

The City Council of the City of Charlotte, North Carolina convened for an Action Review on Monday, November 27, 2023, at 5:00 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, Victoria Watlington, and Braxton Winston II.

ABSENT: Councilmember James Mitchell.

ABSENT UNTIL NOTED: Councilmember Dimple Ajmera, Danté Anderson, and Marjorie Molina.

Mayor Lyles said good afternoon, everyone. I want to call the consent and Action Review meeting to order. Today, and the point of this meeting, is for us to take action on our consent items, as well as look at items that the Manager has prepared for the future, so that he can introduce those items to us in this meeting. Tonight, we have on our Agenda Review, the 2023 Year-End Audit, that's going to be presented by our finance team, and the 2024 Council calendar, which is going to be presented by our City Clerk.

ACTION REVIEW

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

Mayor Lyles said before we do that, let's ask Ms. Harris if she has anything that she'd need to share with us on the consent items. The information that I have is that several of the property transactions have been resolved and settled, and so Items 36 and 37 do no longer require adoption.

Marie Harris, Strategy and Budget said I believe it's 35, 36 and 37.

Mayor Lyles said alright, 35, 36 and 37. Are there any other questions for Ms. Harris?

Councilmember Johnson said I just wanted clarification on those items. Are they resolved or are they deferred until a later meeting?

Ms. Harris said so, they're reaching agreement with the property owner. This is the same property owner for all three of those, and they're hoping to come back to you in the 11th as an acquisition, or they'll be settled and not have to come back. We're not 100 percent sure, but that's why the staff pulled them saying that they were settling them.

Ms. Johnson said I spoke to Angela Charles earlier about them, because they're in District 4. So, I just wanted some clarification. Okay, thank you.

Ms. Harris said yes, ma'am.

CONSENT AGENDA

ITEM NO. 2: CONSENT AGENDA ITEMS 17 THROUGH 49 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 Winston, seconded by Councilmember Mayfield, and carried unanimously to approve the Consent Agenda as presented with the exception of Item No. 35, Item No. 36, and Item No. 37 which were pulled by staff.
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The following items were approved:

Item No. 17: Traffic Signal Components

(A) Approve unit price contracts for the purchase of Traffic Signal Components for an initial term of three years to the following: Econolite Contract Products, Inc., RAI Products, and Temple, Inc. (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 18: Citywide Emergency Management WebEOC

(A) Approve amendment #2 to extend the existing contract for five years with ESi Acquisition, Inc., for a web-based information management system, (B) Authorize the City Manager to amend the contract with possible price adjustments, consistent with the purpose for which the contract and this amendment were approved, and (C) Authorize the City Manager to purchase such additional software licenses, services, maintenance, support, and upgrades as required to maintain the system for as long as the city uses the system.

Item No. 19: Construct RiverGate Parkway Bridge

Approve a contract in the amount of \$1,293,041.50 to the lowest responsive, responsible bidder Dane Construction, Inc. for construction of the RiverGate Parkway Bridge project.

Summary of Bids

Dane Construction, Inc.	\$1,293,041.50
NJR Group, Inc.	\$1,451,970.30
Blythe Development Co.	\$1,709,248.20

Item No. 20: Fire Apparatus Tire Removal and Replacement Services

(A) Approve a unit price contract with Snider Tire Inc. dba Snider Fleet Solutions for Fire Apparatus Tire Removal and Replacement Services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 21: HVAC Parts and Equipment

(A) Authorize the City Manager to negotiate and execute unit price contracts with the following companies for HVAC Parts and Equipment for an initial term of three years: CDBM, LLC DBA Johnstone Supply, LLC, Hawkins HVAC Distributors, Inc., MORSCO Supply, LLC DBA Reece HVAC, and (B) Authorize the City Manager to renew the contracts for up to one, two-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 22: Plumbing and Miscellaneous Related Supplies

