should also know this; should we pass this within 45-days, but no less than 10-days, we will have to have a public forum where citizens will come and tell us exactly how they feel. After that public forum happens, within 60-days of that, we will write the actual ordinance and that public comment will inform us of that ordinance. Today we are here in February 11th, election day is November 5th. That is nine months, and there is a lot of time if we should get six votes to do just that, to hold public forums, to hold Town Halls, to educate people on the civil processes that surround policy making, which doesn't get taught anywhere in our school systems or in our places of business. That is our responsibility to appoint as candidates, as people that participate in elections, and I have confidence in my colleagues if we do get six votes to go out and continue to interact with our constituents.

It must be said that when the County Commission, not City Council, County Commission put this on the ballot, there was no education that was done around that, so that is a big part of the reason why it failed. I know there are people that will give behind this and will help us educate, because we need immense civic engagement and education on how these process work, because we see this time and time again, especially on these big issues whether it be re-valuation, affordable housing, the way projects are funded.

There are a lot of leaders in our community that involve themselves in the political arena but go out and put out false information that don't tell the whole truth and nothing but the truth, so that is where we come in. I hope that we will continue to be committed and sometimes those folks have large, large audiences, so it is our job to do that, and I know

plenty of people in the community, because they have expressed it to me and expressed to many of my colleagues will work to do that to make this again the Charlotte that we all want and deserve it to be.

Councilmember Harlow said I'm a little confused why we are doing this to ourselves to be honest. I know there is some sentiment on this dais that there is somewhere under a rock overwhelming support for four-year terms for this Council. Regardless of what a panel has said or some paid consultant has told us about what might be or should be best practices on a national basis or on the average and on the whole, the citizens of Charlotte I believe have spoken on this whether it be formerly or in-formerly. Formerly when the Commissioners put it on and in-formerly often, even now on our Facebook feed.

I'm glad we've gotten to this point; it was sitting in Committee forever. We've been talking about it and it sounds like prior Councils have talked about it. I'm just concerned if we approve this, we go down that path it dominates the whole conversation this whole summer and fall, and we lose the bigger ideas out here around CATS 2030 Plan, Comprehensive Plan 2040. There is so much more here that we should be wanting to talk about before we start talking about hey, let's do four-year terms. I think the public understands we are not trying to self-serve here, and I think there is an argument to be made to the public. I'm just certain that argument should be made right now. [Inaudible] can approve this, the public forum I believe will be packed, and everyone is going to say no, and there might be a small subset of folks that say yes, this makes sense but to kind of set ourselves up understanding that this thing is going to get shot down on a ballot in November is just, I think a waste of time.

I voted for the intent to move forward just to move it forward so we can go ahead and kill it faster frankly. That is why I voted for last week. I'm going to vote no today to try to hope that there is six of us that say let's just stop the slow bleeding here, and let it be done. I want us to really consider that otherwise this would have happened a long time ago if voters in the community really wanted this to happen for Charlotte. Regardless of other cities in the state of North Carolina and maybe one day that will happen. I know that will not happen in 2019.

Councilmember Egleston said I won't repeat the parts of that I agree with agree with a lot of it. I just clarified with the City Attorney that after the public forum, we would still have the option to decide to not move forward with this. So, I'm open minded to possibly move to a public forum to take the temperature of the room and take the temperature of the public, which won't be a scientific sample, but it will be something.

This isn't changing the minds of 5% of our citizens; this is changing the mind of 30% of our citizens. This consistently poles it two to one against and the media does polling when it has been on the ballot. I certainly haven't had anybody e-mailing me saying I really hope you guys do this, so I'm inclined to allow this to go to a public hearing because I know people have spent time and effort on it, but I'm not inclined if at that public hearing it is two to one speakers against to move forward and allow this to be a distraction during the campaign when there is going to be a lot more important issues that we need to be talking about. Had I known we would have invested the amount of time we have invested in it, I think I would have probably reconsidered from get go. I do for the record think four-year terms are the best practice for a City our size, but this is a hell of a way to get there. I'll see it through a public hearing, just so we haven't put all this time and effort in for nothing, but if everybody there says no we don't this then putting it on the ballot and creating a distraction for the following six or eight months I think is really doing a disservice to ourselves.

Councilmember Ajmera said I will speak very brief Ma'am Mayor. Originally, when this came to the Budget and Effectiveness Committee, which I do serve on, we had to make a decision to move forward, and the decision that was made that we are going to actively put in the referendum and ask the community to let us know what they think. That still has not changed for me. Though I do actively support the four-year term, ultimately it has worked best for our residents.

