

The City Council of the City of Charlotte, North Carolina convened for an Action Review on Monday, September 12, 2022, at 5:05 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Lyles presiding. Council Members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Braxton Winston II.

**ABSENT:** Councilmember Victoria Watlington

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**Mayor Lyles** said welcome to the September 12<sup>th</sup> City Council Meeting. We welcome a number of new people to join us and excited to see those that are returning. So, I'd like to actually make sure, because we have a new group, that we have introductions here as well as at the dais when we go downstairs for the meeting.

This meeting will also be accessible via the Government Channel, the City's Facebook page and the City's YouTube channel.

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## **ACTION REVIEW**

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

**Mayor Lyles** said I want to call our action review time to order and say welcome. Thank you for everyone that's joining us. This is the time that we actually talk about the work that we're doing and what's coming up in front of us so that people can have an opportunity to see and hear from the staff what we're trying to accomplish in moving forward. Before we go directly to that agenda, Marie, will you talk to us about the Council Consent Item Questions and the changes that have been made as a result from the time that the agenda went out to today.

**Marie Harris, Strategy and Budget** said yes ma'am and good evening. Before you, you should have in your seats the questions and answers from today's agenda items so far. I ask you take a minute to look over those and hopefully we've followed up with any of you that had specific questions already, but specifically on consent as well, are there any additional questions? While you're looking over, I know the Clerk and the Mayor will also note for you, but there was one item, Item No. 46 on your consent agenda that's been pulled by staff for this evening. That was the last Consent Item.

Mayor Lyles said alright, so pulled means that the staff has decided that it would come off of the agenda. So, are there any items that people want to comment on, on the consent agenda? Alright, are there any items that Council would like to see as a separate vote on the consent agenda? Hearing none, then if we can have a motion to adopt the consent agenda except for Item 46.

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## **CONSENT AGENDA**

### **ITEM NO. 5: CONSENT AGENDA ITEMS 35 THROUGH 46 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS REMOVED BY A COUNCIL MEMBER. ITEMS ARE REMOVED BY NOTIFYING THE CITY CLERK.**

Motion was made by Councilmember Graham, seconded by Councilmember Ajmera, and carried unanimously to approve the Consent Agenda as presented, with the exception of Item No. 46, which was pulled by staff.
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The following items were approved:

pti:mt

**Item No. 35: Construct Arrowood Road Intelligent Transportation System**

Approve a contract in the amount of \$719,774.75 to the lowest responsive bidder Whiting Construction Company, Inc. for the Arrowood Road Intelligent Transportation System project.

**Summary of Bid**

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

**Item No. 36: Public Auction for Disposal of Surplus Equipment**

(A) Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus, (B) Authorize said items for sale by public auction on September 17, 2022, and (C) Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.

The resolution is recorded in full in Resolution Book 53, at Page(s) 283-295.

**Item No. 37: Rain and Stream Gauges Maintenance Agreement**

(A) Approve a five-year agreement with the United State Geological Survey for an amount up to \$2,254,100 for maintenance of storm water rain and stream gauges, and (B) Authorize the City Manager to amend the agreement consistent with the purpose for which the agreement was approved.

**Item No. 38: Construction Administration and Inspection Services**

(A) Approve unit price contracts with the following companies for construction administration and inspection services for an initial term of two years:

- Black & Veatch International Company,
- DiCon Consulting, PC (SBE),
- Gavel & Dorn Engineering, PLLC (SBE),
- HDR, Inc., and (B) Authorize the City Manager to renew the contracts for up to two, two-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 39: Conveyor Belt Replacement Parts**

(A) Approve the purchase of conveyor belt replacement parts by the sole source exemption, (B) Approve a contract with Serpentix Conveyor Corp. for the purchase of conveyor belt replacement parts, and (C) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 40: Stowe Regional Water Resource Recovery Facility**

Approve a guaranteed maximum price of \$11,511,620 to Crowder/Garney JV for Design-Build construction services for the Stowe Regional Water Resource Recovery Facility project.

**Item No. 41: Enterprise Resource Planning Consulting and Project Management Services**

(A) Authorize the City Manager to negotiate and execute a contract with DeannaMichel Inc. to provide consulting, program, and project management services to the city's implementation plan of an Enterprise Resource Planning solution for a term of four years, and (B) Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved.

**PROPERTY TRANSACTIONS**

**IN REM REMEDY**

**Item No. 42: In Rem Remedy 5325 Elcar Drive**

Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 5325 Elcar Drive Neighborhood Profile Area 83.

The ordinance is recorded in full in Ordinance Book 65, Page(s) 216.

**Item No. 43: Charlotte Water Property Transactions – North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (W.T. Harris-Plott Road Water Transmission), Parcel #67.**

Resolution of Condemnation for 8,366 square feet (0.19 acres) in Permanent Utility Easement, plus 5,297 square feet (0.12 acres) in Temporary Construction Easement at 7115 East W.T. Harris Boulevard from DKS Properties, LLC for \$102,700 for North Tryon Pressure Zone Boundary Change and 960 Zone N-S Transmission Main (W.T. Harris-Plott Road Water Transmission), Parcel #67.

The resolution is recorded in full in Resolution Book 53, at Page(s) 296.

**Item No. 44: Property Transactions – Monroe at Ashmore Pedestrian Beacon, Parcel #1**

Resolution of Condemnation for 95 square feet (0.002 acres) Bus Stop Improvement Easement, 37 square feet (0.001 acres) Sidewalk Utility Easement at 5820 and 5822 Monroe Road from 5820 Green CLT, Inc for \$23,450 for Monroe at Ashmore Pedestrian Beacon, Parcel # 1.

The resolution is recorded in full in Resolution Book 53, at Page(s) 297.

**Item No. 45: Property Transactions – Monroe at Ashmore Pedestrian Beacon, Parcel #3**

Resolution of Condemnation for 400 square feet (0.009 acres) Bus Stop Improvement Easement at 701 Ashmore Drive from James M Cullen for \$2,525 for Monroe at Ashmore Pedestrian Beacon, Parcel # 3.

The resolution is recorded in full in Resolution Book 53, at Page(s) 298.

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**ITEM NO. 2: ACTION REVIEW AGENDA OVERVIEW**

**Mayor Lyles** said we've completed our consent agenda and now we'll go to our action review items and I'd like to recognize the manager.

**Marcus Jones, City Manager** said thank you Mayor and members of Council. Tonight, we have two presentations. The first presentation is regarding our efforts around safety and violence reduction and the second will provide you with an update on our disparity study. Before we go to those presentations, I would like to talk a little bit about our approach to tonight. So, this is the new Council's first action review and we wanted to give you as much information as we could prior to coming tonight and I hope we didn't inundate you with too much information. As we went through the orientation, it was clear that being able to have you prepared is very important as we come to these action reviews. So, we typically publish the agenda on Thursday which was in your packet. I think some of you may have been surprised for some Friday calls that you received from your Assistant City Manager, but again trying to go through some of the topics that are here today and to see if there were any issues.

Very appreciative for the Mayor Pro Tem as he reached out, I think, to some of you also to get us hitting the ground running on this first meeting. Marie also works with you to send out any questions that you may have regarding the agenda. I think Councilmember Mayfield probably had the most and we appreciate the thoroughness of going through that.

So, earlier today you had a couple of pre-reads. One is essentially the second presentation that you will see as well as a pre-read. A couple of pages dealing with SAFE Charlotte as well as with the update on the disparity study. So, I just wanted to set the stage for what we're trying to achieve tonight in terms of this action review. Mayor, if there aren't any questions, I'd like to lead off with the SAFE Charlotte presentation.

So, we do have tonight both Chief Jennings as well as we have Federico Rios who will talk a bit about their efforts around SAFE Charlotte. I have just one slide. Instead of having an overview for you, it's really talking about where we have been, and I think the slide captures it. If you could think back to 2019 when we started to have a spike in violence in the city, we reached out to Johns Hopkins and GovEx to really get some data to see how we could tackle this. During that same period of time, this morphed into this framework to address violence. It actually is a framework that was adapted by the City Council as well as the county commissioners and it has pillars that are the exact same across both bodies. If you move down, we started off having conversations about hotspots and then there were priority areas. Then they morphed into our Corridors of Opportunity, which we have six, which is not just about policing but also about access to jobs, housing, safe mobility options as well as proactively addressing crime.

Then finally as we get back into that May/June 2020 time period, that's when the Council started to work on reimagining policing. Three months, each Council committee at that time took a deep dive into what are some areas that can be discussed that can help us in addressing violence as a public health crisis. I will tell you that this was the combined efforts of staff, CMPD (Charlotte Mecklenburg Police Department), our community input groups as well as the Council and it resulted in SAFE Charlotte report which [inaudible] will talk a little bit about tonight. The reason that we're having that discussion is there's an item on the agenda. Out of all the things that we try to make sure that we brief you, whether it's a strategy session or coming out of a committee and even an action briefing before we actually put something on the agenda for a vote, this is one of those strange situations where we have a crossover in council just as we were cueing this up.

So, you have a lot of information. One of the reasons we wanted to do that was so that you would have as much as you can before we started having the conversation with you tonight. That's what we're attempting to do. So, with that said, I'd like to turn it over to Chief Jennings.

**Johnny Jennings, Chief of Police** said thank you Mr. Manager, Madam Mayor, members of the Council. Thank you. It's an honor to be here. Good to see some familiar faces along with some new faces. I'm going to go through some slides very quickly. I know time is limited, but hopefully it will give you an overview of what we're looking at within CMPD and some of the changes not only that we have made and some directions that we're looking at within our department.

So, some of the old news that you probably heard before. I was sworn in in June of 2020. Implemented my core four values within our agency and that includes employee wellness, community collaboration, crime management and professional accountability. My strategic goal in those is that within my administration, that if we can accomplish and have our goals towards these core four items, that we would have a very successful police department. Our mission and our vision had been the same for probably over 30 years and when we went back and did a retreat soon after I was sworn in as the police Chief, one of the things we wanted to do was make sure that our mission was up to date and focused on what our goals are set for in today's era. So, CMPD's mission now states that CMPD will implement solutions and expand collaborative relationships within our organization and community to enhance trust, fairness, respect to increase public safety. Our vision is we envision becoming the trusted respected sought after community partner by serving our citizens and taking care of our employees.

So, if we rewind late after 2020, we remember that Campaign Zero had the 8 Can't Wait Campaign which had eight requests of departments that they would implement within their policies. Not to belabor this but CMPD worked with the Campaign Zero and within probably six months, we were able to implement all eight and satisfy all eight requirements of 8 Can't Wait. We were at the time one of 10 agencies that were compliant with all eight of these recommendations and that was something that we were very proud of and took a lot of hard work and back and forth. During that process we learned a lot as well. Campaign Zero learned a lot when it came to our agency and how we implemented in our policies and what our policies meant.

So, we wanted to look at the state of employees. I knew that during 2020, the difficult times that we were having within policing in general, that I wasn't concerned with our officers at the moment. I was more concerned with how they would feel after we came down off of that mountain top and some of the responses that we were having to address back then. So, some of the things that came from the climate and culture survey of our employees, the concerns were communication based on the flow of information that we have from the top down and also actively listening. Listening to the employees as far as what they wanted and how they wanted to see our agency move forward as well, and transparency amongst the ranks as well. So, they wanted a lot more of what's going on before those decisions are made and to be able to have that, which all goes in with the communication. Also, low morale which was nothing new across the country which a lot of police departments were dealing with. So, I'm not going to read all of this. We went basically from a mission centered focus to a people centered focus to make sure that we were looking after our employees. You can read on the right some of the things that we wanted to value when it came to being people focused.

We launched a major initiative in 2021 which was our customer base, CMPD Serves. Our initiative on how we treat people. Not just how we treat people that we come in contact with out in the public, but also how we treat each other. I thought that was very important to one, go towards morale. My concept is that we want to be day-makers in every day that we have contacts with individuals to the fullest extent that we can. You look at some of the results, all of our CMPD officers have received the initial training and we're launching the second phase of this training this month actually. We have 150 Acts of Excellency Awards. So, the whole point of all of these results is we want to be able to catch our officers doing something right, and 150 Acts of Excellency Awards, 4,300 body worn camera tags for positive work. So, we are able to let supervisors tag for positive work as well as officers who want to be recognized and say this is something that we feel it's positive, that I was a day-maker, that I was able to make a difference with the person I came in contact with. Plus 75 plus roll call meetings. We are also the first agency in the country to have customer experience officers that will be graduating this December within our agency. This will bring our numbers up to four employees that are customer experience officers that have received the training.

Last year we received the Revolutionary Company of the Year from the Customer Service Revolution Conference in Ohio. We are proud of that award as well. These are some of the milestones that I'll let you read. Some of things in particular, we doubled our community police and crisis response team. It's actually thanks to our council that recommended and funded for us to do that. So, we were able to go from 6 to 12. Just over this past year, we've updated 35 directives and policies within our agency. Launched a new policy team which is a civilianized team that will be constantly looking at our policies and looking at where we can improve based on not just things that we see within our jurisdiction, but across the country as well.

Also launched a new public records team. So, we hired additional people to help assist with our public records request. I think we've had over 600 public records request year to date, and we are trying to make sure that we stay on top of those as much as we can and make sure that we don't have too many outstanding and be a little bit more efficient there. There's some other things on there that I won't read but you should have that in your documents.

So, addressing violent crime. So far year to date our violent crime is up two percent. Some of the efforts that we're looking at, and I'll talk about gun violence in a little bit, but back to school violence prevention was one of the key factors. If you remember last year, the first semester of school from August to December, there were several guns that were confiscated out of our schools and even one incident that involved an actual shooting. In working with CMS (Charlotte Mecklenburg Schools) and to be able to makes sure that we didn't see this year start out similar to what we saw last year, we wanted to make sure that we took some initiative to continue the work that we saw at the second semester of last year. In our jurisdiction we had 28 total guns that were found in schools and 25 of those guns were found from the August to December

semester. So, we wanted to make sure that that continued on to this year and so far, it seems we're being successful in that area as well. Also, our active shooter training within CMPD. Thanks to our Police Foundation, we were able to do some very extensive and very quick hands-on active shooter training with our officers. I think if not all, the majority of our officers have already gone through that training which was a very monumental feat to be able to take on within a few short months.

So, gun violence within juveniles is the main concern that I have, and I know I've had some discussions with some of you council members in reference to violence in juveniles and guns in particular. Year to date we've had 118 juvenile suspects of firearms related offenses this year, 482 juvenile victims this year of gun related violence. One of the things we're glad to see is the 12 percent reduction in shooting in occupied dwellings which is where people just go shoot at a house with disregard to sanctity of life of anyone inside that residence as well. So, we've had some work that we've been able to do and make some good arrests that have brought that number down just a little bit compared to last year. We're up six percent in guns recovered. 2,000 guns and those are illegal guns that we're taking off the street which is very significant to think about. If we're recovering that many guns off of our streets throughout this year, then you have to think about how many guns are actually out there that are being involved in illegal activity.