(A) Approve unit price contracts with the following companies for the purchase of Plumbing and miscellaneous related supplies for an initial term of three years: Ferguson Enterprises, Inc., Helton and Associates, Inc., Morsco Supply, LLC, dba Reece Plumbing, and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 23: Vehicle Communications and Electronic Equipment Installation

(A) Approve unit price contracts with the following companies for vehicle communications and electronic equipment installation for an initial term of three years: Campbell-Brown Inc., Global Public Safety, and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 24: Asphalt and Concrete Repair Services

(A) Approve unit price contracts with the following companies for asphalt and concrete repair services for an initial term of two years: Barry Brown dba Barry's Concrete and

Service Inc., Nance Construction Inc. (WBE, SBE), and (B) Authorize the City Manager to renew the contracts for up to three, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 25: Multi-Sensor Investigation of Sanitary Sewer Mains

(A) Approve a unit price contract with RedZone Robotics, Inc. for multi-sensor investigation of large diameter sanitary sewer mains for an initial term of one year, and (B) Authorize the City Manager to renew the contract for up to five, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 26: On-Call Geotechnical, Environmental, Construction Material Testing Services

(A) Approve unit price contracts with the following firms for geotechnical, environmental, and construction material testing services for an initial term of two years: Hart & Hickman PC, CES Group Engineers LLP, Kleinfelder, Inc, S&ME, Inc., WSP USA Environment & Infrastructure, Inc., Terracon Consultants, Inc., and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 27: Pre-Blast Inspection and Seismic Monitoring Services

(A) Approve unit price contracts with the following companies for pre-blast inspection and seismic monitoring services for an initial term of two years: Sauls Seismic LLC, VCE, Inc., and (B) Authorize the City Manager to renew the contracts for up to three, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 28: CATS Bus Operations Management Contract

(A) Approve a contract with National Express Transit for Bus Operations Management Services for an initial term of three years, (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to execute any agreements to transition ownership of Transit Management of Charlotte to National Express Transit.

Item No. 29: CATS Printing Services

(A) Approve contracts with the following companies for printing of transit schedules, brochures, and other marketing materials for an initial term of two years: Flash Printing, Inc. dba Metrographics Printing, Goffstar Inc., dba Lake Printing & Design (SBE), and (B) Authorize the City Manager to renew each contract for up to three, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 30: CATS Website Service Provider Agreement

(A) Authorize the City Manager to negotiate and execute a contract with the Move Agency for the Charlotte Area Transit System website for an initial term of four years, (B) Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to purchase additional software licenses, services, maintenance, and support as required to maintain the system for as long as the city uses the system.

Item No. 31: Hambright Park and Ride Design Services

(A) Authorize the City Manager to negotiate and execute a contract for up to \$1,600,000 with AMT Engineering for design and construction administration services related to the proposed Hambright Park and Ride Facility, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Item No. 32: Transit Bus Automated Wheel Rim Maintenance Machine

(A) Approve the purchase of automated wheel rim polisher by the sole source exemption, (B) Approve a contract with Vehicle Inspection Systems, for the purchase of Transit bus automated wheel polisher for the term of one year, and (C) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Item No. 33: Claims Management Software Contract Amendment

(A) Approve a contract amendment to the contract with CSC Cybertek Corporation for ongoing upgrades, annual support, and maintenance for claims management software to extend the contract for an additional three-year term and to incorporate the provision of new software features, (B) Authorize the City Manager to renew the contract for up to two, one-year terms beyond the three-year amendment and to amend the contract consistent with the purpose for which the contract and this amendment were approved, and (C) Authorize the City Manager to purchase such additional software licenses, services, maintenance, support, and upgrades as required to maintain the system for as long as the city uses the system.

Item No. 34: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$225,483.45.

The resolution is recorded in full in Resolution Book 54, at Page(s) 716-720.