You elect us to serve you; ultimately, you should have a say in whether you want us to serve you for two-year terms or four-year terms. I do feel that it is creating a lot of noise; we've been talking on this topic for almost an hour now, and at the Committee level it took a lot of our time, and it is going to continue to take a lot of time and so many issues have brought up earlier from affordable housing to Cross Charlotte Trail to our infrastructure and transportation and our UDO, etc. I just don't think I'm ready to invest that type of time and energy into having this continuous conversation that really takes our focus away from the issues that we had promised to you all. So, at this point, I'm really torn whether we need to move forward or whether we should move forward or not. At some point, I will have to make a decision, but the way it is going I just really think that it is taking a lot of our time, and I'm not all for it.

Councilmember Mitchell said I wasn't going to say anything, but since I'm old as dirt around this table, let me give all my colleagues a perspective. Since 1999, we have punt, kicked, moved this can down the field, and if you think it is going to get better you are fooling yourselves. This is a tough decision for all of us; I've kind of said this is about public service and I do like the fact that we are asking the voters to vote on City Council four-year terms and not County Commission. On the campaign trail, I hope all of you will be campaigning on your vision for Charlotte and not get caught up in the way you feel about four-year terms, because it is up to you citizens, if this passes you determine does the future City Council deserve four-year terms.

I just want my colleagues to be mindful that if you wait until next year, like Ms. Mayfield said, it will be another reason why this City Council will want to vote for it. I say you might as well get it out of the way; put this issue to bed, because I'm a living testimony, since 1999 this is the closest we've ever got. We've had two Blue Ribbon Committees; we had two former Mayors [inaudible] Mayor Harvey Gantt, and Mayor Richard Vinroot; they came back deadlocked full force, and I was sitting there. I text them and said alright Mayors, and to my surprise Mayor Vinroot and Mayor Gantt aside to say, let's stay with two-year terms.

I hear the discussion, and there are a lot of good points, but I'm going to tell you colleagues it doesn't get easier next year. Look how long it was in Committee with Mr. Phipps, and you all spent a lot of time. I agree with Mr. Harlow; it is not a perfect time for this and then next year if we don't do it now it will come before Council again. Just to give a perspective; it doesn't get easier. It does get tougher. I think Mr. Egleston probably had the best compromise, have the public hearing, and the public hearing is not going to change your mind, because you know what happens in public hearing, you hear from the naysayers. You never hear from those who are in favor of it, but at least it allows the public to weigh in and then we can make a decision, but colleagues it doesn't get easier the following year after you get back on Council. It becomes even more challenging.

Mr. Egleston said I would just like to propose that if dies tonight; if this dies after the public hearing, if this dies on the ballot in the fall that whoever of us are sitting around this dais in the next term not bring this back to life that quickly. If this doesn't happen now, let it lie for a while, because the amount of time we've spent on it to do that again would really be foolish, particularly that quickly.

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

YEAS: Councilmembers Egleston, Mitchell and Winston

NAYS: Councilmembers Ajmera, Bokhari, Driggs, Harlow, Mayfield, Newton, and Phipps

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BUSINESS

ITEM NO. 16: HOUSING AND URBAN DEVELOPMENT CONTINUUM OF CARE PROGRAM GRANT ACCEPTANCE

Motion was made by Councilmember Driggs, seconded by Councilmember Mayfield, and carried unanimously to (A) Adopt a resolution accepting a grant in the amount of \$127,124 from the U. S. Department of Housing and Urban Development for homelessness activities, and (B) Adopt Budget Ordinance No. 9508-X appropriating \$127,124 for the Charlotte-Mecklenburg Continuum of Care Program.

The resolution is recorded in full in Resolution Book No. 49, at Page(s) 332.

The ordinance is recorded in full in Ordinance Book No. 62, at Page(s) 73.

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ITEM NO. 17: CATS FISCAL YEAR 2019 OPERATING AND COMMUNITY INVESTMENT PLAN BUDGET AMENDMENT

Motion was made by Councilmember Driggs and seconded by Councilmember Newton, to (A) Adopt Budget Ordinance No. 9509-X appropriating \$1,996,758 to CATS Operating Fund, and (B) Adopt Budget Ordinance No. 9509-X appropriating \$5,711,905 to CATS Community Investment Fund.

Councilmember Harlow said just a quick question about this as it related to our first model last model pilot; does this budget ordinance help fund this pilot going forward, or is there prospectively to get that closer to a permanent program? Is this something totally different or any relation?