Two initiatives with groups that we have within our agency divisions are Violent Criminal Apprehension Team. These are the officers that go after some of the most violent criminals within our society and so far they have made 288 arrests this year. As you can see, 86 of those were for murder. Our Crime Gun Suppression Team which is a newer team that was developed specifically to go after those individuals that are committing crimes that are involving guns and they're intentional about the individuals that they're targeting for arrests for those gun crimes. They've made 162 arrests so far this year, 155 firearms seized and 23 of those were recovered being stolen.

Property crimes is another issue. Violent crime is my priority right now along with recruiting, but property crime is a concern as well that we still have to continue to address. Just quickly, I won't go through all of this but if we look through at our commercial burglaries which are up 42 percent right now and our auto thefts up 16 percent. In a way that's kind of a victory for us given the Kia Challenge with the auto thefts that we've seen over the Internet where young people are stealing Hyundais and Kias. Those numbers have gone up drastically and have really taken a big dent on some of the issues we're trying to address with property crime, but we are seeing some positive results with some of the work that we've been seeing. So, the catalytic convertors are always going to be an issue. We are starting to see some of those go down as well where people are cutting catalytic convertors off of vehicles. It takes about 30 seconds to do that and that's been something that we're trying to track down and make sure that we're not only targeting the people that are stealing them, but also the ones that are taking them in on the black market and paying money to individuals for that.

These are some of the challenges that we're looking at that we have to address. I've been pretty vocal about the low bail and bond issues that we're seeing particularly with the most violent criminals and the repeat offenders. If you look at our violent crime, when we usually arrest somebody for a violent or heinous crime, often you can look at their record and see that they've been arrested multiple times over and over again. So, that's a concern with us as well. I am working with the magistrates and also the District Court Judge Elizabeth Trosch has been really great as far our conversations are concerned on how we can start looking to work together to help change the scenario in what we're seeing. Not just in Charlotte but across the state and across the country. Also, court backlogs as courts begin to open up and again our staffing concerns as well within CMPD.

These are just some of the things that we've done as far as recruitment. The biggest thing is our marketing and advertising campaign that we want to make sure that we get our brand and our message out so that we can attract more people to become police

officers. Not just as a job but as a career for us and right now we're looking at around 280 sworn vacancies within our agency which is extremely high. That number does change day to day based on who's retiring, who leaves and also as we hire and start academy classes, that number would fluctuate as well. So, with that includes current academy classes that are in play. So, those officers aren't available just yet to us, but at least we have them hired at this point going through the training process. I'm not going to go through each of those. That's all for my presentation. I don't know if I'm answering questions now or answering them later.

Mayor Lyles said we'll ask Federico to join the Chief in this presentation as well with his responsibilities and accountabilities in this area particularly around the idea of how do we actually address some of the things that we have in the community as the Chief talked about them.

**Federico Rios, Housing and Neighborhood Services** said good evening, Madam Mayor, members of the Council. Federico Rios. I serve as the assistant director of the Housing and Neighborhood Services Department specifically over our office Equity, Mobility and Immigrant Integration. It's an honor to be here tonight. Mr. Manager, you referenced a framework to address violence. This has many pillars. I won't go over each. We will spend the bulk of our time on the interruption of violence there in the middle, but I did want to reference that in the pre-read that was mentioned earlier, there's more information regarding our SAFE Charlotte grant which was specifically referenced in the SAFE Charlotte report. In addition, there is information related to the hospital-based violence intervention program that we have partnered with Atrium Health to do in their trauma center.

I will specifically be speaking to our Alternatives To Violence Program and in context I really want you all to understand that we are undertaking the utilization of the Cure Violence Model, an evidenced based model that comes out of Chicago that has been utilized in cities around the world. It employs an epidemiological approach. So, the epidemiological approach goes back to this idea of violence as a public health crisis and it's really the isolation of a disease. If we recognize that violence spreads much like a disease spreads, you want to treat it as such and isolate accordingly. This is done through the Cure Violence Model which employs a multitiered approach. So, there's canvassing, there's relationship building, there's case management, there's conflict mediation, rapid response to violence incidences and most importantly community behavior change. This takes time and continual effort to see forth results.

So, to offer context, this program has been launched as of August of 2021 in the Beatties Ford Road corridor. As you can see on this slide, the program during that initial time period from 2017 when we were first tracking information in this corridor, specific to our implementation of this model, and as of the end of last month we have continued to see challenges related to violent crime incidents and homicides. Aggravated assault continues to drive the violent crime that has occurred in this area even specific to the first eight months of this year and there's been aggravated assaults that continued to be perpetrated in this corridor. What makes the Cure Violence Model correct for this area is the relational nature of the crime. These are crimes that are typically happening amongst individuals that know one another. These are not crimes of opportunity, but crimes of relationship.

I'd like to acknowledge Tracie Campbell who's in the room. Tracie serves as the head of the Office of Violence Interruption with Mecklenburg County, our partner on this initiative as you see in the slides. We have partnered with Mecklenburg County to begin this program. In year one, the program was co-funded by both entities at \$250,000 apiece. We then worked with Cure Violence Global to provide methodology and technological support. So, again Cure Violence Global comes in and ensures that we are remaining faithful to the mode and providing all the appropriate resources to execute on said model. Again, we as Mecklenburg County and the City of Charlotte partnered to monitor and provide staffing and resource support. So, Tracie, myself and Milena Price who serves as the project coordinator for this on our end are going out monthly meeting with the team going over cases ensuring that they have any resource support that they need.

The team is led by Youth Advocate Programs who won the RFP (Request For Proposal) for this contract, and they are the ones implementing the model as of now in the Beatties Ford Road corridor.

I'm excited to share that last year we began a partnership with Charlotte Mecklenburg Schools. Again, referencing the information that the Chief had shared. That partnership is noteworthy. In fact, very few of the Cure Violence models that have been implemented in the United States have a direct partnership with their school system. So, we're excited to have that in place. Again, referencing what the Chief has mentioned and what you saw in the previous slide regarding the age of the individuals that oftentimes are either victims or perpetrators of crime in this area. This has specifically worked really well at West Charlotte High School. Quick anecdote. On the first day when we set up the meeting for the partnership to be evaluated, upon entering the campus, the Youth Advocate Program staff was asked to mediate a conflict that was occurring that day related to a gun and social media. So, we knew that moment that this was the right course of action to take forward. YAP (Youth Advocate Program) is currently in the process of renewing their MOU (Memorandum of Understanding) for the '22/'23 school year.

So, we recognize that we are a year into this program but there has been dramatic shifts related to the program. So, we have been advised by Cure Violence Global to not provide a full annual assessment because the data is skewed to do so. What we can share is that we've had a total of currently 19 program participants, 45 mediations that have been completed. These are mediations that would have led to a violent incident in the corridor and have been engaged in by individuals that are at highest risk of violence. It's important on that last data point to share that the hotspot that makes up the Beatties Ford Road corridor has cooled down. Now that can't conclusively be attributed to one program or intervention. I don't want to take shine away from the Chief and his efforts and all of the other efforts that have occurred with community-based organizations, but it is a positive indicator that the work is having a positive effect. Again, we recently extended YAP services to implement the ATV (Alternatives to Violence) Program for one additional year. That is for a multitude of reasons, but especially because we are undertaking a three-year evaluation with UNC-Charlotte and for the sake of continuity of service.

I'm excited to share that tonight, members of Council, you will have the opportunity to vote on the acceptance of a \$1 million grant from the Department of Justice. This is a congressional earmark that came through Congresswoman Alma Adams' office. So, we're especially grateful for her and this opportunity. I'd like you to take into account that the city spent \$250,000 in year one of this program matched by the \$250,000 that the county put forward and since it's inception along with this \$1 million and the \$1.2 million at Wells Fargo and the Greenlight Fund have put in, you have seen a \$2.2 million return on your investment. We have worked with Cure Violence Global. As you can see, these are actually cluster maps that designate two areas with a high incidence of crime, specifically violent crime, which are typically homicides and assaults with a deadly weapon. We have determined that there are three locations that would be best fits for the expansion of this initiative. Those will be Nations Ford and Arrowood Road, Southside homes and West Boulevard and Remount Road. I, in communication with Cure Violence Global proposed that we undertake this as two sites. We would actually have a site at Nations Ford and Arrowood and then a combined larger site that would expand between Southside and West Boulevard given their proximity. We are waiting on Cure Violence Global to solidify dates where they will come out and evaluate what the proper staffing model for that expansion would be considering the size of the area.

The RFP will go out in early winter of 2022. It's important to share that the RFP will not go out solely for these two sites but also for the Beatties Ford Road site. We want to ensure that we are consistently looking for the best possible providers for this model across the continuum of care. Additionally, we hope to have the host organizations all selected and online beginning to hire staff May of '23 with the full implementation coming in August of that year. With that, any questions?



Mayor Lyles said thank you. Before we go into the questions, I want to say thank you to the Chief and Mr. Rios for the presentation. I really just wanted to say a few words. If you remember, we had our Council orientation and we talked about priorities. We've been talking about our priorities for a while, but two things that really stood out for me is that we talked about and asked about quality-of-life issues. All of us have said that the quality-of-life issues are very important, but they're not all the same for every place in the city and that we really need to address the quality of life where we can define and act on some of these issues. I know that it's not just the information that was presented to us tonight, but it's around how do we make sure Vision Zero helps, our pedestrian safety, our roads and safe streets. How do we look at housing and jobs? How do we create opportunities for upward mobility and how particularly do we deal with code enforcement and the litter that we have in our city?

The emails that I'm getting primarily from citizens are saying these are some of the issues that they really want to see action on, and I know that most of us have talked about them in some respect one way or the other. So, I think that this is a good way to start this discussion because we know that as our group as a collective, I believe that we've been talking about how all of our committees are important to quality of life and we're going to have the opportunity to actually determine if we could work as a collective council with every committee that's functioning in this area to contribute to what I believe is our foundation, but something that we have to really begin to work on for success. So, we have the foundational knowledge of where we are today, but how do we as a committee of the whole with four functioning committees that have the ability to address this, make a real difference so that we can come back again and talk about what steps we need for a safer city. So, I want to say that I'd like to ask every Council member to have an opportunity to comment and question. So, Chief and Mr. Rios, if you're prepared, I thought we might start with the Mayor Pro Tem and then go around the room and then come back around with Mr. Graham.

**Councilmember Winston** said thank you Mayor. Thank you, Chief Jennings, Mr. Rios. I think you'll hear from my colleagues a focus on the outcomes of our efforts and how we learn from those outcomes to better our future efforts. I have two questions. I think the first one is for both Chief Jennings and Mr. Rios and the second one is I think for Chief Jennings. I'll ask both of them. Youth and school violence. I think that is something that is really top of the mind for our community. We know school violence doesn't just get sequestered on school campuses. What happens in our neighborhood's spills into our schools and vice versa. Dealing with the violence that spills in and out of our schools can provide certain intergovernmental hurdles on a continuous basis. If there are actually certain hurdles, can you speak to them and how might we work more collaboratively with our colleagues across governments beyond just Mecklenburg County and CMS to better address sources of youth and school violence? That's for both.

Chief Jennings said so, the question about the hurdles when it comes to addressing the youth violence in schools and everything, I think that a lot of the hurdles is the family structure as well because there's only so much. We're limited in what we can do when we address a juvenile offender. Also, as we know the Raise the Age that occurred. I'm not against the Raise the Age but I do think that logistically we could have done better to prepare for the Raise the Age because at this point a lot of what we see with the juveniles is we do a juvenile arrest, they're released back to a guardian or a parent and then they're back doing the same thing that we just arrested them for. So, that's a very difficult thing for us to be able to address on the police end of it, but also I think we're doing a lot of really good things not just within the police department, but a lot of the grassroot organizations that I think each and every one of you have worked with at some point or another to be able to give youth another opportunity and know that there's different directions that they can go in. So, that's probably the biggest hurdles that we see within the police department.

Mr. Rios said I think the Chief captured it pretty well. I would share based on my previous experience before joining the city serving with a local nonprofit specifically with school-aged youth, that one of the main challenges is actually having adults and

specifically thinking of our grassroots nonprofit organizations, be able to easily access schools, but that's a multifaceted challenge related to the ability of individuals to get background checks and be screened and appropriately not interrupt the instructional day. I think if that is structured appropriately, it could be successful. The work that we've done through the SAFE Charlotte grant to empower those grassroots organizations is noteworthy. They still face challenges. Transportation is a big issue in relation to getting young people and then meeting them where they are. Again, if schools are, rightly so, managing their safety and want to be really strident about who comes in and out of their building, that becomes a challenge.

Mr. Winston said thank you. Do you think that is specifically a CMS kind of partnership or does it go beyond the school system?

Mr. Rios said I think the work that we've done in tandem with the county and with CMS is exemplary, that all the systems should be speaking to one another. I won't steal Tracie's thunder. I know she has a lot to share in time but there's a lot of work that's been done to better understand where grassroots organizations are and how they all fit in. I can go on for a long time about nonprofit organizations and their ability to really undertake evidence-based models that we know are effective versus the work that we understand to be emotional, and we think is doing good. We really want those groups to be able to do the things that we know will move the dial.

Mr. Winston said thank you. Chief Jennings, as we deal with violent crime in particular, our community awareness is very important. The ability to communicate back and forth between our organizations and the public, relationships with the media, to have transparent conversations with our community as a whole is what we depend on. I believe that these relationships run the spectrum of concerned citizens with live streams to local media outlets, to international media outlets and everything in between. There has been recent concern about changes that are being implemented that are being seen as negatively affecting transparency with the public. Of course, again I have concerns about if there are problems with that, how we continue to deal with that. Can council get briefed on these changes and can you speak to what these changes are and why they are deemed to be necessary?

Chief Jennings said yes. Very quickly I can do that. I think a lot of what we're hearing out through the public is incorrect as far as what we are looking at for the changes and how we implemented those changes. So, quite frankly one of the changes is going to be the differentiation between public records and public information. Public records is what we're required by law to be able to provide, whether it's to the media, it's to anyone. We have to be able to accommodate that and be able to have the staffing to be able to fulfil those public records request. Public information is what we're talking about when just a simple inquiry of why is there a police presence at this location or why is the helicopter flying over this neighborhood, and just a request for information.

So, what I will tell you is we get about 100 to 150 of those per day that's simply inquiries for public information. Our public information office was getting to the point of becoming a call center for the media. We could no longer afford to do that. We're a major city and we are at a point to where I simply don't have the staffing to have people to be responsive immediately to simple public information requests such as we talked about earlier. So, as we move forward, we tried to look at ways that we could be more effective and also be more effective in the public records requests that are coming in. Like I mentioned earlier, to date we've had over 600 of those. I think we have about 100 that are outstanding right now. I have to be able to fulfill those in a timely manner as the law requires me to do. So, we haven't shut the media out at all as has been said. What we are doing is redirecting where that information can be found on their own, particularly ways that we are able to put that information out actually through our social media content as well as through the CMPD app. Different ways that we're able to say that instead of calling us and asking us for this information, here's how you can go get it.