PROPERTY TRANSACTIONS

Item No. 38: Property Transactions – Beckwith Meadow Storm Drainage Improvement Project, Parcel # 21

Resolution of Condemnation of 2,990 square feet (0.069 acres) Storm Drainage Easement, 3,472 square feet (0.08 acres) Sanitary Sewer Easement and 342 square feet (0.008 acres) Temporary Construction Easement at 1700 Anderson Street from Sarah Scot Thompson for \$67,475 for Beckwith Meadow Storm Drainage Improvement Project, Parcel # 21.

The resolution is recorded in full in Resolution Book 54, at Page(s) 720.

Item No. 39: Property Transactions - Cross Charlotte Trail Segment 10, Parcels # 4, 7, 8 and 11

Resolution of Condemnation of 18,822 square feet (0.423 acres) Permanent Greenway Easement and 258,215 square feet (5.928 acres) Temporary Construction Easement at 10600 North Tryon Street, 575 E Mallard Creek Church Road, Harris Houston Road and Stone Quarry Road from Martin Marietta Materials, Inc. for \$117,425 for Cross Charlotte Trail Segment 10: Mallard Creek Church Road to Pavilion Boulevard, Parcels # 4, 7, 8 and 11.

The resolution is recorded in full in Resolution Book 54, at Page(s) 721.

Item No. 40: Property Transactions - Monroe Road Multiuse Path, Parcel # 21

Acquisition of 289 square feet (0.007 acres) Sidewalk Utility Easement and 1,673 square feet (0.384 acres) Temporary Construction Easement at 5609 Monroe Road from Ryker LLC for \$11,450 for Monroe Road Multiuse Path, Parcel # 21.

Item No. 41: Property Transactions – Providence at Dartmouth Pedestrian Hybrid Beacon, Parcel # 1

Acquisition of 305 square feet (0.007 acres) Utility Easement, 101 square feet (0.002 acres) Sidewalk Utility Easement and 332 square feet (0.008 acres) Temporary Construction Easement at 300 Providence Road from Myers Park Propco LLC for \$13,224 for Providence at Dartmouth Pedestrian Hybrid Beacon (PHB), Parcel # 1.

Item No. 42: Property Transactions - Rea Road Widening, Parcel # 1

Resolution of Condemnation of 8,357 square feet (0.192 acres) Utility Easement, 2,144 square feet (0.049 acres) Sidewalk Utility Easement and 8,334 square feet (0.191

acres) Temporary Construction Easement at 7828 Rea Road from Zenith Investment Grantor Trust, Summit De Corporation, Trustee for \$144,650 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 1.

The resolution is recorded in full in Resolution Book 54, at Page(s) 722.

Item No. 43: Property Transactions – Rea Road Widening, Parcel # 2

Resolution of Condemnation of 309 square feet (0.007 acres) Sidewalk Utility Easement and 2,598 square feet (0.06 acres) Temporary Construction Easement at 5110 Piper Station Drive from OMS Piper Station, LLC for \$39,000 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 2.

The resolution is recorded in full in Resolution Book 54, at Page(s) 723.

Item No. 44: Property Transactions - Rea Road widening, Parcel # 4

Resolution of Condemnation of 3,363 square feet (0.077 acres) Fee Simple Outside Existing Right-of-Way, 5,381 square feet (0.124 acres) Sidewalk Utility Easement, 7,221 square feet (0.166 acres) Permanent Utility Easement, 975 square feet (0.022 acres) Storm Drainage Easement and 8,584 square feet (0.197 acres) Temporary Construction Easement at 7810 Ballantyne Commons Parkway and 5231 & 5235 Piper Station Drive from Colony at Piper Glen, LLC for \$309,250 for Rea Road Widening (I-485 to Williams Pond Lane).

The resolution is recorded in full in Resolution Book 54, at Page(s) 724.

Item No. 45: Property Transactions - Rea Road Widening, Parcel # 9

Resolution of Condemnation of 830 square feet (0.019 acres) Utility Easement, 712 square feet (0.016 acres) Sidewalk Utility Easement and 1,072 square feet (0.025 acres) Temporary Construction Easement at 11514 Falling Leaves Drive from 2017-1 1H Borrower L.P. for \$53,500 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 9.