John Lewis, Transportation Director this is really a clean-up ordinance, because there were a number of grants that we received after our initial budget was passed last year, and we moved some funds from capital into operating for clean-up. It is not pertaining to the particular pilot that you are speaking about; that is funded in our FY20 budget.

Mr. Harlow said is that still just a pilot funding, or was there any plans to make that permanent?

Mr. Lewis said it is a pilot currently; we are still in the evaluation phase and that is we are interested in moving to a more permanent we will come back to Council and have that conversation.

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

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 74.

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AMENDMENT TO THE BUSINESS MEETING AGENDA

Motion was made by Councilmember Winston and seconded by Councilmember Newton, to place the federal legislative agenda on tonight's Business agenda.

Mayor Lyles said adding the federal legislative agenda to the agenda requires unanimous approval. Would you like to provide further explanation what about the federal legislative agenda?

Councilmember Winston said I would like to amend the federal legislative agenda. Can we talk about that?

Mayor Lyles said no we can't; I didn't know if you wanted to be more specific about what you wanted to amend so people would have an idea of what they were voting to have a discussion around.

Mr. Winston said I want to add comprehensive immigration reform to our federal legislative agenda. For the people out there that are not aware, part of the job for city council is to advocate for the best interest of the City of Charlotte on the different levels of government. We adopt two types of legislative agendas, the state that we take to the North Carolina General Assembly and a federal legislative agenda, which we would go in March and advocate to our federal delegation, our congressmen and senators.

Mayor Lyles said I think that is enough to say what we are trying to do; you are asking to add to the agenda tonight the federal legislative agenda to address the issue of immigration. This requires a unanimous vote of the City Council to add anything to the agenda tonight.

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

YEAS: Councilmembers Ajmera, Egleston, Harlow, Mayfield, Mitchell, Newton, Phipps, and Winston

NAYS: Councilmembers Bokhari and Driggs

Mayor Lyles said it does not meet the criteria for a unanimous vote, so we won't be discussing it tonight.

Councilmember Ajmera said so, to add something to the agenda for us to discuss later, we need a unanimous vote?

Mayor Lyles said add it to discuss tonight.

Ms. Ajmera said if we were to add it to an agenda in the future, would it require a unanimous?

Mayor Lyles said Council can vote to add something to a future agenda with a majority vote.

Motion was made by Councilmember Ajmera and seconded by Councilmember Newton to place on a future agenda the amending of the federal legislative agenda to include immigration reform.

A substitute motion was made by Councilmember Driggs and seconded by Councilmember Phipps, to refer the amending of the federal legislative agenda to include immigration reform to the Intergovernmental Relations Committee for review before taking in on as whole Council.

Councilmember Bokhari said the reason why I was not supportive of doing that is because just per the process and how we've done this before. We've already addressed this once, and we discussed it in Committee, and there was a lot of valid reasons why the topic was important and noted by everyone, but our ability to define something specific that was relevant to our scope of work that could be placed inside the Legislative Agenda, we couldn't come up with anything, so we decided to permanently table it. We've kind of already had the discussion, and we voted and decided not to do it.

Mr. Winston said I can tell you that the Congress person that represents us disagrees with that.

Mr. Bokhari said that is why she ran for Congress, not City Council.

Mayor Lyles said I think Mr. Bokhari's point is that this Council has already voted on that matter; referring it back to the Committee is really a reconsideration of an action, and if I am correct that means that someone that was opposed to that action would have to raise it as a question, and I think that vote was unanimous to accept it. So, I don't see us having anyone that was in the affirmative- if you have a motion and the Council has already adopted it, it requires someone that was in the majority to ask for reconsideration of that action. I know that it is late but my understanding is that is the way the rules work.

Ms. Ajmera said the subsequent motion that I made is still on the floor.

Mayor Lyles said but there was a substitute motion, so the substitute motion goes first, and I'm questioning. I'm sorry that I'm doing this but if Mr. Bokhari brings up the fact that the Council had already considered it, made a decision on it, and I don't know how to reconsider an action that the Council has already taken. I just recall that someone that is in the affirmative has to change their mind, and I don't know who was in the affirmative the last time.

Hope Root, Interim City Attorney said Mayor, the motion to reconsider would be if the motion was made tonight and reconsidered, then it would have to be someone who is in the prevailing party who had asked for it to be reconsidered. If it is a matter that has been in front of Council before, I think that would be a new agenda item.

Mr. Driggs said in light of what the Chair of the Committee said, I would like to withdraw the substitute motion. I don't see any point in sending it back to Committee, so I will withdraw that which brings us back to the first motion.