Also secondly, there was some information about we're not doing press conferences anymore. That is entirely not true. What we were finding is we had a standing weekly

press conference with the media and what we were doing was trying to create stories to have the media come in so that they would have access to be able to have a regular press conference about topics that we came up with. Then what would find is we would find ourselves doing additional press conferences for specific cases and for specific interests that we had that we would get in front and have those press conferences. I think from the date that we implemented this new process, the first week we had four press conferences. So, that is definitely not shutting out from doing press conferences, but what we're shutting out is the fact that we are having to do a press conference every week regardless if we have information or not. Press conferences will be done as needed and so are interviews and requests for other information as we can provide, but we simply don't have the staffing in a city our size to be able to take in the enormous amount of requests that we get daily.

Mr. Winston said thank you for that answer. Mr. Jones and maybe Chief Jennings, maybe we can follow up on that offline.

Chief Jennings said I'd be happy to.

Mr. Winston said I think we need to continue to work on that. Thank you.

**Councilmember Mayfield** said Chief Jennings, it would also be helpful for us to have the similar opportunity to join in on the discussion with the Mayor Pro Tem and the Mayor. What would be helpful for me is for you to give an additional example of what it could look like because what I heard seemed as if CMPD curates "here's what's going on," and was having press conferences based on that information. Then multiple things were happening in the community so there were additional press conferences that were being held. We unfortunately have seen an increase in crime. We've seen where we've had high speed chases. If someone doesn't have the CMPD app, how do our residents outside of the media sources know that something is going on along 77 or 85 and to be aware of this? That sometimes is a break in whatever programming is on to at least the community know if you can, stay inside. So, can you give me an example of what it would look like if it's an immediate situation where everyone needs to stay inside for whatever reason. How is that communicated?

Chief Jennings said thank you. Let me just say this. There's a perception that there's some drastic change that's going on with us and the media. They may perceive it that way, but it's certainly not. This is no different. You're talking asking the question how do they get that information? We're not withholding information, we're still going to be providing that information, press releases, we're still going to be doing all of that so that the media can have some data that they can report. What we can't do is continue to take calls from every single outlet on a regular basis and meet their deadlines based on phone calls and emails. We will be putting that same information out. Nothing is going to change, and we'll be able to provide the media with as much information as we possibly can when we can. Some of the issues goes in when there are certain investigations or things that we can't release that we have to wait and get more data, but what we can release, we will be releasing. So, that information's not going to be unavailable to the public. We'll make that available to the media just like we always have.

Ms. Mayfield said thank you.

**Councilmember Johnson** said thank you for the presentations, both of you. It's nice to see the police chief standing next to our equity manager. I want to address equity tonight. So, it's very befitting. Is this our first regular meeting with an ASL (American Sign Language) interpreter? So, speaking of equity, thank you for that Mr. Rios. I'm happy about that. Chief Jennings, you said there were currently 280 officers down? Is that correct?

Chief Jennings said that's correct, yes.

Ms. Johnson said how are we addressing CMPD hiring from an equitable perspective? You and I talked about this before and there was a report and taking a look at where we're losing minority officers. Do you remember that?

Chief Jennings said yes, I remember that conversation.

Ms. Johnson said so, are we doing anything intentionally to analyze that information? Is there a possibility that your departments could work with one another and make some changes or what are we doing?

Chief Jennings said yeah. Some of that as we discussed, it's difficult because when we get those applications, we don't necessarily get the demographics in that sense because of how those applications are processed. So, we don't see this individual's a Black male or this individual's a Hispanic female, things like that. We go through the application process equally for everyone. Now what I can tell you though is our efforts to recruit minorities, the Hispanic and African American candidates has been great particularly with our HBCUs (Historically Black Colleges and Universities) that we're out in those schools. We just hosted a great event called Cops and Cleats that we started a year ago where Johnson C. Smith just came in with their basketball and volleyball team that they had an experience day with CMPD. From that, that was just Saturday, we already have one of those athletes apply with our department and another one that's inquiring and ready to apply.

So, little things like that. I know it sounds like it's baby steps which is okay, but what we have to do is get in to those communities and basically humanize who we are and change our brand and our perception that we have in the community so that people have a genuine interest that this is a noble career and an honorable career. We have to keep fighting that fight to be able to change that.

Ms. Johnson said what percentage of our force is of color? Black or Brown?

Chief Jennings said right now we have about 17 percent. Our jurisdiction serves around 34 percent African American. You said of color, so we have about 17 percent African American police officers and then we have about six percent Hispanic police officers. Actually, that number has gone up over the last couple of years. So, we're making progress there but we're about half of where we need to be on the diversity end.

Ms. Johnson said so, there was a report. The report I'm talking about to my colleagues, and I'll share it with you, was it kind of tracked where we're losing recruits. So, if we can take a look at that. Again, if there's an equitable lens, we can look at that through.

Chief Jennings said that's a great question. I just looked at some numbers today as a matter of fact. About 1,600 applicants that we have coming through, and we've hired I think about 170 of those. The problem where we're losing them, and that was my question as well just recently, is basically not through us, but we're losing them more through the not following through with the process. We'll have people get through half the process and then they'll drop out for whatever reason or they're just no interest. They'll make the application and then there won't be any follow up after that, but we are making a lot of strides. Say there's 1,700 or so right now we have people that are actually going back and reaching back out to those individuals to see where did you lose interest or can we still have an opportunity to put you through the process. The majority of those are coming basically on the people that are dropping out of the process not the disqualifications.

Ms. Johnson said okay, thank you.

Chief Jennings said we'll continue to look at that.

Ms. Johnson said thank you. Now I have a question for Mr. Rios. The Alternative To Violence program. You mentioned that the data is skewed. So, we know that I was a proponent for a local organization to be able to get this contract and one of the reasons

that they didn't was because they didn't have the ability to capture data. So, can you tell me what you mean when you say the data's skewed?

Mr. Rios said yes ma'am. We had a full transition of the team in December. So, the team that began the program in August of 2021 decided to transition out in December of 2021. I'm grateful to share that one of the individuals actually came back and is currently on the new team, but with that transition Cure Violence Global recommended that we track as of February 2022 to February of 2023, a full data set.

Ms. Johnson said okay. So, again I'm a proponent for a local organization to have the contract. We talk about upward mobility, but when there are opportunities for local organizations to benefit, it wasn't granted because of data. That was one of the primary reasons. So, I would just say that without the data, can we truly support expanding the program to the same organization or should we consider another organization and then compare the two?

Mr. Rios said yeah, absolutely.

Mr. Jones said Mr. Rios, I think there's two separate teams that you're discussing right now in terms of one that transitioned out but one that's been there the entire time.

Mr. Rios said correct.

Mr. Jones said I believe that's important to explain that there's one team that's doing the administration and one that was boots on the ground for lack of a better term.

Mr. Rios said correct. Thank you, Mr. Manager. So, there's a host organization, that's Youth Advocate Programs, a group that has prior to coming onboard with us to do this initiative actually got a contract with Mecklenburg County to do an advocacy program for youth going through the juvenile detention system. That organization has remained stable throughout. The individuals that were hired to do the actual violence interruption transitioned out. So, the organization has remained stable, that group is not. What I would share with you Councilmember Johnson is that the RFP that will be released will be for all three sites. So, we are not automatically renewing YAP after this current contract renewal. We renewed in this part mostly because we wanted to ensure stability for the beginning of the three-year evaluation that UNC-Charlotte would be undertaking for us. We will open all three sites up for RFP so that other organizations can apply and potentially be selected for the opportunity.

Ms. Johnson said okay, thank you. So, the YAP stayed the same, so then the data is skewed, but the organization stayed the same. So, why then is the data skewed?

Mr. Rios said so, the data is skewed because of the transition of the team. So, the individuals that were actually inputting the daily logs related to their interaction with community members, once they leave, you're being provided service by a different team, and you saw a significant dip during the month it took to get a new team established. So, for all of those reasons Cure Violence Global recommended that we not begin classifying data until February of '22 to February of '23.

Ms. Johnson said okay, and then the last question is the additional areas that were chosen. Were those chosen based on data?

Mr. Rios said yes.

Ms. Johnson said so, I would just want to lift up Sugar Creek and 85.

Mr. Rios said yeah, great point. Thank you for mentioning that. So, again let me speak to the maps first. So, the circles you see on the map increase by size based on the amount of incidents that have occurred in a particular area. So, when you look at that top map, you see this real big circle right there in the middle. That is Arrowood and Nations Ford Road. So, a high level of incidents that are persistently occurring here. We

knew that. It's a priority area for the city. It was acknowledged as such initially. On the bottom there, you'll see two sets of circles that are really pronounced over towards the top middle area around where it says Revolution Park. That's West Boulevard and Remount. Then past the yellow line that is 77, you see five circles really six that are fairly large that is outside of Southside Homes. So, it's a clustering effect. So, that data drove us to select these spaces. Sugar Creek and 85 very much did come up. The challenge with Sugar Creek and 85 is I referenced earlier, those are not necessarily relational crimes, those are often transactional crimes. So, we see a different type of crime occurring in that sector and I'm sure the Chief could speak more to that. The nature of the crime makes the model not the best fit for that area.

Ms. Johnson said okay. That's all I have. Thank you.

**Councilmember Mitchell** said so I want to talk about the relationship with that fine high school on Senior Drive, West Charlotte. So, I want to talk about the partnership. Is that weekly or monthly interaction with the faculty and the SRO (School Resource Officer). So, could you just speak to that partnership Chief?

Chief Jennings as far as the SRO is concerned it would be daily.

Mr. Mitchell said okay.

Chief Jennings said yes. So, we have the SRO in that school as well. So, I'm not sure if that was your question or not, but yes.

Mr. Mitchell said just the conversation between the school and our partnership, was it on a weekly basis?

Chief Jennings said yes.

Mr. Mitchell said I think you clearly said SRO is on a daily basis.

Chief Jennings said yes. It's just like every other school that has SROs. They're in there daily. Some schools have two SROs and if for some reason one calls in sick or whatever, we usually provide another alternative person to substitute and go in to that school.

Mr. Mitchell said thank you Chief. Chief, I'm a strong advocate for you hiring all the 280 officers. I guess one question, do we have all those vacancies in the budget for this year?

Chief Jennings said yes and that's a very good question because a lot of people have the perception that that money just sits there and goes away. That is not true. We are able to supplement some of our needs throughout our department with what we call hire back program. So, we have officers who have retired that we're able to bring back and they can only work a limited amount of time. So, it's not the ideal situation, but we are able to use those funds for that purpose to be able to hire back staffing to help us with our needs.

Mr. Mitchell said thank you Chief. Just one last question for my friend over there, Federico. On the ATV and Beattie's Ford Road corridor, thanks to Councilmember Graham for using that as a pilot program. I think one question I would have. You mentioned there's program participations and there's a mediation completed. So, there has been some successes. So, can you talk about some of the successes that have occurred?

Mr. Rios said sure, yeah. So, 19 individuals are currently on the caseload. There are individuals that have tracked off of the caseload because they met their individual goals. Each participant goes through a risk needs review assessment to evaluate where they are based on the goals that they set for themselves in collaboration with the case manager, which we call an outreach worker. So, we've had cases where a young

person went on to go to Job Corp. We've had cases where we actually had a couple of students that were on the football team, and you're thinking, "Oh, they're on the football team, they're on the track to success." In fact, they were one step out of the door frequently and consistently getting into a number of challenges. So, we've had some of this actually featured in the media where students that were really at risk were able to connect with those individuals, those violence interrupters, those case manager and it built a bridge to get them out of the challenges they found themselves in.

Mr. Mitchell said thank you sir. Thank you, Madam Mayor.

**Councilmember Molina** said thank you so much Madam Mayor, Chief Jennings, Federico. So many of my colleagues asked questions that I could have asked. Intermittently as they were speaking, I heard answers to some of the questions that I would've liked to highlight. So, I don't want to be redundant in my messaging. I actually like some of what I see. I'm very encouraged. Chief Jennings, thank you for your service to our community. I definitely value our men and women who serve and protect us every day. So, it makes a difference that you have a multipronged approach even considering the holistic approach of the actual public servant. So, we want to keep them and that matters. It means a lot. So, I was happy to hear that. Just some high notes. I just have a question maybe around the Alternatives to Violence initiative, because it worried me as a constituent when I heard that through our Alternatives to Violence, we were going to start taking on some of the responsibilities related to mental health. So, is the only place that we're going to identify mental health needs, is that just going to be at the hospital emergency room, or will that be a response to a call or something like that? Can you elaborate a little bit on that?

Mr. Rios said yes, are you referring to the CARES (Civilian Assistance Response Engage Support) Program response to mental health?

Ms. Molina said yes.

Mr. Rios said okay. No ma'am. That's going to be a responsive unit out in the field and it's a pilot. So, what's good about it is as we continue to look at it, one we need to figure out where it's going to land. I don't necessarily think it needs to land within the Charlotte Mecklenburg Police Department, however I think we are the best fit to do the pilot because we'll be doing the dispatch and the response to that. So, there are some concerns. I want to make sure that we keep all of our people safe when they do respond to these. So, we have to make sure that they are going to the appropriate calls for service and not putting them in any undue unnecessary danger. Unless I'm mistaken, I know that during the pilot we're looking at actually having them respond to calls for service not just to the hospitals, also serving the involuntary commitment orders as well.

Ms. Molina said okay, so then I was looking, and I was trying to make sure that I completely understood. I'm glad this is still up because I saw on one of the previous slides where there was a concentration of what looked like crime. Of course, as the representative from East Charlotte, I saw that there was an emphasis in our area and I'm wondering if you can help me understand.

Mr. Rios said so, this is violent crime that has occurred from a span between 2017 and 2021. This is specific to the Beatties Ford Road area. So, this is an example of a heat map that we would use.

Ms. Molina said okay, so this is just isolated to Beatties Ford?

Mr. Rios said yes.

Ms. Molina said okay. It caught my attention right away.

Mr. Rios said I should have went into more detail with it.

Ms. Molina said I was like, "Wait a minute. That looks like East Charlotte." I'm like okay so I'm going to wonder why is this emphasis not on the East side. Okay, so I'm totally East side.

Mr. Rios said there are challenges that are facing the east side much like 85 and Sugar Creek which was referenced earlier. One of the challenges we face right outside of the Eastland Mall property has been crimes of opportunity. So, what has often happened, and I'll defer to the Chief to go into more detail if he so chooses, is individuals specifically immigrants that walk with money in their pocket because they often go unbanked, getting taken advantage of. That perpetually comes up in that area which is one of the four high priority areas for the city. So, it's not relational crime, and again we want to ensure that we're picking the most perfect fit for this particular model.

Mr. Molina said did you want to speak too Chief Jennings?

Chief Jennings said I can, yes. He's absolutely correct on some of that. The issue also is the transient of the people who are victimized, they may be in our area for a short period of time, but they have large amounts of cash on them. So, when we start talking about crimes of opportunity that's why we often see crime sprees that might involve the Hispanic community where we have a string of robberies and similar suspect descriptions. So, those are the cases we want to work on and work on quickly to make sure that we are apprehending those individuals who do that and prey upon our citizens. So, that's a pretty good description of that area.

Ms. Molina said thank you so much.

Mayor Lyles said I do want to do a little bit of a time check. As we go around, we may not get to the disparity study today.

**Councilmember Ajmera** said thank you Madam Mayor. So, my question is for the Chief. Going back to the slide where you have challenges, you mentioned about your ongoing work with magistrates. How can the Council help with that effort? I know that's been ongoing and you have shared your frustrations publicly about repeat offenders being let out without any accountability. So, I'm trying to understand the progress on that because this is an ongoing issue. What can be done to expedite a resolution here?