The resolution is recorded in full in Resolution Book 54, at Page(s) 725.

Item No. 46: Property Transactions - Rea Road Widening, Parcel # 10

Resolution of Condemnation of 120 square feet (0.003 acres) Fee Simple Outside of Existing Right-of-Way, 1,081 square feet (0.025 acres) Utility Easement, 830 square feet (0.019 acres) Sidewalk Utility Easement and 101 square feet (0.002 acres) Temporary at Falling Leaves Drive from Tracey M. Jeffcoat and spouse, if any for \$3,425 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 10.

The resolution is recorded in full in Resolution Book 54, at Page(s) 726.

Item No. 47: Property Transactions - Rea Road Widening, Parcel # 11

Acquisition of 873 square feet (0.020 acres) Permanent Utility Easement, 570 square feet (0.013 acres) Sidewalk Utility Easement and 952 square feet (0.022 acres) Temporary Construction Easement at 11520 Falling Leaves Drive from Lisa A Lee and Harry Lee for \$50,000 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 11.

Item No. 48: Property Transactions - Regional Solids Conveyance Phase 1A, Parcel # 4

Acquisition of 18,050 square feet (0.414 acres) Sanitary Sewer Easement at 1000 McCorkle Road from William M Gardner Jr and Deborah M Gardner for \$12,250 for Regional Solids Conveyance Phase 1A, Parcel # 4.

Item No. 49: Property Transactions - Shamrock Drive Improvements, Parcel # 67

Resolution of Condemnation of 1,356 square feet (0.031 acres) Fee Simple Outside of Existing Right-of-Way, 2,759 square feet (0.063 acres) Post Construction Control Easement, 1,204 square feet (0.028 acres) Sidewalk Utility Easement, 219 square feet (0.005 acres) Utility Easement, 134 square feet (0.003 acres) Storm Drainage

Easement and 3,304 square feet (0.076 acres) Temporary Construction Easement at 2601 Palm Avenue from The Yanyan Weiwei Revocable Living Trust for \$79,475 for Shamrock Drive Improvements, Parcel # 67.

The resolution is recorded in full in Resolution Book 54, at Page(s) 727.

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ITEM NO. 3: ACTION REVIEW AGENDA OVERVIEW

Marcus Jones, City Manager said so, thank you, Mayor and members of Council. Normally, we would have the Audit Executive Summary at the Budget Committee Meeting. So, because we don't have any more Budget Committee meetings for the year, and we're required to bring this before the body, we're having our CFO, (Chief Financial Officer) Teresa Smith, introduce our guest, and this would fulfill the requirement of having the discussion about the FY (Fiscal Year) 2023 Audit in front of the Council. So, thank you. Mayor, if there aren't any questions, I'd like to turn it over to Teresa.

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ITEM NO. 4: ACTION REVIEW ITEMS

Teresa Smith, Chief Financial Officer said again, my name is Teresa Smith. I'm the CFO in the Finance Department. I appreciate the opportunity to be here with you today to present the FY2023 Year-End Financial Audit results. I do have two people with me. I have Betty Mattos, who is our Chief Accountant in the Finance Department. I also have Daniel Gougherty, who is a Director with Cherry Bekaert, and Mr. Gougherty is going to be presenting the results to you of the audit. You may recall that North Carolina General Statutes require that the City have an External Annual Audit of our financial statements, and that the Local Government Commission also requires that those results are presented to you on a timely basis. So, Mr. Gougherty is here this afternoon to present those results and will be available for any questions that you have as we go along. So, Dan, I will turn it over to you.

Daniel Gougherty, Cherry Bekaert, LLP said thank you and good evening. So, what we have here is, I'm going to go through our PowerPoint slide, the results of the audit overall. So, first, just want to let you all know we'll go over first the results of the audit, and then I'll go through some of the other required communications. There's a number of items in here that we're required to communicate each year. A lot of those haven't changed year-to-year, but we are required to give you that every year.