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

YEAS: Councilmembers Ajmera, Egleston, Newton and Winston

NAYS: Councilmembers Bokhari, Driggs Harlow, Mayfield, Mitchell, and Phipps

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NOMINATIONS TO BOARDS AND COMMISSIONS

ITEM NO. 18: NOMINATIONS TO THE BICYCLE ADVISORY COMMITTEE

The following nominations were made for one appointment for a partial term beginning immediately and ending December 31, 2021:

- Charles Castle, nominated by Councilmember Bokhari
- Elizabeth Pratt, nominated by Councilmembers Ajmera, Driggs, Egleston, Harlow, Mayfield, Mitchell, Newton, Phipps, and Winston

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to appoint Elizabeth Pratt.
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ITEM NO. 19: NOMINATIONS TO THE BUSINESS ADVISORY COMMITTEE

Nominations were open for one appointment for a partial term recommended by the Charlotte Regional Business Alliance beginning immediately and ending April 28, 2020 and for two appointments for partial terms recommended by the Charlotte Regional Business Alliance beginning immediately and ending April 28, 2021.

Since no recommendations from the Charlotte Regional Business Alliance were received, these appointments will be brought to Council for nominations at the February 25, 2019 meeting.

The following nomination was made for an appointment for a partial term for a representative of the Asian American Chamber of Commerce beginning immediately and ending April 28, 2020:

The Asian American Chamber of Commerce has recommended Reena Duwala.

- Reena Duwala nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Mitchell, Newton and Winston

The following nominations were made for two appointments for partial terms beginning immediately and ending April 28, 2019, and then continuing for full three-year terms beginning April 29, 2019 and ending April 28, 2022:

- Emma Allen, nominated by Councilmember Mitchell
- Karl Celis, nominated by Councilmember Ajmera
- Renemary Dubois, nominated by Councilmember Newton
- Antoine James, nominated by Councilmembers Harlow and Winston
- Carol Phillips, nominated by Councilmembers Ajmera, Mayfield, Newton and Phipps
- Patrick Pitsinger, nominated by Councilmember Driggs
- Gregory Pizarro, Jr., nominated by Councilmember Driggs
- Nathan Viebrock, nominated by Councilmember Bokhari

DeAlva Glenn has requested reinstatement.

- DeAlva Glenn, 10 votes to reinstate – Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Mitchell, Newton, Phipps and Winston

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to appoint Reena Duwala and reinstate DeAlva Glenn.
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Ms. Duwala was appointed and Ms. Glenn was reinstated.

The remaining appointment will be brought back to the February 25, 2019 Business Meeting.

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ITEM NO. 20: NOMINATIONS TO THE CHARLOTTE BUSINESS INCLUSION ADVISORY COMMITTEE

The following nominations were made for one appointment for a two-year term for a representative of the National Association of Women Business Owners beginning March 1, 2019 and ending February 28, 2021:

The National Association of Women Business Owners has recommended Nicole Reina.

- Nicole Reina, nominated by Councilmembers Ajmera, Bokhari, Driggs, Harlow, Mayfield, Mitchell, Newton, Phipps and Winston.

The following nominations were made for one appointment for a two-year term for a representative of the Carolinas Association of General Contractors beginning March 1, 2019 and ending February 28, 2021.

The Carolinas Association of General Contractors has recommended William Stricker.

- William Stricker, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Mitchell, Newton, Phipps and Winston.

The following nominations were made for one appointment for a two-year term in the category of At-Large Representing Prime Construction Company beginning March 1, 2019 and ending February 28, 2021:

- Christopher Socha, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Mitchell, Newton and Phipps

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to appoint Nicole Reina reappoint William Stricker and Christopher Socha.

Ms. Reina Mr. Stricker and Mr. Socha were reappointed.

The following nominations were made for one appointment for a partial term for an At-Large Member beginning immediately and ending February 28, 2019 and then continuing for a full two-year term beginning March 1, 2019 and ending February 28, 2021:

- Jamal Cook, nominated by Councilmembers Harlow and Mitchell
- Monifa Drayton, nominated by Councilmember Mayfield
- Renemary Dubois nominated by Councilmember Newton
- Diane English, nominated by Councilmember Winston
- Gina Esquivel, nominated by Councilmember Ajmera
- Raghunadha Kotha, nominated by Councilmember Driggs

This appointment will be brought back to the February 25, 2019 Business Meeting.