Chief Jennings said yeah, we've actually had those conversations with Judge Trosch as well as we have a scheduled meeting that I'll be meeting with Judge Trosch, the District Attorney Spencer Merriweather as well Chief Magistrate Wanda Moore. So, we have a meeting scheduled coming up very soon. What we are looking at is, where can we make changes in reference to legislation when it comes to the bail bond system? So, there are some things that we've actually already had discussions that could improve the system when it comes to bail for individuals involved in very serious violent crimes and we're going to work together on it. I don't want it to appear that I'm simply criticizing the magistrate's office and the system, but I'm going to be involved heavily in the solution to this. As we go forward, I think what you're going to see particularly in the session early next year, will be some sort of legislation that will help us get to another level when it comes to bail and bond.

Ms. Ajmera said thank you.

**Councilmember Anderson** said Chief, I had a couple of questions about some of the numbers you showed at the beginning of your presentation. It would be helpful if perhaps you can root me into how we can see it within a context. So, one of the numbers that you showed, there were 482 juvenile victims so far this year.

Chief Jennings said yes.

Ms. Anderson said how does that relate to previous years? Is that an increase? Is it a decrease? Where are we sitting with that?



Chief Jennings said so, all of that is interesting, and on both sides, both victims and for juvenile suspects, when you look at 2019 numbers because 2020 and 2021 is kind of an anomaly with that, but we are actually looking at decreases from the 2019 numbers. So, those numbers, I actually do have those specifically here. So, if we look at juvenile victims, we had an increase in 2020 and 2021 where there was 758 in 2020. 852 in 2021. 567 in 2019. So, you see that number was a little bit lower. So, these are all year to date that we're looking at, not for the entire year. We are looking at 690 juvenile victims. 153 juvenile suspects. If you look year to date 2019, we're looking at 207 and in 2020 and 2021 is 178, and 184 respectively. So, we look better on some of those numbers particularly on the firearms related violent crime with juveniles, however the victims of violent crime, we're a little bit higher than we were in 2019, but we are doing better than we were in 2020 and 2021. So, it's very difficult when you start looking at the mix between the last couple of years, but what I can tell you also is that what I see just from a perspective as the police chief is that it's not necessarily the numbers of the juveniles, it's the ages of them. When you see a 13-year-old that is shooting at a 14, 15-year-old or vice versa, those ages to me are disturbing just how low they are getting within our communities. So, that's a concern.

Ms. Anderson said then I had a question about the ATV program. You had mentioned the two areas that you are looking to invest in along Southside Homes and then Remount Road and West Boulevard. Why do you see the opportunity to actually combine those two areas? I know they're proximate, but there's stretches that are pretty far apart. I'm just wondering if there's some underlying characteristics that are driving you to combine them?

Mr. Rios said yes, I really appreciate that question. One of the things that we've heard from community members is what often happens and West and Remount ends up at Southside and vice versa. So, they're very much connected areas of town, and we've seen that reciprocally occur on a fairly regular basis. So, we recognize that there is some unity there that could be worked with, also it's important to acknowledge that there are community organizations in both of these areas that have been incredibly vocal about their desire to see new approaches applied in their communities. At the Nations Ford and Arrowood area, a group names Swan at West Boulevard which stretches at the West Boulevard neighborhood organization. So, there are groups that are very much committed to working in tandem with the city and pioneering new approaches to solutions.

Ms. Anderson said thank you.

**Councilmember Bokhari** said I'll just make a quick comment. It's really hard to solve other people's issues when we have inside our own house issues still existing within the department. Again, you've seen some of the numbers there, but I anecdotally have had a lot of conversations and morale is still at very rough levels. Recruitment and retention are directly impacted by that. So, we have to be able to walk and chew gum at the same time in this city, but obviously we have to choose which thing we're going to go all in on particularly in a short term to make an impact on. It's my very, very strong opinion that if we focus our majority impact externally until we finish this stuff internally, we're going to be in a rough spot with that. I think we need to figure out how to go back and make this an employer of choice in the way we started talking about it five years ago. I think we need to figure out how to fill these positions and make sure that all the items that are remnants of the last three years are addressed for good and bad. That's a great item that we can focus on a short time line like we have right now, but if we solely go out externally and put all of our emphasis on that, yeah, we'll make some differences, but we'll be doing it on a foundation that will lack the rigidity that we're going to need to do have long term success.

So, I think you'll see that even in the tactical decisions that are out there today. Like how can we manage in staff press conferences. I've looked into it deeply. I believe that the approach they've taken makes sense. I think it probably could use a little tweak around the edges of here are some SLAs (Service-Level Agreements) or protocols by which this kind of information we'll send out this way. Just another level of detail, but I think

once that's done it'll serve its purpose now, but the broader context has to be understood which is we can't keep our 911 call centers appropriately staffed. This is a fundamental across the board issue that all resorts back to quality of life and in this case employer of choice. So, I really think that's something that we should dive into deeply and provide the Chief the support he needs to make sure that this entire police department knows we're going all in on that.

**Councilmember Driggs** said thank you. I had a conversation with Mayor Pro Tem over the weekend and there's an intrinsic tension that we need to confront between the actions that CMPD needs to take to keep us safe and the perception that their behavior is intrusive or hostile. I don't think we've worked it out. We're doing a lot of good work here, but there is a conflict. A fundamental conflict there. You need a strong presence. You need active engagement by officers. They're on the frontline of our fight against violence, against harm that comes to our citizens. Most of them are in the African American community. So, I think we need to continue to address that and also demonstrate our support for our officers. They need to know that we are grateful for their service, for the risk they take, for their engagement and that if there is a bad officer, we will come down hard, but we will not generalize to other officers because of one person's behavior. So, that's my general comment.

Mr. Rios, I did have a quick question for you. You mentioned that the timeline for data had kind of changed. We went into the Cure Violence process based on data that we received about results they had achieved in other cities. So, I'm just curious to know what's your latest estimate is of when we will have data that we can compare with the results in other cities to see how we're doing?

Mr. Rios said yes sir. February 2023 would mark one year. So, we would hope to produce an annual report shortly after receiving that conclusive data.

Mr. Driggs said I don't need to tell you that right now the trends are a little bit concerning. The homicide rate is back up to where it was year before last having been down last year and the property crime increase particularly these robberies in stores. I've had reports of this personally in my district. They walk into stores; they fill up a cart and they walk out. This is not San Francisco, it's Charlotte. So, there's an urgency that we need to address. Really appreciate everything you're doing. I'm not criticizing anybody, but just recognize the situation we're in. Thank you.

Mayor Lyles said thank you. Mr. Graham, wrap it up for us.

**Councilmember Graham** said thank you Madam Mayor. Thank you, Chief Jennings and Federico, for the presentation. I have two questions, some comments. I want to thank the Chief for sitting with me for I guess about an hour last month as well as with the city police attorney talking about the various issues. I'm very concerned as I told the Chief then about waking up every morning watching the news in terms of what's happening throughout the city. It's throughout the city, it's just not in African American communities. We all are feeling the pinch of increasing crime and so it's really good to see both of you gentlemen here today because I think you both play significant roles and responsibilities to help us get the numbers down.

My first question is a relationship question in terms of the relationship between CMPD and Cure Violence on Beatties Ford Road, specifically related to the police department community engagement team. Are you guys working together on some of those issues?

Mr. Rios said great question. So, we are very mindful that the individuals that serve in the role of violence interrupter, outreach worker and site director are considered credible messengers, meaning they have deep relationships with the community. So, the onus is not on them to communicate directly with the police, the onus is on me as the city representative that serves as a bridge when communication needs to be shared. So, I serve in that capacity and am able to get messages to and from, especially to our Metro Division Captain Lucas Veith.

Mr. Graham said okay. Then secondly Federico, I had a neighborhood meeting with neighborhood leaders this past weekend. We talked specifically about Cure Violence, and they would like to get to know the folks that are doing the work. So, if you can work with me to make that introduction.

Mr. Rios said absolutely. So, we have monthly events in the corridor to help introduce folks to the model. We've had well over 300 individuals attend. Probably our biggest event was a Father's Day event in June where we inaugurated a plaque for the four individuals that lost their life on the corridor during the Juneteenth mass shooting.

Mr. Graham said I was there.

Mr. Rios said so, thank you for your presence there and for being able to speak. We continue to have those events in an effort to again, behavior norm change. So, I'd love to [inaudible].

Mr. Graham said at a higher level, if you could go to their meeting which is once a month and it's the 12 neighborhood leaders across the Beatties Ford corridor. Just to give them an update in terms of what you're doing, why you're doing it and who are the people on the ground doing the work. I think that would go a long way.

Mr. Rios said as long as I can bring Tracie Campbell with the county with me, I'd love to.

Mr. Graham said you can bring Tracie and I'll come along too. The third question, and you've already spoke to it in terms of the outcomes. I'm going to support the million dollar on the agenda tonight. I think we talked earlier about us growing the program and certainly growing it with federal funds and other money makes a lot of sense, but the proof is in the pudding. So, whether or not this thing works or not, I look to forward to getting the annual report next year sometime March, April, May in terms of what we're actually doing. I believe the two additional locations for Cure Violence makes a lot of sense and you're right, what's happening at Albemarle Road and I-Sugar Creek is definitely different in terms of trying to prevent something before it occurs versus people out there just doing bad stuff which needs law enforcement interaction in a very targeted type of way. So, I agree with all of that.

Lastly, Chief Jennings, in terms of the recruitment of officers, I have an enormous amount of respect for each and every officer on the force. As a matter of fact, I'm going for a ride along Thursday night, so you all pray for me. I really look forward to riding along with the officer this coming Thursday and Federico I would love to walk the neighborhood with some of the team members from Cure Violence on Beatties Ford Road as well. I think you have to be there to see it. That being said though, as we recruit officers, there was a recent report from the Anti-Defamation League about Proud Boys and others going into police force. What measures do you have in place to ensure that as we recruit officers and officers who are on the force now that we have the best of the best and that we're not being infiltrated by some of these bad boys?

Chief Jennings said yeah, we've heard that same report. We're aware of that. That's actually been out for a couple of years now. However, I will start by saying this. There is no perfect way to keep that out of any of our police departments across the country, but what we do is a lot of the testing that related to pre-employment with the implicit bias testing, we look at background checks through social media, anything that we can actually look to determine if this individual might be connected loosely or directly to any agency like that. It's not necessarily even just a relationship with a hate organization, it's implicit bias that that individual may have personally as well. So, as we go through our process and our steps that we take through pre-employment, our hope is that we're doing everything that we can to be able to identify those factors and if we miss something and we identify it at a later date, then we will deal with that swiftly as well.

Mr. Graham said last question and it's along the line of some of the other comments in reference to the change in communication, the relationship with the media. I read about it in the news and then I got a report from city staff that it's all in the presentation. I think

we could have done a better job rolling it out. Certainly, Council should have known before the public knew so that some of the questions that are being asked now could have been asked before it got out there. I'll just put it out there that we have to have a department and under your leadership I'm so proud of what you've done over the last two years. I think you know that for sure transparency, and I think now is an appropriate time to use that word around this dais. It's really important on this topic. I understand the subtle change that you talked about, but it certainly wasn't reported that way out. I think it's all in the presentation.

Chief Jennings said I appreciate that. I will say that this wasn't expected as far as what we're dealing with, but what I will tell you is it simply was an adjustment to immediate responses to try and answer questions that we just don't have the capacity to do. It was also simply going from the mandatory two-week press conferences to just doing as needed. We're not shutting any of that down. So, to think that it would've reached this level, this magnitude, is kind of surprising to me.

Mr. Graham said certainly if someone is doing something bad in the city, you're going to make sure everybody knows what's happening.

Chief Jennings said oh certainly. None of that changes. None of that stops.

Mr. Graham said thank you.

Mayor Lyles said alright, thank you Mr. Rios, thank you Chief Jennings. We've had a really good discussion. So, thanks to each Council member. What I'm going to suggest is that we begin now with our disparity study and go to 7:15 so that we can get it done before we go downstairs for the Council Meeting. So, with that, Mr. Jones, if you would introduce this and I think that the Chair of the committee is Mr. Graham.

Mr. Jones said thank you Mayor and members of Council. I'll just set it up and then Councilmember Graham will do the formal introductions. So, we had a bit of a discussion earlier today about the purpose of tonight. The purpose of tonight is to provide you with an update on the disparity study. It did go to committee a couple of times. It came out with a 4-1 vote. I think that's in the beginning of your pre-read. I think this is the key. What eventually will be asked of this body is for you to receive this framework. Not approve it, not adopt it, just receive the framework. Then between that point and January of 2023, you will adopt policies that are related to the framework, but again, it is basically this "keep going at it staff" as early as two weeks from now or whatever time it takes for you to just receive the framework that's going to be presented to the body tonight.

Mayor Lyles said Mr. Graham, you're head of this committee and a recommendation coming out. If you could help us.

Mr. Graham said yes ma'am. I'll keep this short because I know that we're pressed for time. First, I want to acknowledge the staff from Shawn Thomas, Steve Coker, Thomas Powers and Tracie, the Economic Development team. This is something that we've been working on now between 18 and 24 months. Part of the disparity study is making sure that we have the legal basis to have a program based on race in a narrowly tailored way. We have an excellent consultant, Colette Holt with Colette Holt and Associates. I've reviewed her resume. She's extremely impressive on paper but more importantly in talking with her throughout this process, she knows what she's doing. She is a graduate of Yale and Chicago School of Law which are two top 10 schools for sure and has done a lot of work throughout the country, the City of Chicago, Austin, Nevada Department of Transportation, Houston, she knows the work really, really well. I'll turn the program over to you and Steve.

**Colette Holt** said well thank you all very much and good evening to you. I appreciate the opportunity to speak to you here in person. I promise to be brief. My understanding is that you all have received the PowerPoint presentation that I'm going to go through here as well as other materials and the final draft of the study. So, after I'm done, I

believe Steven Coker will be speaking for just a few minutes on what the next steps are. Very quickly, because it's important that everyone starts from the same framework about what the legal standards are in the governed race and gender based contracting programs.

Since 1989 these programs have been subject in federal court to what's called strict constitutional review. It is the highest level of judicial review that federal courts can apply. Race and gender-based programs have to meet two tests under the strict scrutiny standard. The first is that an agency like a city or a local government must prove that it has a "compelling interest" in using the highly disfavored remedy of race-based government decision making. In practice, this basically has meant do you have sufficient evidence that discrimination still continues to affect the market for your contracts such that if you don't do anything, you will be a passive participant in the discriminatory marketplace.