First off, we audited the financial statements in accordance with generally accepted auditing standards. We also audited the financial statements in accordance with government auditing standards. This is all in which to form an opinion, reasonable assurance that the financial statements are free from material misstatement. We also audit compliance as it relates to the federal and state dollars that the City spends, to ensure that you are in compliance with those grant agreements and the requirements under Uniform Grant Guidance.

We issued unmodified opinions in all cases. We issued unmodified opinion on the financial statements, and also on compliance with those federal and state dollars. Unmodified opinions are also known as a clean opinion, which is the highest-level opinion that we can give under our auditing standards. This slide here is just communicating to you all that we are in charge of giving an opinion on compliance, and we do test internal controls, but we do not provide an opinion on the effectiveness of those internal controls. In regard to our audit, if we identify any issues with internal controls, we are to report those, either as a material weakness or a significant deficiency, if it rises to those levels. Here is just a definition of material weakness, being one where a material error could go undetected and not reported or not corrected in a timely manner. Then, a significant deficiency being one less than a material weakness,

but still important enough for us to communicate to you all. We noted one material weakness in our audit, which I will go over in the next slide, and this did not relate to the financial statements. This related to a single audit. This related to the Federal Grant Emergency Rental Assistance Program, in which you have a subrecipient that oversees your funding and oversees the spending of this grant money, in which you had monitored them in the past year, but did not have a process in place to continue to monitor them throughout the whole granting program. So, we had identified that as a material weakness in an internal control that needed to be corrected, in which management had already developed their corrective action plan and is included within the Annual Comprehensive Financial Report, and that won't be part of any letters to the LGC (Local Government Commission), because this is governed by the federal government and not the LGC.

Councilmember Anderson arrived at 5:05 p.m.

Councilmember Driggs said may I ask a question about that?

Mr. Gougherty said yes.

Mr. Driggs said can you tell us what the amounts are that are affected by that particular weakness? What's the magnitude of that problem?

Mr. Gougherty said sure. So, I think overall if you have the SEFSA (Schedule of Expenditures of Federal and State Awards), I think it was about \$13 million. All the money that was provided to the subrecipient was the entire amount of the expenditures, and so you would normally sample that on a sample basis. So, you wouldn't be looking at every single dollar value of those expenditures, but we found no review of the current-year expenditures in totality. So, it was \$3.8 million, that program.

Mr. Driggs said and it wasn't a finding of a misappropriation of funds or anything. You're just talking about controls, right?

Mr. Gougherty said correct, and controls over just monitoring what they were doing. The subrecipient that you work with is a subrecipient that had their own single audit, and they did not have any findings in their single audit of this program. So, their auditors would be looking at this in more detail, making sure that people are receiving eligible funds, in which they noted no issues in their audit. Our finding is just the City's responsibility to monitor and make sure themselves that this subrecipient is also spending the funds wisely at the same time.

Mr. Driggs said alright, just wanted to make sure I understand that. Appreciate it.

Mr. Gougherty said on this slide here, we have corrected and uncorrected misstatements, in which we had no corrected misstatements, which means basically what we audited and received from Finance, is what you see in the final financial report, that has been delivered to you all, that we had no made corrections based on our audit. We did have two uncorrected adjustments, and so the first one being an understatement of cash and accounts payable, by approximately \$3.7 million and \$1 million related to the General Fund and Public Transit Fund, and this related to accrued payroll that had been recorded as being paid before it actually was paid a day later after the year end. The next one there is an overstatement of beginning net position current year expenses of approximately \$27.7 million related to the water/sewer fund. This related to capital projects that were no longer viable and needed to be written off, that should've been written off in a prior year, but I will note, this was identified by Finance and presented to us, and we determined with finance, we agreed, that it was immaterial in terms of not having to go back and restate the prior year balance, and just to run it through the current year.