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ITEM NO. 21: NOMINATIONS TO THE CHARLOTTE HOUSING AUTHORITY BOARD

The following nominations were made for one appointment for a three-year term beginning January 28, 2019 and ending December 17, 2021:

- Linda Ashendorf, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Mitchell, Newton and Phipps

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to reappoint Linda Ashendorf.

Ms. Ashendorf was reappointed.

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ITEM NO. 22: NOMINATIONS TO THE CHARLOTTE INTERNATIONAL CABINET

The following nominations were made for one appointment for a partial term for an At-Large member beginning immediately and ending June 30, 2021:

- Paula Broadwell, nominated by Councilmember Driggs and Egleston
- Nagash Choudhery, nominated by Councilmember Phipps
- Renemary Dubois, nominated by Councilmember Newton
- Gina Esquivel, nominated by Councilmember Harlow and Mayfield
- Sarah Griffith, nominated by Councilmember Ajmera

This appointment will be brought back to the February 25, 2019 Business Meeting.

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ITEM NO. 23: NOMINATIONS TO THE CITIZENS' TRANSIT ADVISORY GROUP

The following nominations were made for one appointment for a partial term beginning immediately and ending June 30, 2020:

- Michael Cataldo, nominated by Councilmember Driggs and Phipps
- Gautam Gururaj, nominated by Councilmember Ajmera
- Scott Maciver, nominated by Councilmember Harlow
- Lisa Rudisill, nominated by Councilmembers Mayfield and Newton

This appointment will be brought back to the February 25, 2019 Business Meeting.

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ITEM NO. 24: NOMINATIONS TO THE COMMUNITY RELATIONS COMMITTEE

The following nominations were made for one appointment for a partial term beginning immediately and ending June 30, 2019, and the continuing for a full three-year term from July 1, 2019 through June 30, 2022; one appointment for a partial term beginning immediately and ending June 30, 2021; and, one appointment for a three-year term beginning March 9, 2019 and ending March 8, 2022.

- Emma Allen, nominated by Councilmember Mayfield
- Courtney Beyer, nominated by Councilmember Ajmera
- Henry Black, nominated by Councilmember Phipps
- Kevin Campbell, nominated by Councilmember Winston
- Wesley Farnam, nominated by Councilmember Driggs, Egleston, Harlow, Mitchell and Newton
- Jon Giles, nominated by Councilmember Mayfield
- Katonya Hamilton, nominated by Councilmember Harlow
- Megan Henderson, nominated by Councilmember Bokhari
- Frederick Murphy, nominated by Councilmember Ajmera, Driggs, Egleston, Mitchell and Newton
- LaBecky Roe, nominated by Councilmember Phipps
- Hector Vaca, Jr., nominated by Councilmember Ajmera, Bokhari, Driggs, Egleston, Mayfield, Mitchell, Newton, Phipps and Winston

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to reappoint Hector Vaca.
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Mr. Vaca was reappointed.

The remaining two appointments will be brought back to the February 25, 2019 Business Meeting.

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ITEM NO. 25: NOMINATIONS TO KEEP CHARLOTTE BEAUTIFUL

The following nominations were made for two appointments for a partial term beginning immediately and ending June 30, 2019, and then continuing for full three-year term beginning July 1, 2019 and ending June 30, 2022 and for one appointment for a partial term beginning immediately and ending June 30, 2020.

- Casey Brewer, nominated by Councilmembers Bokhari and Driggs
- Valerie Gilbert, nominated by Councilmembers Ajmera, Egleston, Harlow, Mitchell, Newton, Phipps and Winston
- Caitlin Gordon, nominated by Councilmember Bokhari

- Virgil Hughes, nominated by Councilmembers Mayfield and Phipps
- Leigh Lynch, nominated by Councilmember Mayfield
- Anderson Muse, nominated by Councilmember Bokhari
- Patrick Pitsinger, nominated by Councilmember Driggs
- Linh Quach, nominated by Councilmembers Ajmera and Newton
- Wendy Sellers, nominated by Councilmembers Driggs and Mayfield
- Ryon Smalls, nominated by Councilmembers Ajmera, Egleston, Harlow, Mitchell, Newton, Phipps and Winston

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to appoint Valerie Gilbert and Ryon Smalls.

Ms. Gilbert and Mr. Smalls were appointed.

The remaining appointment will be brought back to the February 25, 2019 Business Meeting.

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ITEM NO. 26: NOMINATIONS TO THE NEIGHBORHOOD MATCHING GRANTS FUND

The following nominations were made for one appointment for a partial term for a Neighborhood Representative beginning immediately and ending April 15, 2020:

- Harold Carillo, nominated by Councilmember Bokhari
- Patricia Johnson, nominated by Councilmembers Ajmera, Driggs, Egleston, Mayfield, Mitchell, Newton, Phipps and Winston
- Sherry Washington, nominated by Councilmember Harlow

The following nominations were made for one appointment for a partial term for a Business Representative beginning immediately and ending April 15, 2020.