The second element of strict scrutiny is that any remedies that you adopt to address that identified discrimination must be "narrowly tailored" to the evidence that you present. That's why the disparity studies are highly data driven relying to a large extent on the statistical evidence of disparities because this is the framework upon which the federal courts insist, and I think certainly it's a fair thing to say that they have become ever more conservative on these issues over the last couple decades. So, just a quick note about some recent legal developments. I think it's important that people get a sense of how hostile the courts really have become to these types of programs as you make decisions about how to move Charlotte forward to ensure inclusion and equity in your contracting outcomes. The Black farmer cases, have any of you followed those over the last few months? We have lost every single one of those now and one would have thought there could not be a stronger record of discrimination by the federal government itself than against Black and Indigenous and Latino farmers for many, many decades, but unfortunately so far three trial courts have ruled against the program and a nationwide class action out of Texas where I now live of White farmers has been certified. So, that case is basically on hold. The Biden Administration and the bipartisan infrastructure law sort of threw in the towel about it to some extent, and now is going to allow for any farmer that is financially distressed to apply for the money.

We also lost the cases against the COVID relief package for small restaurants that were owned by disadvantages and socially economically disadvantaged individuals including veterans. That was struck down. Oregon and Colorado were two states that tried to have COVID relief funds that were focused on minority businesses and those were struck down. So, I sort of feel like I'm the skunk at the party all the time now, but I do think it's important that decision makers and leadership understand the standards under which we labor at this point. So, the objectives of the disparity study really were four-fold. Certainly, and perhaps most importantly, to provide the city a legal defense if a program based on the study is challenged in court. It's also important to be sure that your study fits within the constitutional parameters that the federal courts will impose. We think it's also important to provide policy and program recommendations. The disparity study is a chance for you to hear from your customers so to speak about their experiences with the City of Charlotte. Then lastly, we tried to use the study as a tool to educate policy makers, stakeholders, and other interested parties about what the legal and economic issues are so as to be able to build consensus for these programs going forward.

Here are the data sources that we used and the methods. So, you can see there we had quite an extensive pool of quantitative data, including city vendor records. Let me take this moment to say thank you thank you to Steve and Shawn and the rest of the staff for all of the work that you did in going and collecting these contract records. This is the hardest part of a disparity study. Many studies don't do a very good job of this and have been challenged in court and it's been a problem. So, thank you all. You were great clients. We loved working with you. Then you see the other sources that we use there. We also did collect qualitative or anecdotal information through business owner and stakeholder interviews. We also did a survey. We interviewed city staff to get as much input as we possibly can from all the factors in the community. So, here's the

elements in the study. This just basically follows along with the table of contents. So, I won't spend any time on that, but you can see there how the study is actually organized.

So, what did we find? Well, we first interviewed 93 individuals and obtained 490 survey responses. So, from a disparity study standpoint, this is extremely good coverage. There was a lot of interest in the study and in the city's program throughout the community. So, that was great, and again thank you to the staff for doing such a great job in helping us to get a good turn out as well as our local partners. Generally, people said that your program works well and creates opportunities. They thought it was very important. There was a pretty clear unanimous agreement amongst minority and women firm owners that contract goals remain necessary to ensure that they get work. Many certified firms told us that larger firms that would use them on contracts with goals both for city projects as well as NCDOT (North Carolina Department of Transportation) or some of the other programs don't even solicit them when there are not goals. So, maintaining contract goals was considered to be paramount in ensuring access to fair competition.

Mostly the prime vendors said they were able to meet the city's goals and found them reasonable. Some scopes were more difficult than others. Some industries are more specialized. Engineering firms said they faced particular challenges in that regard. There was a lot of complaints towards credit towards goals being limited to only the Charlotte area which severely restricted the pool of firms from which they could choose. Many of the participants suggested trying to unbundle. That's kind of the procurement term these days or make contracts less complex or smaller so that smaller firms of whatever ownership were able to bid on them. More technical support was another request. This was things like helping with estimating, putting proposals together, how to invoice the city, how to access decision makers, all of that knowledge about what it takes to be a successful businessperson. People wanted more support from the city.

Minority and women firms particularly in certain industries really want to become prime vendors. I always stress to people; these programs are not only subcontracting programs. If anything, the discriminatory barriers that we always identify across the country are harder for firms that want to serve in a prime vendor role than they are for subs. So, you'll see in a second some of our recommendations really do focus on trying to create more opportunities for MWBEs (Minority and Women Business Enterprises) to serve as prime contractors with the city.

Your current electronic system is effective, but many of the firms complain that they didn't think there was sufficient monitoring of contract commitments during performance. Many of the MWBEs would like to have more networking events with city staff and large vendors, especially some focused on particular industries. A lot of support for mentor-protégé program. I believe some of that is already underway. Unsurprisingly, assistance with obtaining capital, surety bonding and insurance were also requested so that firms were able to take on larger and more complex projects.

So, you can see here what else we did in terms of our data collection. That was our anecdotal or qualitative data but turning to the utilization of minority and women firms on city projects, we examined fiscal years 2015 to 2020. You see there we started with a final contract data file of about 750 prime contracts with a total of over a billion dollars. There were approximately 1,100 subcontracts associated with those prime contracts and you see there the total as well. One of the legal requirements of strict constitutional scrutiny is that a local agency must tailor its program to its actual contracting marketplace. This is an empirical question. It might sometimes turn out to be that it's the local jurisdiction or the market area that the census uses for other purposes, but often it does not. In this case, based on where almost 75 percent of your actual dollars were spent, your geographic market is the state of North Carolina and York County, South Carolina.

We also had to determine what the product or industry market was for the city, and we found that there were 137 subindustry codes. NAICS stands for North American Industry Classification System. It is the taxonomy that the Census Bureau uses to

categorize industries. That's really a lot of codes. So, the city buys a lot of different goods and services across many other subindustries.

So, what was the utilization of minority and women firms in those geographic and product market areas? You see there that minorities and women receive as a total a little bit over 12 percent of the city's contract dollars. This does include prime dollars and subcontractors. You see there how that's all broken out with about 87.9 percent going to non MWBEs. Let me just note that for our purposes, minority women, so Black women were counted as minorities for their specific racial group. So, when we say women in the study, at least from a quantitative standpoint, we are talking about White women. If you add all those numbers up, they don't add up perfectly. It's because of rounding and we have it in the statisticians' files out to about eight decimal points, but that makes it very, very clumsy to put on a slide. You can see all of that in the report for those that like that kind of thing. Here's a nice pretty pie chart thanks to Shawn for making that happen. It just gives you a visual of that same data. Now we have bar charts. Lots of different ways to see the same information.

So, that's the utilization of MWBEs on city prime contracts and associated subcontracts. We also as part of the strict scrutiny analysis have to look at the availability of ready, willing and able firms to provide those 137 industries that the city buys from in that geographic market. So, you can see how it's sort of an iterative process of constraining the marketplace. So, here's what we found in terms of the availability of minorities and women in those market areas. MWBE is a little bit over 13 percent as a total. You see there the rest of it broken out as well.

Do note that that does include firms that are not certified. The vast majority of them are, but we try very hard to get as broad a net as possible. That's what the courts require and so we do have some other data sources that we can use to find firms that may be woman or minority owned but are not certified by the hub office. So, here's a nice pie chart, the same information. Bar chart, same information.

So, now we have our utilization, and we have our availability and those are the two pieces that you need in order to perform disparity testing. The legal standard is whether there are large and statistically significant disparities between the utilization of MWBEs and their availability to perform on city contracts. There are some rules about this. Our statistician did apply statistical significance tests as well as substantive significance which just means, is it under 80 percent? There's a lot of discussion about this in the report. I'm happy to go into it in more detail if anyone is interested. You see there what the actually disparity ratios are. The disparity ratio for Blacks is substantively significant. It is under 80 percent. White women is just kind of at the edge. One thing people should not take from this is that if the number is between 80 and 100 percent that there are no problems. It just means that you don't have substantive significance, but you do still have disparity and those groups have not yet achieved parity on city contracts. So, here it is again in a nice little bar chart.

So, one of the things that we do in our studies, because we think it's important for an agency like the City of Charlotte that has had a successful program for some time, is to do a concentration analysis because the numbers that I just showed you are overall. They're aggregated. That's everything rolled up together. One of the things that we want to explore is how concentrated that participation is amongst different groups and amongst different industries. Most of the time what you do find is that while overall a group might be approaching parity, once you start to unpack that, you see patterns that I think are important for decision makers and how you might want to move forward in the future. So, certainly one of the things that we found which is not a surprise, it's usually what we find, is that contract dollars received by minorities and women are much more concentrated in a small subset of codes than for non-minority firms. Non-minority firms are going to generally spread-out sort of like jam across a biscuit, whereas the minorities are more concentrated, little dollops of stuff. Because if there parity, the share of dollars in any code that should equal the same across groups, but that's not what we found. We had disparity ratios that ranged from 0.5 for Asian firms which was heavy civil construction to 263 for Black firms in trucking.

So, what you can take from that is that African American firms, yes, they got a fair number of contract dollars, but it was concentrated in a much smaller subset of opportunities. This I think matters for what you want to do as you're moving forward with your program. Where do you want to put resources? What kind of outreach do you want to do? How do you get a broader swap of firms to share in the wealth that is the City of Charlotte and get that to be more equal amongst the groups and amongst the industry so that all the Black firms aren't all stuck in trucking, and nobody is getting any work in heavy civil which is really where the money and the profit is. So, that slide's an attempt to condense a lengthy intense analysis. So, I'm happy to try and answer any questions people might have about that. So, that's Charlotte's actual contract data and availability and disparity results. We also wanted to include an economy wide analysis because this is especially useful in evaluating the effectiveness of any race or gender-neutral program that you might adopt because although there is some contracting affirmative action in the area, as a general matter in the economy, it's not much and it doesn't really impact very much.

So, we used two census bureau data sources for this piece of the analysis. One is the American Community Survey which looks at individual entrepreneurs. There we found that minorities and White women formed fewer businesses and earned less from the businesses they do form than similar White males. So, we saw big disparities there. We also looked at the Annual Business Survey which looks at firms. ACS (American Community Survey) is people, Annual Business Survey is businesses. Again, we saw very large disparities between the receipts of MWBE firms compared to non MWBEs that were comparable. So, what we take from that is that in the overall economy, in the state of North Carolina, that minorities and women are not receiving equal opportunities throughout the wider economy to participate.

We also took a look at what's becoming a pretty robust body of knowledge about credit discrimination. There's lots of information from the Federal Reserve Board about discrimination in accessing business credit. Of course, it's hard to run a business without credit. So, obviously these are the types of things that impact the ability of firms to have full and fair opportunities to compete for your work.

Turning to our anecdotal findings. You see there, we did business owner interviews, and these are some of the things that people told us. Unfortunately, that minorities and women still suffer from bias perceptions about their qualifications and their competency. That being a MWBE can still be a stigma, that they are considered to be less good. You know that old thing about you have to work twice as hard and be twice as good to get half as far. That certainly does seem to still be a problem for many people. Many of the MWBEs had trouble accessing the type of networks that you need in order to be successful in business. Some minority owners recounted being subject to blatantly hostile racial environments as did many women still experienced gender bias and barriers in their business opportunities.

Survey responses were pretty much the same. Demeaning comments, stereotypes, all the kinds of things you can imagine and there's the lengthy comments, quotations from what people told us about that. Access to information, capital bonding, same sorts of problems. Again, MWBEs were often not solicited for contracts without goals, and I think importantly from a capacity standpoint, many of them said they certainly could do more work if they could get it. That they could rise up to meet opportunities if opportunities were offered to them. We sometimes hear, "Oh well, you know, the MWBEs, they're little. None of them have any capacity to do anything." Well, they might if you gave them a chance and they got a chance to grow. So, those are our findings.

Turning now to our recommendations. We divided those into two basic types. The first are race and gender-neutral measures that would assist all firms. These are increasingly important as the courts are starting to attack race-based programs. So, I really do urge people to focus on some of these. One thing that a lot of business owners requested was some type of long-term procurement forecast so they could plan. So, they could get into the networks. They could make the relationships before the solicitation comes out because by that point it's too late. So, they want to know what's



coming up. The city does have a Quick Pay Program currently and we're suggesting extending that to all industries. Yes of course it's particularly a problem in construction, but it's a problem period. Let me say right here right now that we always got paid on time. No problems there. So, let me be real clear about that. I also knew that if I really had a problem that I have some folks to run interference for me, which most businesses aren't going to have.

We certainly suggest that you expand your support of services offerings. People requested things like assistance with networking, paperwork. A lot of discussion about supporting the needs of more mature firms. There's always a lot of emphasis on startups. Get a business plan, get a bank account, get a website, and that's important, but what can you do to help the firms that are more at that mid-level step it up to be able to reach for those larger contracts? There was a lot of discussion and requests for programs to assist firms to finance their businesses. Technical assistance, more capital access and bonding were requested particularly for construction firms. There are some good programs out there across the country. Let me just be really clear. We don't do them, but I know of some that my other agencies could certainly recommend to you.

We do believe that you have a solid basis to continue to implement a narrowly tailored race and gender conscious MWBE program. The quantitative and the qualitative findings do support the ability to continue to set annual and narrowly tailored contract goals. We're suggesting that you use the availability estimates in the study to set those goals. That means that your annual aspirational goal would be about 13 percent which is just an overall target for city spending. It really has nothing to do with what goals might actually go on a particular contract. Also helping you use the study data to set contract goals. We are suggesting that you not include SBEs (Small Business Enterprises) on contracts that have MBE/WBE (Minority Business Enterprises/Women Business Enterprises) goals. It complicates things and frankly it cannibalizes the participation of minority and women-owned firms. If there are MBEs or WBEs that are available, you'll find SBE goals are fine, but we're certainly suggesting not adding that on because we want to be sure that minority and women-owned firms that are certified have the most opportunities possible.

We're certainly suggesting expanding your pool to actually fit your market area, which I really do think is a legal requirement and that's to the state of North Carolina and York County, South Carolina. The CBI (Compliance and Business Integrity) Program administration policies and procedures we think could use some refresh. Certainly, suggesting that you use the industry codes in the study for goal setting and reporting, not NIGP (National Institute of Governmental Purchasing) codes. This is a little down in the weeds perhaps, but it makes it very difficult if you are using two different coding systems to manage the program.

We are suggesting that you allow minority and women prime firms to count their own self performance towards meeting a contract goal. As I mentioned before, this is one of the most difficult areas to make progress, helping MWBEs to be prime contractors. The federal programs are set up this way. This is certainly, I would say, the national best practice. So, we're urging you to think about that. We suggest only giving people credit for participation in work in which the firm is certified. This is really kind of a fraud prevention idea, that people need to be able to do the work that they're being counted for and if they're not certified in that area, then we're suggesting don't give credit. Now, they may get certified later, that's all great but at the time people are submitting their plans, we think that you need to tighten that up a little bit.

We're suggesting revising your good faith efforts standards and adopting some flexible remedies for program violations. A new mentor protégé program which I think may be partly in the works is another idea that we think would be very helpful.

Then lastly, two points. Suggesting making a conscious set of conversations at least if not decisions about how you want to measure success. Obviously old management saw what gets measured is what's important, but there are different ways to think about success in these programs. Obviously meeting the goals is obviously one of them, but

are you getting more firms in the program? Are firms doing a wider variety of work? Are more firms getting a wider variety of work? Are people growing? Are they getting prime contracts? Lots of different ways to think about it, but our suggestion to clients frankly is that they have some focused discussion about what success means to you all as leaders.

Then of course conduct regular program reviews. This is a constitutional requirement and actually Charlotte's been quite good about doing that on a regular basis. So, that's all I have. Steve, do you have anything else that you wanted to say or my good friend Thomas here?