These next few slides are a lot of those required communications I alluded to earlier. The first of which is that Note 1 includes your significant accounting policies. Your Note 1 also includes the adoption of a new accounting standard this year, which is the

subscription-based information technology arrangements, which is basically any software that the City owns, that they have a commitment to pay a vendor for more than one year, are required to be reported as an asset and a liability. It is very similar to the reporting of leases that was adopted in the prior year. So, basically, it's really a balance sheet only item with minimal effect on your income statement and minimal effect on your fund balance or net position. In terms of related parties, we are looking at any related parties that rise to a level that we need to look at as part of our audit. We noted no issues with any arms-length transactions as it relates to related parties, and we noted no related parties that weren't already presented to us by management.

If we find anything that we deem to be significant or unusual, and significant or unusual being outside the normal course of business, and otherwise unusual due to the nature, timing, or size of the adjustment, we have to make you aware of that. We noted nothing during our audit that we believe met this definition. As part of any financial statement audit, estimates are an integral part of the development of the financial statements. So, there's a number of things I have listed here, allowance for [inaudible] accounts, depreciation, actuarial assumptions as it relates to your pension and other post-employment benefits. These specialists, or third-party data, is being used by management to develop certain financial items. We are looking to make sure that the items are consistent with the previous year, and also are relatable to what we would expect. Other things that management may use, is historical collection trends, billing dates, estimated useful life or those actuarial evaluations. I have no particular disclosure to point out as a specific disclosure to draw your attention to, but the financial statement disclosures are neutral, clear and consistent.

In terms of an audit, we sometimes will provide nonattest service. Attest service is being audit services. So, this would be anything outside of the audit that we might provide to management, and one thing we do here is, we enter in the data for the data collection form. This is a form that is submitted to the federal government that outlines what we audited for the year on federal grants, so that the different federal agencies can all see the information in a nice, neat manner, and see what has been spent. Management has the proper skills, knowledge, and expertise to oversee these services, and ultimately, they are the ones who certify in a review before it gets submitted to the Federal Clearinghouse.

Councilmember Ajmera arrived at 5:15 p.m.

We are not aware of any issues with independence with our firm. A couple more things here. We had no difficulties encountered as part of our audit. We had no disagreements with management. If we have any internal auditor consultations within our firm, we are now required to communicate those to you all, and we did have one related to the required consultation related to the IT event during the year. Then we have the Manager representation letter, which is dated October 31, 2023, the date of the issued financial statements, that was signed by management.

Other required communications. If management was consulting on anything outside of our team, whether they be shopping for an opinion of some sort from another auditing or accounting firm, we make you aware of that. There were no such instances of that. There were no other findings or issues noted that we didn't already talk about. There were, as of the date of this presentation, no fraud or illegal acts or violations of law or regulations were noted, and there were no events that caused a going concern for the City. These limit out basically our responsibilities on other information that either precede the financial statements or follow the notes of the financial statements, required supplementary information, such as your management discussion and analysis section, and then the pension schedules in the back created by, or done by management, we look over that information, but we provide no assurance over that information presented. Then, supplementary information we have here is, any of those back schedules that show the combining fund statements or budget to actual schedules, we look to make sure they are consistent with the information provided in the audited financial statements, but we do not provide any assurance, other than in relation to opinion on that.

The last one here is other information, which is your introductory schedules at the very top of the Annual Comprehensive Financial Report, and then also in the back the statistical information. We look over that information, but we do not provide or express an opinion, or any assurance on it. Here's a list of the upcoming accounting standards that will be applicable for the City next year, 99 and 100 not being significant to the City for the next year. We don't believe that will have a significant impact, although, 100 does require now a restatement when a fund goes from major to non-major. So, you might see changes in your fund balance because of that, due to that standard, but that we think is going to be the biggest change that you might see going forward. Then, you have 101 compensated absences, which relates to your accrued vacation and sick leave, in which there could be a potential that sick leave may need to be accrued as well, that it hasn't in the past, but we're still looking through that standard, making sure based on the standard and the rules applied, what the outcome of that would be based on City policy.