- Sarah Kucharski, nominated by Councilmembers Ajmera, Bokhari, Driggs, Harlow, Mayfield, Mitchell, Newton, Phipps and Winston.

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to appoint Patricia Johnson and Sarah Kucharski.

Ms. Johnson and Ms. Kucharski were appointed.

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ITEM NO. 27: NOMINATIONS TO THE PRIVATIZATION/COMPETITION ADVISORY COMMITTEE

The following nominations were made for one appointment for partial term beginning immediately and ending March 1, 2020.

James Marascio has requested reinstatement

- James Marascio, 8 votes to reinstate - Councilmembers Bokhari, Driggs, Egleston, Harlow, Mayfield, Mitchell, Phipps and Winston
- James Marascio, 1 vote not to reinstate – Councilmember Ajmera

The following nominations were made for six appointments for two-year terms beginning March 2, 2019 and ending March 1, 2021:

- Parker Cains, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Newton, Phipps and Winston

- Eric Cohen, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Newton and Phipps
- Johnell Holman, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Newton, Phipps and Winston
- Angela Shealy, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Newton and Phipps
- William Turner, nominated by Councilmember Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Newton and Phipps
- Alexander Vuchnich, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Newton and Phipps
- Michael Young, nominated by Councilmember Ajmera

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to reinstate James Marascio and reappoint Parker Cains, Eric Cohen, Johnell Holman, Angela Shealy, William Turner, and Alexander Vuchnich.

Mr. Marascio was reinstated and Mr. Cains, Mr. Cohen, Ms. Holman, Ms. Shealy, Mr. Turner, and Mr. Vuchnich were reappointed.

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ITEM NO. 28: NOMINATIONS TO THE STORM WATER ADVISORY COMMITTEE

The following nominations were made for one appointment for a partial term in the General Contract category beginning immediately and ending June 30, 2019, and then continuing for a full three-year term beginning July 1, 2019 and ending June 30, 2022:

- William Cornett, nominated by Councilmember Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Newton, Phipps and Winston

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to appoint William Cornett.

Mr. Cornett was appointed.

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ITEM NO. 29: NOMINATIONS TO THE TRANSIT ADVISORY COMMITTEE

The following nominations were made for one appointment for a three-year term for a Local Service Passenger beginning February 1, 2019 and ending January 31, 2022:

- Terry Landsdell, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mitchell, Newton, Phipps and Winston

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to appoint Terry Landsdell.

Mr. Landsdell was appointed.

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ITEM NO. 30: NOMINATIONS TO THE WASTE MANAGEMENT ADVISORY BOARD

The following nominations were made to recommend one appointment for a partial term beginning immediately and ending November 5, 2021:

- Jason Thomas, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Mitchell, Newton and Phipps

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to recommend Jason Thomas.

Mr. Thomas will be recommended to the County Commission for appointment.

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ITEM NO. 31: NOMINATIONS TO THE ZONING BOARD OF ADJUSTMENT

The following nominations were made for one appointment for a three-year term beginning February 2, 2019 and ending July 31, 2022:

- Terry Brown, Jr., nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Harlow, Mayfield, Mitchell, Newton, Phipps and Winston.

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to reappoint Terry Brown, Jr.

Mr. Brown was reappointed.

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ITEM NO. 32: MAYOR AND CITY COUNCIL TOPICS

Councilmember Egleston said we've talked a lot tonight about supporting our immigrant community, and I think that is and has been a priority of the City for a long time, but it is all the more important, as we sit here today in the wake of all that has been going on. I want to let the community know that the Charlotte Business INclusion will be hosting a workshop on Saturday, March 9th 10:00 a.m. to noon. The location is still being determined, but it will be announced shortly. For immigrant business owners and businesses that serve the immigrant community, we will share available resources including contracting and procurement opportunities for the City of Charlotte.

We know that a lot of the anxiety that has been stoked in the last week has led a decline in revenue for a lot of immigrant owned businesses; a lot of us went to see our friend Manolo over at Manolo's Bakery this week and he is just one example of what I'm sure is a far broader problem, but his sales were down to the tune of 60% to 70% last week. I would encourage everybody in Charlotte to support our foreign owned or immigrant owned businesses all the time but particularly in this time and would encourage all of those businesses to join us for this Workshop on Saturday, March 9th and keep an eye out for that location and more details.