**Thomas Coker, Economic Development** said we're just going to quickly skip to the schedule for everyone's awareness and then open it up for questions. Mayor?

Mayor Lyles said so, thank you very much Ms. Holt, and Thomas, thank you as well. I'm going to suggest that we have the schedule, and that schedule allows for time for discussion. We've had the example of Disparity Study. So, what I'd like to do is ask the Council Members if they had questions that we needed to respond to that if we can't get them all out verbally tonight that you email them to the Chair or to Tracy Dodson's office so that we can do this. I know that Ms. Holt has a flight and it's a little bit after 7. So, I would like to have the ED (Economic Development) Chair to be able to wrap this up. I also want to recognize members of our CBI advisory committee as well, Ms. Mitchell. I don't know the other folks that are joining you, but she's been doing this work a lot and your contributions are invaluable. You know that I hope. So, thank you. So, with that if we really want to get downstairs by 7:15, I'm just going to turn it over to Mr. Graham, followed with Mr. Driggs and then we'll go downstairs. Please get your questions either to Mr. Graham or Ms. Dodson, Mr. Driggs so that we can be ready for September 26<sup>th</sup>.

Mr. Graham said thank you Madam Mayor and I think the next steps on the slide speaks for itself. So, that's my parting remarks. The Mayor has instructed you on what you can do in terms of if there are additional questions. Thank you.

Mr. Driggs said I will just acknowledge that I was the dissenting vote in committee. We don't have time now to go into the whys and wherefores. So, I will try to communicate to Council in the time until the acceptance, what concerns I had about that. Thank you.

Mayor Lyles said thank you. Alright. I think for the good of the group, we'll go downstairs and let's see if we can really start no later than 7:15 for the meeting, okay? Thank you everyone.

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#### **ITEM NO. 4: CLOSED SESSION**

No closed session occurred.

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The meeting was recessed at 7:04 p.m. to move to the Meeting Chamber for the regularly scheduled Business Meeting.

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#### **BUSINESS MEETING**

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, September 12, 2022, at 7:15 p.m. in the Council Chamber of the Charlotte Mecklenburg Government Center with Mayor Lyles presiding. Council Members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Braxton Winston II.

**ABSENT:** Councilmember Victoria Watlington

**Mayor Lyles** said I'm going to call the September 12<sup>th</sup>, 2022, Charlotte City Council Business Meeting to order. I want to say welcome to all of you that are joining us in the Chamber as well as those that are joining us virtually. Tonight's meeting is being held in accordance with the laws governing remote meetings. Thank you for giving us your time and attention. So, as we call to order, this is significant because we are having our first meeting with our newly elected Council members.

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### INVOCATION AND PLEDGE

Councilmember Mayfield gave the invocation followed by the Pledge of Allegiance to the Flag.

**Councilmember Driggs** said I want to mention I'm offering the following comment as a matter of personal privilege and not as a message from Council. Last Thursday on September 8<sup>th</sup>, Queen Elizabeth the Second of England died at the age of 96. The death of the British monarch is of some historical significance to us as we are the Queen City of Charlotte in the county of Mecklenburg. It is also relevant to our city because of our large and vibrant British community and to our country because of the Queen's staunch advocacy for the Transatlantic Alliance during the terms of 14 American presidents. More than anything however, it is relevant to all of us because of who the queen was and her place in the world during her 70-year reign starting as a princess during World War II. Through tumultuous times for her realm, the monarchy, and her family, she performed her royal duties faithfully, unselfishly with unwavering dignity, courage and grace. She never lost sight of her commitment to her people and the trust they placed in her. Her place as one of history's great monarchs is assured and we should join our British neighbors in Charlotte, our British allies across the sea and so many others around the world in mourning the passing of a queen, the likes of whom we will not see again. Thank you.

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### POLICY

#### ITEM NO. 6: CITY MANAGER'S REPORT

**Marcus Jones, City Manager** said thank you Mayor and members of the Council. I believe at the dais you have my 30-day report in front of you. Again, trying to build a bit on our action briefing, trying to have information before you so that as we move forward, the council members have a general understanding of what would be the next big topics. So, we did have the safety initiatives tonight as well as the disparity study overview. Outside of the zoning meeting on the 19<sup>th</sup>, our intentions are to come back on the 26<sup>th</sup> in the action briefing to give you the Arts and Culture update, something that we've talked about back in August. As well as it would be time to have a CTC (Charlotte Transportation Center) update also.

Then after the strategy session or an all-hands-on committee meeting on the 3<sup>rd</sup>. We have the 10<sup>th</sup> which would have an opportunity for the Housing Trust Fund recommendations as well as, and this is similar to what I discussed earlier with the disparity study, getting caught in between two different Councils. We did have an equity and governance framework that came out of committee that was discussed at a strategy session. Again, it's not an action but an opportunity to talk to the Council at the action briefing.

Then lastly, it's been a while since we've had the American Rescue Plan Act updates. So, not necessarily that we have a number of items, there are some things that are being discussed, but we wanted to make sure that we're communicating with the Council. So, in terms of just the outlook, those are some of the topics that have been

brewing that we'd like to make sure we discuss with the council. That's my 30-day memo. Mayor, what I'd also like to provide during this time, if it's something that Council would need, we have Shawn Heath the Director of Housing and Neighborhood Services. Shawn, I hope I'm not surprising you, if needed, because there is a big item, Peppertree, on the business portion of this agenda. If there needs to be any additional discussion, or briefing both the new Council members or reminding some of the previous Council members, Shawn is available. That is at the will of this Council. That's my report.

**Mayor Lyles** said alright, thank you Mr. Jones. I'd like to add two things to the manager's report. On September 19<sup>th</sup>, for the City Council Zoning meeting, I will be out of town and Mayor Pro Tem Winston will be conducting that meeting. Also, October 3<sup>rd</sup> is the first strategy session meeting where we will be having the new schedule with committees and the committee assignments will come out to everyone tomorrow. So, you'll get that in the morning. So, thank you everyone for that. Mr. Jones, I wasn't sure if you were saying at the time for the agenda item or if you'd like to have Mr. Heath right now address any questions.

Mr. Jones said I'd like to have him available to you now if there are any questions before you even get to that item.

Mayor Lyles said alright, questions? Mr. Heath please come down. Item No. 9, here we are. So, we're going to move this item up on the agenda now so that we can have questions answered while it's fresh, we're able to have a conversation about it.

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## **BUSINESS**

### **ITEM NO 9: NATURALLY OCCURRING AFFORDABLE HOUSING PRESERVATION AND RENTAL SUBSIDY SUPPORT REQUEST**

Motion was made by Councilmember Winston and seconded by Councilmember Graham to (A) Approve an \$8,000,000 allocation of funding from the Coronavirus State and Local Fiscal Recovery Fund provided by the American Rescue Plan Act of 2021 to Central NOAH, LLC, an affiliate of Ascent Real Estate Capital, LLC, for the acquisition and rehabilitation of Peppertree Apartments, (B) Approve a Naturally Occurring Affordable Housing Rental Subsidy Program reimbursement request to allocate funds over a 20-year period for 44 new long-term rental subsidies at Peppertree Apartments for households earning 30 percent and below the area median income, and (C) Authorize the City Manager to negotiate, execute, amend, and renew contracts as needed to complete these transactions, with - Central NOAH, LLC (Peppertree Apartments), and - Housing Collaborative (formerly Socialserve).

**Councilmember Anderson** said I had some time to spend with you earlier today. So, I exhausted the majority of the questions that I had for the gentlemen. I would say, as this property is adjacent to District 1 and was formally in District 1 before the rezoning, the population for naturally occurring affordable housing is something that the district definitely prioritizes. I believe that this is a good opportunity for us to continue to prioritize that with the funds that we have available from the federal government. So, thank you. No questions.

**Councilmember Bokhari** said yes, I'll just make a comment. I'm largely supportive of this effort. I think that the folks doing it are very good and they think outside of the box. I think that we did not fully capitalize on an opportunity on our side to maximize the outcome of this. We had had small group discussions; I had brought forth what I think we need to be focusing on here which is NOAH (Naturally Occurring Affordable Housing). Great, outstanding. This developer and leaders' commitment towards doing workforce related training, finding opportunities with wrap around service is great, but as long as we continue to make that a line item in a spreadsheet and not something that's codified and woven into the critical path, it will always be a hobby.

So, there was a perfect opportunity here for us to say, "Okay, X percentage of these units cannot be filled unless you go and get the workforce provider for training." Get the job that that person is going to move into. Get the transportation. Get the food, clothing, all the wraparound services where these units become a place where folks go, are upscaled and then they move on, and they open up for someone else. As long as that's a sidenote goal and not something directly tied to the financial benefits, we're pumping into it, it won't be achieved at the level it could be. So, I'm still going to support it tonight because I think on the whole it's very good and what we need to be doing more of, but we need to start stepping up and innovating and doing our part to make these outcomes happen. So, I'm hopeful that we don't have another missed opportunity like this on our end.

**Mayor Lyles** said that's an excellent point and I hope that everyone recognizes we're going to plan to have a summit on how do we combine those kinds of services with the work that we're doing in terms of what we're doing with the next 50 million bond. As a reminder, please come out and vote to support that because that's going to help us figure out what we can do differently to make economic mobility and upward mobility matter along with housing.

**Councilmember Driggs** said so, I agree that we have the potential to refine and maybe to maximize our advantage, but this is something we're doing. We're not just talking about it, we're doing it. We're in relatively uncharted waters when it comes to NOAH. It's a very important priority for us because NOAHs are the way we protect against gentrification. NOAHs are the way that we maintain existing affordable properties and defend them. I really appreciate the participation of the county and the private funders in this structure that we have. Again, we will keep working on this, but I think we just need to do some, and we need to see how we go, what the experience is, what the position is of our partners in discussions. Here's the thing that we can actually complete. So, I'm going to vote for it. Thank you.

**Councilmember Graham** said as Vice Chairman of the Affordable Housing Great Neighborhoods Committee, I'm really excited about it. I talked to all the stakeholders involved in it. I think this is exactly what we need to do. I think Mr. Driggs and Mr. Bokhari are right. Obviously, there's room for improvement but we're really taking a giant step forward, we're putting housing on the street right now, to building a unit that's 18 to 24 months. So, if we can preserve what we have and enhance it and keep it in play, I think that benefits the communities tremendously. So, I'm very supportive of it and I will be supporting it.

**Councilmember Winston** said I agree with Mr. Bokhari's statement and position is exactly where I think city council does its best work on the policy outcomes perspective. I think it's something that we should continue to think about or figure out how to include that in our policy language. Often when I'm talking to the community about, whether it's our Housing Trust Fund dollars or these COVID relief dollars that we get, City Council and the City is really looking at this like a Swiss army knife. I really do think we add a tool to that knife year after year, project after project. I think we should not overlook the fact that for 20 years this will provide 44 new long term rental subsidies for households earning 30 percent and below. We have acknowledged and we know that that is our weakest position in answering for our constituents that are at the 30 percent and below for many different reasons, specifically because those wrap around services are necessary. We've challenged the manager over the past couple of years to not make that an excuse. So, I would count this as another one of those tools in our Swiss army knife. We might not be able to keep it in our pocket much longer. We might have to put it in a backpack or something like that. So, thank you.

**Councilmember Mayfield** said Mr. Heath, I'll actually have some questions for you. We didn't have a really robust conversation which I appreciate, but for the sake of transparency and making sure that some information makes its way to the minutes for future council. One of the questions that I presented to you earlier today was in regards to long term. Part of this request is requesting for the taxes to be allocated specifically for the opportunity to use it as a subsidy. Both the city taxes and the county taxes. This

current facility, Peppertree, is about 95 percent capacity. Full transparency, I did a Google search. They have about 6 to 8 units that are available now between \$1,300 and \$1,600. The question that I have is are those subsidies directly tied to Peppertree or are those future subsidies going to be available to the Charlotte community. Mainly, because according to the language, the subsidies will be triggered when there is a lease renewal or a new resident moving in. So, you shared with me what your understanding was and hopefully you were able to get a little bit more information. If you could share that again, please?

**Shawn Heath, Director of Housing and Neighborhood Services** said yes. Thank you for the question, Councilmember Mayfield. So, under this arrangement, 44 of the units would be devoted to the rental subsidy program and through natural attrition, as units become available, the property manager would look to populate those units with individuals from the community that are essentially referred to the continuum of care coordinated entry process. So, this would be on a go forward basis. An opportunity to provide housing with a rental subsidy supported by both the city and the county to individuals at that 30 percent AMI (Area Median Income) below level just at the Peppertree complex itself.

Ms. Mayfield said so, previously when I had the opportunity to serve as Chair of Housing and Neighborhood Development Committee, that's where we probably would've dug a little deeper in this. So, it would be helpful to understand 44 units whereas say up to \$127,000 of potential tax revenue from the county, about \$90,000 plus from the city. Let's just think about that dollar amount and we're saying that it is designated for Peppertree and it's 44 units. We're also saying according to this proposal that there will be a reduction in the current rental cost because the rental cost is up to \$1,600 or more.

So, when it's time for a lease renewal, we may have the opportunity to reduce those rents, but if we're talking about specifically 44 potential subsidies based on lease renewal. I think this is a great starting point and I will be supporting it, but I would like for us to really look at the language that we put in place. When we just do the basic numbers on what we're anticipating to be a return on the reallocation of tax dollars going to the subsidies, how much are we actually talking about that will be utilized in subsidies versus how much we're getting back in tax revenue? Are those funds going to then be put in the general fund? Where would it go for it to be accessible to the broader community? If not, what really would be the benefit to the residents' current as well as those mentioned by Mr. Bokhari. If we're giving you the opportunity and you're able to grow and you move out of the complex and the new person is coming in, that tracking mechanism that correlates with those dollar amounts, that would be helpful Mr. Manager. Thank you, Mr. Heath.

**Councilmember Johnson** said I don't have any questions. I'm just looking forward to supporting a creative model in order to address the crisis. So, thank you.

**Councilmember Mitchell** said Shawn, first of all thank you. This is great leadership and I appreciate the one on one. I hope our citizens realize this is a new model for us, to have the private community partner with the city and the county. This is a total of \$56 million project, and the city has actually put \$8 million, the county actually put \$4 million. We're leveraging 1 to 6, so we are using our taxpayer dollars wisely, but I think we're addressing a big problem in our community. It is preserving affordable housing. So, great job and looking forward to partnering with them in the future.

**Councilmember Molina** said man, I can't illustrate my excitement about this project. I am through the moon! I'm so excited to see something so innovative come to East Charlotte. I am excited for our residents, I'm excited for our constituents, I'm excited about the potential and as all of my colleagues around the dais have said, they've all had amazing points and I agree with all of them largely. We have a great tool that we will learn from, and it definitely has some areas of opportunity. Just today one of our key stakeholders reached out to me from Charlotte East and he brought to my attention. Actually, I was nervous when I saw the email, but he actually mentioned that he was

excited about it except for the fact more to the point of what Mr. Bokhari was saying. As we unpack this opportunity, that we continue to look at ways that we can be better. So, I definitely am a believer and have an appetite for let's get started and we can monitor and control our baseline along the way.

So, I am 100 plus percent in support of this opportunity. I'm so thankful to our county stakeholders for coming to the table because this is their first time as I was told today, coming to the table for such a project. So, I am so grateful to the county for seeing the value in this opportunity and like Councilmember Mitchell said, there's a \$56 million investment so, the largest portion of this investment is not coming from the city or the county. This is the private sector, and they believe in this opportunity too. So, that makes me even more excited about what we have in our hands and the potential for growth and to model it throughout the city and prevent our residents throughout where we're able to, from experiencing displacement. So, thank you so much Mr. Heath.

**Councilmember Ajmera** said I agree with what's already been said. My questions around the funding were already addressed by Ms. Harris. So, thank you. Mr. Heath, appreciate your leadership on this.

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

Mayor Lyles said thank you very much. Appreciate the work. We are going to have a great opportunity as a Council to make some decisions. These new ideas that everyone has, who we serve, how we serve them, how we help, this is something that I believe that while we had the trust fund, thanks for the 20-year report, because I think it gave all of us a baseline to think about what's next. So, this fall as we go get ready for how do we connect the dots between a job, a house and the ability to move between the two is going to be very important. So, let's bring our best ideas and what we need to be thinking about to get it accomplished.

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## **POLICY**

### **ITEM NO. 7: SPONSORSHIP POLICY REVISIONS**

Motion was made by Councilmember Driggs, seconded by Councilmember Winston, and carried unanimously to adopt a resolution revising the Council-adopted Sponsorship Policy to account for exclusive sponsorships provided for specific Animal Care and Control Adoption/Clinic and Missing Person events.

The resolution is recorded in full in Resolution Book 53, at Page(s) 268-275.

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## **BUSINESS**

### **ITEM NO. 8: GRANT FOR ALTERNATIVES TO VIOLENCE PROGRAM EXPANSION**

**Mayor Lyles** said we had a very in-depth presentation on the Alternative to Violence Expansion Program earlier if you were livestreaming or watching. If not, please go back and rewind and you can see the Council's workshop so that you can also view the discussion around this topic.

Motion was made by Councilmember Graham and seconded by Councilmember Driggs to (A) Authorize the City Manager or his designee to accept a grant in the amount of \$1,000,000 from the United States Department of Justice to expand the implementation of the Alternatives to Violence Program in Charlotte, and (B) Adopt a budget ordinance appropriating \$1,000,000 from the United States Department of Justice in the Neighborhood Development Grants Fund.

**Councilmember Johnson** said we did have an in-depth discussion regarding this project, then afterwards we had the Disparity Study. So, again I just want to reiterate my desire to see an opportunity for minority local business to have an opportunity for this contract. I think this is an opportunity for us to put our votes and our contracts where we know that there's a need and where our mouths are. So, I'll be supporting but as I stated earlier, I advocated for a local minority business to be the administrator of the contract the first time and I'll be advocating for that again, especially when part of the reason was that the local organization didn't have the ability to collect the data or monitor the data. The data is skewed right now with the current contract. So, I just want to put that on record. Thank you.

**Councilmember Mitchell** said I just want to say thank you to Congresswoman Alma Adams' part of the presentation. There was a special appreciation for her leadership and efforts. So, thank you Congresswoman Adams for advocating on the behalf of the City of Charlotte.

**Councilmember Winston** said to Mr. Mitchell's point, this was part of the work that goes on the legislative agenda. This is something that Council members have been advocating for in general. It's been a standing item. So, just a note of reference for our new Council members as well as the public, how our different buckets of work really do work together with us, but with our partners across governments to make things like this happen. Thank you.

**Councilmember Mayfield** said I would like to echo the thank you for our Congresswoman for her leadership and continuing to guide and identify resources and opportunities for her constituents within Charlotte. I also support Councilmember Johnson's request. This is a conversation that has been held many times around this dais regarding opportunities with minority businesses and creating an opportunity for a company that is already connected to Charlotte and has already been doing work in Charlotte to lead this discussion as far as how we move forward in dispersing these million dollars. Understanding the million dollars is not just for one individual organization would really give us the opportunity to not only achieve our goals, but make sure that we have individuals who have the community's best interest at heart, opposed to trying to step in and learn the connections and the opportunities within our community. Thank you.

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

#### **ITEM NO. 10: CATS AND CENTRALINA REGIONAL COUNCIL INTERLOCAL AGREEMENT AMENDMENT**

Motion was made by Councilmember Graham and seconded by Councilmember Winston to (A) Adopt a resolution amending the Charlotte Area Transit System and Centralina Regional Council's interlocal agreement for additional CONNECT Beyond operational planning and coordination services, and (B) Authorize the City Manager to amend the agreement consistent with the purpose for which the agreement was approved.

**Councilmember Ajmera** said I just want to recognize the true regional approach to solving our transportation and infrastructure issues. So, this is really the first time that I have seen on our agenda an item that is transportation related that is truly a regional approach. So, I was glad to see it and I'm looking forward to supporting it.

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

The resolution was recorded in full in Resolution Book 53, at Page(s) 266-267.

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#### **ITEM NO. 11: CATS SHUTTLE BUS SERVICE AGREEMENT**



Motion was made by Councilmember Mitchell and seconded by Councilmember Driggs to (A) Adopt a resolution ratifying an interlocal agreement with Mecklenburg County to provide shuttle service to the public swimming beach at Ramsey Creek Park, and (B) Authorize the City Manager to renew the agreement for up to two, one-year terms and amend the agreement consistent with the purpose for which the agreement was approved.

**Councilmember Mayfield** said the comment is really for the sake of public record. I do want to acknowledge the fact that this is a short term. This is basically peak season that this contract is moving forward and is completely covered because I did have some individuals reach out regarding why we're having this discussion when we have some challenges within transportation of CATS (Charlotte Area Transit Center). This is a very specific request, and that request is the funding has been identified and allocated, but it is basically for the peak season to utilize this resource that has been provided by the county.

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

YEAS: Councilmembers Dimple Ajmera, Danté Anderson, Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, James Mitchell, Marjorie Molina, Lawana Mayfield, and Braxton Winston II

NAYS: Councilmember Tariq Bokhari

The resolution was recorded in full in Resolution Book 53, at Page(s) 278.

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#### **ITEM NO. 12: EXCHANGE OF LAND RIGHTS ALONG THE LYNX LIGHT RAIL CORRIDOR WITH CHARLOTTE HAWKINS, LLC**

Motion was made by Councilmember Mitchell and seconded by Councilmember Driggs to (A) Adopt a resolution authorizing the exchange of land rights between the City of Charlotte and Charlotte Hawkins, LLC, or its successors and assigns, involving parcel identification number 121-031-13, and (B) Authorize the City Manager to execute all necessary documents to complete the exchange of land rights between the City of Charlotte and Charlotte Hawkins, LLC or its successors and assigns.

**Councilmember Mayfield** said so, I will not be supporting this agenda item tonight, but mainly as a former representative of District 3 and South End, there are a lot of opportunities along the light rail that have been missed over the years. Especially when we continue to have conversations about housing diversity and when you look at what has happened in the South End area and how that has really bled all the way back to Tryon and even further down regarding affordability, accessibility. What was initially an opportunity for growth, the challenge is who's receiving access to that opportunity. So, a lot of the residents who formally utilized the light rail as their main form of transportation, have been completely displaced. So, now it is of convenience. So, this particular project just seems like another opportunity where we could have created a very different conversation when we're talking about diversifying the housing stock in the area and there's no conversation in this project that addresses that. So, I will not be able to support it. Thank you.

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

YEAS: Councilmembers Dimple Ajmera, Danté Anderson, Ed Driggs, Malcolm Graham, James Mitchell, Marjorie Molina, and Braxton Winston II

NAYS: Councilmembers Tariq Bokhari, Lawana Mayfield, and Renee Johnson

The resolution was recorded in full in Resolution Book 53, at Page(s) 279-280.

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#### **ITEM NO. 13: REGIONAL EXPRESS BUS SERVICE AGREEMENT – ROCK HILL**

Motion was made by Councilmember Mitchell, seconded by Councilmember Winston to (A) Adopt a resolution ratifying the Interlocal Regional Express Bus Service Agreement with the City of Charlotte and the City of Rock Hill to operate express bus service, and (B) Authorize the City Manager to renew the agreement for up to four, one-year terms and to amend the agreement consistent with the purpose for which the agreement was approved.

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

YEAS: Councilmembers Dimple Ajmera, Danté Anderson, Ed Driggs, Malcolm Graham, Renee Johnson, James Mitchell, Marjorie Molina, Lawana Mayfield, and Braxton Winston II

NAYS: Councilmember Tariq Bokhari

The resolution was recorded in full in Resolution Book 53, at Page(s) 281-282.

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#### **ITEM NO. 15: RHYNE ROAD WATER MAIN EXTENSION**

Motion was made by Councilmember Mitchell, seconded by Councilmember Winston, and carried as unanimous to (A) approve a developer agreement with the US Alliance Rhyne Venture, LLC for water a main construction as a part of Rhyne Road Water Main Extension project, (B) Authorize the City Manager to amend the agreement consistent for the purpose for which the agreement was made, and (C) Adopt a budget ordinance appropriating \$949,867 from US Alliance Rhyne Venture, LLC for a portion of the Rhyne Road Water Main Extension project in the Charlotte Water Capital Projects Fund.

This ordinance is recorded in full in Ordinance Book 65, at Page(s) 215.

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### **NOMINATIONS TO BOARDS AND COMMISSIONS**

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

#### **ITEM NO. 18: NOMINATIONS TO THE BICYCLE ADVISORY COMMITTEE**

**John Holmes, 5124 McAlpine Glen Drive** said thank you Madam Mayor, ladies and gentlemen, City Council and the Starlight Government. It's a pleasure to make my introduction. Some of you already know me. I'm John Holmes. One of the biggest things is with the Bicycle Advisory Committee, I really want to try and make sure that we are pushing for a fast and equitable distribution of our bicycle network throughout the city. I am very happy with the infrastructure we have in Uptown, but unfortunately what I have seen first-hand is that it primarily connects to the wealthier portions of our City and leaves residents such as myself and those in West Charlotte and North Charlotte otherwise known as the arc just hung out to dry. What I'd like to see is a reshaping of the budget to prioritize a fast and quick network that we can then build up later to be just as good as the Uptown cycle network. In addition to that, I also want to try and make sure that the Bicycle Advisor Committee is transparent. Currently if you want to attend it, you can certainly attend it, but if you want to watch it virtually, you can't do that. Also, the other item as well is that you have to basically wait two months on average for the meetings to come about. I don't think that's really the best approach if you're trying to be

involved in this as well. If you guys have any questions or comments, I am more than happy to answer them. Again, thank you for your time.

**Mayor Lyles** said alright, thank you very much for your comments and your perspective on this. We really appreciate the opportunity to hear some things that we might do better. Thank you very much Mr. Holmes.

The following recommendations were made for one appointment for a partial term beginning upon appointment and ending December 31, 2024.

- John E. Holmes, nominated by Councilmembers Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mayfield, Mitchell, Molina, and Winston II.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to appoint John E. Holmes by acclamation.
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### **ITEM NO. 31: NOMINATIONS TO THE PRIVATIZATION / COMPETITION ADVISORY COMMITTEE**

**Mayor Lyles** said I'd like to recognize Councilmember Driggs for a discussion that he and I have been having along with several of you regarding the Privatization and Competition Committee.

**Councilmember Driggs** said thank you Madam Mayor. I'm speaking as Chair of the Governance Committee, but I've been involved in conversations with the PCAC (Privatization Competition Advisory Committee) for some time. I think some key points I'd like to make is we have four vacancies on the committee that are being considered on our ballot tonight. Historically the PCAC was created by City Council in 1993 with the primary charge of looking at managed competitions as it was called in the City's operations and provision of services. So, at that time the idea was that it would use a yellow pages approach to determine the appropriateness of City provided services. If the City provided any service that could be found in the yellow pages, i.e., could be provided by somebody else. We've really moved on since then and that role as such doesn't exist. In April of this year the Chair of the PCAC sent to the Mayor and City Council a request to consider changing the charge of the committee siting a need to either change the charge of the committee to better reflect current city priorities or provide feedback to the committee regarding the seated committee's future.

This came out of the sense on the part of the Chair and members of the committee that they were not doing meaningful work and I would like to offer you this. I don't know how many of us have seen this. This is a very detailed report on which the committee spent a great deal of time talking about our cemeteries. They have a sense, and I think rightly, that this is probably not going to have a large impact on the way we manage our cemeteries. So, we got down to having conversations about things that they might tackle for us, and my feeling was that a number of the proposals were headed in the same direction. Kind of a make-work thing, finding something for them to do, involving a lot of their time and staff time. I think it's unfortunate that since April when we confronted the question of whether this committee should continue to exist, we didn't actually reach a conclusion.

So, instead we kind of went back and we started looking again to see if we could come up with something. It's really not fair to the members of the committee or to the staff and they have struggled actually for a couple of years now to come up with serious things. The recycling services contract, they did this report. In any case, after consultation with the staff, the Chair of the PCAC and the Mayor, I would like to recommend that we vote on September 26<sup>th</sup> to disband or decommission this committee. I have talked to the Chair again, to members. I would also like to recommend that members of the committee who want to serve on a different committee after this dissolution be invited to submit applications for those other committees which will then be highlighted in our

nomination's packets for special attention so that maybe we can give them the benefit of likely reappointment somewhere else. I think it's important that we emphasize our gratitude for the work that the PCAC has done over the years and for the willingness of the members. There's some very capable people in that group. I think it's unfortunate that it's hard for us to carve out a bigger role for them, but really the best thing for them in the City right now would be for us to vote on the 26<sup>th</sup> to discontinue their activity.

**Councilmember Bokhari** said I would wager that maybe on this dais the only person who served on that committee for multiple years. So, I will tell you that I have a deep perspective of the potential value of this committee. I would agree, and they probably feel like many of our committees, they're kind of arm's length held away from the critical path of the City. We've talked about this for years. I've served on a number of committees and my greatest learning from all of that was that all of our work seemed in a lot of cases to go into dark holes where I wasn't sure how it made it to us. We have to attack that broader problem as a group and that would be a great one for us to take on now. Specifically, to PCAC, if you think about why, it was formed and some good work that's been done over the years, obviously time have evolved, they need a better scope. I think it would behoove us to give them a scope because whether it's privatization or the broader term of competition. That should be our free market audit of the entire organization and have carte blanche ability to look at everything we do and say, "Should we doing that?" and give us analysis to say it could be done better this way or outside of the walls here. Or should we be stockpiling up all of the real estate that we have, playing real estate czar in town. These are questions that we have a capable group of people that their charter is to look at what it is that we are doing and ask the question and analyze it with thoughts to us of should we be doing it?

So, that clearly takes care and feeding and some structuring of their mandate. If we're not prepared to do that, then yes, we should absolutely disband it, but I do believe that the value of that committee, that's one of the more meaningful bodies of work, should we get that thing tuned up properly.