Councilmember Harlow said no announcements on this front, just a couple things Mr. Manager that I would like to come back hopefully sooner than later. One is around temporary use permits and special use permits. I would like to get some comparable data on what our current practices are around our fire code inspection and approval procedures and processes, as it relates to receiving temporary use and special use permits. I'm looking for this data and information to try to inform some possible policy changes around our interaction with the City and County process for temporary use permits.

Number two has to do with carports and working with Housing and Neighborhood Services and Code Enforcement on some data around what we've been doing as it relates to carport enforcement or code enforcement violations, as it relates to carports and then possibly looking at that data. This is just for the Council to bring back as I will likely be referring this later, once the data informs us data informs us on how we might be able to modernize and update our code enforcement practices specifically around a possible grandfather clause for older communities. I want the data sets first before we put that in

Committee, so if we can bring that back sooner than later for those two things, temporary use and special use permits and carports.

Councilmember Driggs said on March 2nd, I will be hosting a Town Hall Meeting at the Ballantyne Hotel to talk about the revaluation and let people in South Charlotte know what they can expect in terms of their tax bill. The good news is the impact on your tax bill is likely be small, and it could actually go down. So, come to the meeting and you will hear about that in more detail. The majority of the meeting will be about congestion issues in the area; this is an ongoing subject for us. The roads are getting crowded, so we will have people from Planning, C-DOT, CATS on hand to talk about what the outlook is for South Charlotte in terms of transportation, zoning, new construction, the roads and also an interesting study that is being conducted on bringing the Blue Line down into Ballantyne. A lot to talk about, come on March 2nd at 9:00 to the Ballantyne Hotel for the Town Hall Meeting.

Councilmember Mitchell said there is a special press conference next Monday here in the Chamber at 11:00 a.m. The Black Enterprise Editor Butch Graves will be here to make a special announcement for our community. Council, I hope you have gotten the meeting notice. We have a great response from the County Commissioners, so I've got to make sure the City shows up as well. It is free to the public.

Councilmember Ajmera said this is a very busy week for our City with the NBA All-Star Game. For those who will be in downtown, please try to use our public transportation system and keep an eye out for all the policies and arrangements that have been made during the NBA All-Star weekend, especially using a transparent bag and how to be safe. Make good use of that if you are planning to be in downtown around that timeframe. Hope to see many of you at the game on Friday.

Councilmember Mayfield said Mr. Manager, I want to have referred to the Housing and Neighborhood Development Committee an update on identifying our family size looking at our most recent Aging in Place Program for Senior 65 and older. We are looking for the opportunity to dig a little deeper to make sure outside of HUD standards that our standards are based on the needs of our residents. We are looking to create a survey to actually look at what are the income for seniors in our community so that our numbers are more accurate and not just tied a single at a certain amount annual income versus a family of eight trying to be very representative of our residents and what the needs are.

Councilmember Phipps said tomorrow, I will be attending a day-long conference in Rock Hill, South Carolina of the Catawba Water Management Group Second Annual Water Summit for all Conference. Right now, I think they've got about 140 people in attendance but what is going to be special about this, in addition to learning more interesting things about the Catawba River Water Basin, is the inaugural class for the Citizens' Water Academy will be graduating, of which I am a member of, that graduating class tomorrow. I want my colleagues to let me know whether or not they would be interested in being nominated for the next Water Academy Class of three or four sessions. Let me know, and I can consider writing a flowering letter of recommendation that you might be considered to attend the next Catawba Citizens Water Academy.

Councilmember Bokhari said we are approaching the six-hour mark of passionately debating each other on all kinds of different topics, and while I know that we all come from different perspectives, we have different passionate views, and we make those heard around the dais or around Room 267 or wherever we are, I think it is the relationships that we've created over the last year together that allow us to have those speak bluntly, speak plainly and then continue to work together on the next top in the next meeting. I know as much as I passionately believe in what I'm saying, I know you guys feel the exact same way. So, I just want you to know I appreciate that we can have these tough conversations and then jump right back into the work, and I think that while we are having some tough conversations that is something our City should be proud of. I appreciate all of you.