Mayor Lyles said so, as someone that worked with that committee way before Mr. Bokhari served on it, it was a part of a competition and a whole privatization of government study and effort. These folks are highly talented and valued and we have other committees like the Business Advisory Committee. We have other committees that are actually needing that kind of expertise. So, as I agree with both Mr. Bokhari and Mr. Driggs, I do think the idea of having a way to make them actually valued, because they are really good people that care and bring expertise to the table. If we would actually look at one, I know there are over 50 boards and commissions, but those that deal with business. In addition to that, we also have some areas where we're going to be talking about how we implement the UDO (Unified Development Ordinance) and what is the cost of it. That would be something that they can do. So, I don't know how we talk about this in a way that keeps them or gives them a charge. I think there's work that their charge is out there already that need the expertise that they have. So, I just offer another view of it. Talented people that care deeply about it and out of all of these committees that we have, where can they serve best and what can they bring their expertise to help us do.

**Councilmember Winston** said so, I heard three different suggestions of possible pathways. It seems like those three, the common ground is that the status quo of this committee is not sufficient. Perhaps we do put it on the future agenda, whether it's the 26<sup>th</sup> or another one, then we work together to figure out what the right motion is to make for the future of this particular committee. Mr. Driggs suggested disbandment and preferred status for existing members and Mr. Bokhari has suggested a different approach as opposed to that yellow page approach that Mr. Driggs mentioned. Maybe it's up to us to figure out what is the best way to work with this, and if it's two weeks where we can talk amongst each other to figure out what that right direction is, so be it. If not, we can always make a motion to defer to it to a further date as necessary.

Mr. Driggs said I just wanted to emphasize the fact we have been working for a long time on this issue of finding something. I question whether the members of this council,

and a lot of the staff, as we discuss with each other these decisions that we have to make, will be responsive in practice to input from what is essentially a lay group of citizens in the midst of the exchange, the crossfire between us and the staff. That has been their experience. They don't come and speak to us, and I highlight this because this is something they produced. They put a lot of time into it. So, I hope what we can do for right now is schedule a vote for the 26<sup>th</sup> up or down. All it is, is that would be the time when we determine whether the liquidation is, but I would also suggest that we not process nominations tonight. Wait until we see the outcome of this conversation to consider who might be appointed so as not to be putting people on right before we possibly disband.

Mayor Lyles said so, you've heard Mr. Driggs' suggestion that we remove from the agenda the appointments of the Privatization Committee. I certainly can do that if everyone agrees, but I want to make sure that everyone understands that what we're doing is talking about how do we work with this group and include their decision making and conversation in it. I don't think you impose things on people, you actually ask them, and Mr. Driggs has been very, very generous in his time and commitment at talking with the group and the entire membership that's basically coming off.

**Councilmember Johnson** said I do have a question. I think that Councilmember Driggs brings to mind a broader issue that there might be other committees that feel they don't have access to council or that aren't being heard. So, I think that we could use this as an opportunity to reach out to the committee Chairs, Mr. Jones.

Mayor Lyles said can I add something to that? In your committee assignments that will be coming out tomorrow, if you'll recall there was a discussion on this council. Every committee has an annual report that has been sent to the Clerk's office and Council has not dealt with it. So, some of this is on us. So, in the committee discussion tomorrow, you will be assigned a group of those committees based upon the type of work that they're doing to have your annual review of their report. So, that's something that we'll ask every committee to do because right now I don't think we're fulfilling what you said Ms. Johnson. We have an obligation to do that. So, it'll be coming out in the memo tomorrow. Most of them are about 8 to 10. So, we have over 40 or so committees. Some people have even more, but if you're on that committee you will be asked to review and provide feedback to the council on the committee annual reports. Madam Clerk told me that it would be December that the reports are in and we're asking for your review in the first quarter of next year.

Ms. Johnson said so, I think he brings up a great point. So, if we're going to make changes to that process or if there is an opportunity for improvement, maybe we should do that as a whole instead of looking at one committee right now.

Mr. Driggs said this committee is the squeaky wheel. They started in April raising objections and questioning the particular mandate. So, we spent time going back and forth about whether we could create a new mandate for them that better aligned with the needs of Council and staff and really were not able. It was a process of trying to make something up as opposed to responding to a need. So, this committee is different from the others to the extent that we have had that input from them.

Mr. Winston said I second Mr. Driggs motion to suspend the nominations of the Privatization and Competition Advisory Committee.

Mayor Lyles said alright, I don't know if we need a vote to do that. Would Madam Clerk remove it from the agenda for this item? Okay. So, thank you very much.

Mr. Bokhari said one final point. I agree that we should take that off and if this is indeed the squeaky wheel that hasn't been addressed for a while. I had deep conversations with them last year. I went to committee meetings. They were excited about an opportunity to recalibrate, but again it just hasn't gotten done. I think this is the perfect opportunity for us to do this for all committees though. That doesn't mean that we don't make sure we address their initial problems, but we've got it. We've been talking about

this for five years. We have to solve the committee issue. I personally served on the Business Advisory Committee, the CRC (Community Relations Committee), the PCAC for years at a time and we did great work. I rarely felt like we ever connected with Council at all, ever. So, we have these talented people that could be doing not just what they think they need to do, but work that we could deliver them. We could say all of your output shouldn't be in a report, it should be in the form of a legislative agenda for us to enact in policy and in ordinances. We have to do something though because we might as well shut them all down. There's 30 plus boards and commissions. We might as well shut them all down if we're not going to take it seriously and allow it to be a part of the critical path of the work we do. So, I think we can do that offline together or we can get through tonight. That makes sense.

Mayor Lyles said so, I think that each committee will have the opportunity to review all of their committee work and make some of these recommendations to see if what we've been talking about is actually valid and true and then we'll have an idea. So, we'll put that in the referral for the committee review, not just the review of their annual reports, but your comments and suggestions for if there are changes that are necessary.

The following nominations were made for two appointments for a two-year term beginning March 2, 2022, and ending March 1, 2024.

- Stanley Coakley, nominated by Councilmembers Anderson, Johnson, Mayfield and Mitchell.
- Cherl Grover, nominated by Councilmembers Mayfield, Mitchell, and Molina.
- Edward Hennessey, nominated by Councilmembers Molina and Winston.
- Carl Terrell, nominated by Councilmember Bokhari.

The appointment will be considered at the next Business meeting.

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#### **ITEM NO. 16: NOMINATIONS TO THE ALTERNATIVE COMPLIANCE REVIEW COMMITTEE**

The following nominations were made for one appointment for a community representative for a partial term beginning upon appointment and ending June 30, 2023.

- Priscilla Ashe, nominated by Councilmembers Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mayfield, Mitchell, Molina, and Winston.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to appoint Priscilla Ashe by acclamation.
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#### **ITEM NO. 17: NOMINATIONS TO THE ARTS AND SCIENCE COUNCIL ADVISORY**

The following nominations were made for one appointment for an at-large Central district representative for a partial term beginning upon appointment and ending July 30, 2024.

- Stephanie Gardner, nominated by Councilmembers Ajmera and Winston.
- Nakia Savage, nominated by Councilmember Mayfield.
- Kopper Thatch, nominated by Councilmembers Anderson, Driggs, Graham, Johnson, and Molina.

This appointment will be considered at the next Business meeting.

The following nominations were made for one appointment for an at-large North/West district representative for a partial term beginning upon appointment and ending July 30, 2024.

pti:mt

- Michele Miller Houck, nominated by Councilmembers Ajmera, Anderson, Driggs, Graham, Johnson, Mayfield, Mitchell, Molina, and Winston.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to appoint Michele Miller Houck by acclamation.

The following nominations were made for one appointment for an at-large South/East district representative for a partial term beginning upon appointment and ending July 30, 2024.

- Jarrod Clay, nominated by Councilmembers Ajmera and Anderson.
- Friday Jones, nominated by Councilmembers Driggs, Graham, Mayfield, Mitchell and Molina.
- Lisa Rudisill, nominated by Councilmember Johnson.

This appointment will be considered at the next Business meeting.

The following nominations were made for one appointment for a District 1 representative for a partial term beginning upon appointment and ending July 30, 2024.

- Faris Khaleeli, nominated by Councilmember Anderson.

This appointment will be considered at the next Business meeting.

The following nominations were made for one appointment for a District 4 representative for a partial term beginning upon appointment and ending July 30, 2024.

- Drew Burdick, nominated by Councilmember Johnson.

This appointment will be considered at the next Business meeting.

The following nominations were made for one appointment for a District 5 representative for a partial term beginning upon appointment and ending July 30, 2024.

- Philip Freeman, nominated by Councilmember Molina.

This appointment will be considered at the next Business meeting.

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#### **ITEM NO. 19: NOMINATIONS TO THE BUSINESS ADVISORY COMMITTEE**

There were no nominations made for one appointment for a partial term recommended by the Certified SBE-Hispanic Contractors Association beginning upon appointment and ending April 28, 2023, followed by a three-year term beginning April 29, 2023, and ending April 28, 2026.

Nominations will be kept open until the next Business meeting.

There were no nominations made for two appointments for a three-year term recommended by the Charlotte Regional Business Alliance beginning April 29, 2022, and ending April 29, 2024.

Nominations will be kept open until the next Business meeting.

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

There were no nominations made for one appointment for a two-year term recommended by the Hispanic Contractors Association of the Carolinas beginning March 1, 2022, and ending February 28, 2024.

Nominations will be kept open until the next Business meeting.

There were no nominations made for one appointment for a partial term recommended by the Latin American Chamber of Commerce beginning upon appointment and ending February 28, 2024.

Nominations will be kept open until the next Business meeting.

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**ITEM NO: 22: NOMINATIONS TO THE CHARLOTTE INTERNATIONAL CABINET**

The following nominations were made for one appointment for an Airport category representative for a partial term beginning upon appointment and ending June 30, 2024.

- Rikard Hinrichs, nominated by Councilmembers Ajmera, Anderson, Driggs, Graham, Johnson, Mitchell, Molina, and Winston.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to appoint Rikard Hinrichs by acclamation.

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**ITEM NO. 21: NOMINATIONS TO THE CHARLOTTE EQUITABLE DEVELOPMENT**

The following nominations were made for one appointment for a partial term beginning upon appointment and ending August 31, 2024.

- Nadia Anderson, nominated by Councilmembers Driggs, Molina, and Winston.
- Deepika Dave, nominated by Councilmembers Ajmera and Mayfield.
- Travis Lane, nominated by Councilmembers Graham and Mitchell.
- Daquan Washington, nominated by Councilmember Anderson.

This appointment will be considered at the next Business meeting.

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**ITEM NO. 23: NOMINATIONS TO THE CITIZENS REVIEW BOARD**

The following nominations were made for one appointment for a three-year term beginning August 1, 2022, and ending July 31, 2025.

- Samuel Smith, nominated by Councilmembers Ajmera, Anderson, Bokhari, Graham, Johnson, Mayfield, Mitchell, Molina, and Winston II.
- David Tobin, nominated by Councilmember Driggs.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to appoint Samuel Smith by acclamation.

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**ITEM NO. 24: NOMINATIONS TO THE DOMESTIC VIOLENCE ADVISORY BOARD**

The following nominations were made for one appointment for a three-year term beginning September 22, 2022, and ending September 21, 2025.



- Stephanie Butler, nominated by Councilmember Graham.
- Ceretha Butler, nominated by Councilmember Mayfield.
- Melody Gross, nominated by Councilmember Winston.
- Emon Northe, nominated by Councilmembers Ajmera, Anderson, Bokhari, Driggs, Johnson, Mitchell, and Molina.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to reappoint Emon Northe by acclamation.

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#### **ITEM NO. 25: NOMINATIONS TO THE HISTORIC DISTRICT COMMISSION**

There were no nominations were made for one appointment for a Business Operator of Dilworth representative for a three-year term beginning July 1, 2022, and ending June 20, 2025.

Nominations will be kept open until the next Business meeting.

There were no nominations were made for one appointment for a partial term for a Resident Owner of Hermitage Court beginning upon appointment and ending June 30, 2024.

Nominations will be kept open until the next Business meeting.

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#### **ITEM NO. 26: NOMINATIONS TO THE KEEP CHARLOTTE BEAUTIFUL COMMITTEE**

The following nominations were made for two appointments for a partial term beginning upon appointment and ending June 30, 2025.

- Jonathan Dubose, nominated by Councilmember Mayfield.
- Mark Loflin, nominated by Councilmembers Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mitchell, Molina, and Winston II.
- Doris Shivers, nominated by Councilmember Mayfield.
- Ashel Sommermann, nominated by Councilmembers Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mitchell, Molina, and Winston II.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to appoint Mark Loflin and Ashel Sommermann by acclamation.

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#### **ITEM NO. 27: NOMINATIONS TO THE MINT MUSEUM BOARD OF TRUSTEES**

The following nominations were made for one appointment for a three-year term beginning August 1, 2022, and ending July 31, 2025.

- Roxanne Trenkelbach, nominated by Councilmembers Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mayfield, Mitchell, Molina, and Winston II.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to reappoint Roxanne Trenkelbach by acclamation.

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**ITEM NO. 28: NOMINATIONS TO THE NEIGHBORHOOD MATCHING GRANTS FUND**

The following nominations were made for one appointment for a neighborhood representative from within program boundaries for a partial term beginning upon appointment and ending April 15, 2024.

- Jonathan Utrup, nominated by Councilmembers Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mayfield, Mitchell, Molina, and Winston II.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to appoint Jonathan Utrup by acclamation.
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**ITEM NO. 29: NOMINATIONS TO THE PASSENGER VEHICLE FOR HIRE BOARD**

There were no nominations for one appointment for a Hospitality / Tourism Industry category representative for a three-year term beginning July 1, 2021, and ending June 30, 2024.

Nominations will be kept open until the next Business meeting.

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**ITEM NO. 30: NOMINATIONS TO THE PLANNING COMMISSION**

There were no recommendations for one appointment recommended by the Board of Education for a three-year term beginning July 1, 2022, and ending June 30, 2025.

Nominations will be kept open until the next Business meeting.

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**ITEM NO. 32: NOMINATIONS TO THE STORM WATER ADVISORY COMMITTEE**

There were no recommendations for one appointment for a General Contractor category representative for a three-year term beginning July 1, 2022, and ending June 30, 2025.

Nominations will be kept open until the next Business meeting.

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**ITEM NO. 33: NOMINATIONS TO THE TRANSIT SERVICES ADVISORY COMMITTEE**

There were no recommendations for one appointment for a Vanpool Rider category representative for a three-year term beginning February 1, 2022, and ending January 31, 2025.

Nominations will be kept open until the next Business meeting.

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**ITEM NO. 34: NOMINATIONS TO THE ZONING BOARD OF ADJUSTMENT**

The following recommendations were made for one appointment for an alternate board member for a partial term beginning upon appointment and ending January 31, 2024.

- Padma Bulusu, nominated by Councilmember Driggs.

- Corey Carter, nominated by Councilmembers Ajmera and Anderson.
- Lingyi Sun, nominated by Councilmembers Bokhari, Johnson, Mayfield, Mitchell, Molina, and Winston II.

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to appoint Lingyi Sun by acclamation.

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### ADJOURNMENT

Motion was made by Councilmember Winston, seconded by Councilmember \_\_, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 8:12 p.m.

  
Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 2 Hours, 56 Minutes  
Minutes Completed: December 14, 2023