Councilmember Newton said myself and Councilmember Egleston last Friday night, we had the opportunity to spend some time with a wonderful organization Promise Youth Development at a local staple for the eastside, Manola's Bakery. Beforehand, the both of us actually had the opportunity to discuss the federal presence in our community over the past week with the owner of Manola's Bakery, and he laid out the alarming reality facing his business and others on the Central Avenue, Sharon Amity, and Albemarle Road corridors. Manola will be advocate for eastside immigrant business and often times for the immigrant community as a whole. He told us that business is down; you had said 60% to 70%. I recall him saying 80% for himself and for many other eastside small businesses, and there are some that have stalled altogether. He said that businesses such as Lempira Restaurants have been outright disrupted due to incidents where multiple people have been detained, processed, and ultimately let go.

Needless to say, these tactics have disrupted many ordinary law abiding lives as well, especially lives of young folks who find themselves caught up in all the turmoil. Public attendance at schools for a matter of context is actually down as a result. Like it or not, our immigrant and yes, our undocumented neighbors, are instrumental to our economy, particular in east Charlotte where the vast majority are decent, hard-working productive people. They all in one shape or form contribute to what makes Charlotte great for all of us. In the case of entrepreneurs like Manola, they either own or pay rent on store fronts that would otherwise sit vacant and will undoubtedly be paying more in taxes or rents under the current reval as property values shift from residential to commercial properties. Their customer base and employees insure their occupancy which in turn provides revenues for streets, Police and Fire, schools ,etc. for all of us.

It is often said that we are a country of immigrants. For two centuries, America has opened its borders to the huddled masses who have brought great industry and innovation in, and now that philosophy is being second guessed as we await additional information from ICE frankly regarding the number of stops, detainments, releases, etc., which may never frankly come. We must never forget when our immigrant community hurts we all hurt. So, if you get the chance stop in at Manola's Bakery; it is located at 4405 Central Avenue or one of the other many wonderful immigrant owned small businesses that you will find in east Charlotte and frankly throughout all of Charlotte. You can go to historysouth.org to find a list of immigrant owned businesses in all of Charlotte as well as east Charlotte. Show them that you care and that you appreciate their contributions to Charlotte as a whole. Right now, they really need to hear it.

Mayor Lyles said I want to follow-up on Ms. Ajmera's comments about the All-Star Game, particularly that starting at 5:00 from Friday February 15th through Sunday. Purses, tote bags and all of those things will not be permitted on the Blue Line. Riders passing through will be at 3rd and 7th Streets. All of these details are on charlottenc.gov/mbagame. Please, go to those websites; it is going to be a lot of fun, but there is going to be a lot of people. The other thing I wanted to say is that we are very, very fortunate in this City; we are hosting the All-Star Game February 13th through 17th, the CIAA Tournament February 25th through March 3rd, and the ACC Men's Tournament the 12th through the 16th. I think the results of these in our community over 6 million rooms have been sold; we've had over \$782 million in hotel revenue, \$63 million in occupancy tax, \$3.5 billion in food and beverage and \$35 million in revenue. So, we are just really rolling along, and I think it is because of our ability to host and be a place that people can feel comfortable, and they get our hospitality, and again, I think we are in a really good space to be able to celebrate first great sports over the next couple weeks and then even more so a great place to host them.

The other thing I wanted to mention is that I will be out of town for a week next week. I'm going to be working, continuing through my Bloomberg School and work in connection with Bloomberg, out of town for a couple of days and then I will be taking a few days break.

Ms. Mayfield said two things Mr. Manager, I want to refer a conversation to the Economic Development Committee. I have already spoken with the Chair, as we are looking at our conversations around upward mobility, there is a business TGE and an opportunity when

we look at the Beatties Ford Road Corridor, but we need to have that conversation as far as economic development, specifically with minority businesses being elevated so here is the opportunity, but it has to be directed to the Economic Development Committee with some very specific ideas and goals and for Housing and Neighborhood, what I forgot earlier is what I want to refer to the Committee is a map overlay. When we look at block busting and red lining, I want to look at the map of our wedge and crescent that we have maneuvered under for the last few years and this new evaluation, because there are some very clear concerns regarding the 2011 evaluation, which I asked at last week's meeting when the assessor was in town, areas of town that are closely adjacent to uptown a good majority of them were minority working-class communities that properties were heavily devalued and undervalued under that last evaluation. Eight years later they are seeing property tax increase that has doubled and in some cases tripled. That is putting us back into a conversation of block busting and red lining, so we need to really look at these maps and have the opportunity to really dig into that in Committee, as well as look at our crescent and wedge to see what these changes have done to our immediate area and to residential neighborhoods.

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ADJOURNMENT

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

The meeting was adjourned at 11:01 p.m.



Emily A. Kunze, Deputy City Clerk, NCCMC

Length of Meeting: 5 Hours, 53 Minutes
Minutes Completed: March 14, 2019