We do have performance indicator's concern that the Local Government Commission has set as standards that we need to look at for every municipality within the state of North Carolina, and I'm happy to say that we had no financial performance indicators or concern noted based on those factors that they outlined. Everything is going to be submitted within five months of the Fiscal Year end. The fund balance General Fund is positive fund balance. You have a budgeted tax levy, that's your budgeted amounts for taxes, did not exceed what you collected for the year. You have an effective preaudit process with no persuasive budget violations as part of that process. You had no late debt service payments, no violations of any covenance for your revenue bonds and such, and no statutory violations within the financial report. So, with that, I'll open it up if anyone has any additional questions.

Councilmember Molina arrived at 5:19 p.m.

Councilmember Watlington said I just have a quick question for my own understanding. I want to make sure that I understand slide eight, where it's got the uncorrected misstatements. So, is there or is there not, a material weakness associated with the misstatement? Am I misunderstanding that there would be a corresponding weakness that would then be exploited in an uncorrected misstatement?

Mr. Gougherty said there is not with these. I know the amounts seem to be large, but for a city your size, we have a certain materiality threshold that we use based on a percentage of certain aspects, whether it be your assets, whether it be your revenues, expenditures. Based on that, looking at that from a material standpoint, it didn't meet the level of materiality for any of the funds that we affected.

Ms. Watlington said thank you.

Councilmember Ajmera said I did have an opportunity to speak with Mr. Gougherty a couple of months ago now, regarding our financials and see as the Chair of the Budget Governance and Intergovernmental Committee if I had any concerns. I shared with him I had no concerns. As you clearly see, there are no material misstatements, and our financials are in great shape. Obviously, some of this is not material, but this has been already modified, and this was already reviewed by the Budget Governance Committee earlier. Mr. Gougherty has been our auditor for as long as I remember, six, seven years, at least, I've been on Council. I know he has moved on. Now, I think he's a director. He used to be a manager associate. So, congratulations on your promotion, as our external auditor. Clearly, I think we are in great shape. We have a great finance team. Thanks to our CFO and the entire team for the great work.

As one of the largest cities, we had huge ARPA (American Rescue Plan Act) fund allocation. Usually, in the audit, you will see, when you have that much amount, I mean we're talking about millions and millions of dollars coming in in multiple phases, that would be the scope of the audit. I know there were several audits steps that were being taken as part of that. Despite all of that, they didn't find anything material. I think that just speaks to the great team and processes that we have in place.

Mr. Driggs said I was very pleased to note that you had not had any material disagreements with management, because I have those all the time. So, good job, well done. I just want to emphasize, following what the Chair said, that we should not underestimate the significance of this report. Don't take it for granted. The City has been well managed financially for a long time. It starts to feel routine. Look at other cities. It doesn't always look like this. So, once again, congratulations to the Manager and the staff. I would like to add that to what was said. I did have one question. In the audit, you make pretty clear, and in fact you've made it increasingly clear over recent years, what you do and don't do, as it were. So, in your mind, is there any area where we should commission extra work, or that we need to watch out for, in terms of potential exposures or risks or anything like that, or do you feel that the scope of your work gives us comfort that something couldn't pop up?

Mr. Gougherty said I feel that, in tandem with us and internal audit that you have on staff, that the scope of what needs to be looked at as a city, is being looked at. Where we are looking at maybe, what we would call smaller items or things of lesser materiality based on our large materiality numbers, internal audit is there behind us to look at those items a lot of the times. We do talk with internal audit as part of our process every year, and get an understanding of what they're doing, and they always ask us the question as well, of what could we be looking at. When we have things come up and we say, hey, we've seen this trend in the external audit, or something going on, you might want to look here, you might want to do this. So, we try to work in tandem with them, but I think between our external and the internal audit, things are being covered that need to be covered.

Mr. Driggs said thank you, I do appreciate that. Having worked with Cherry Bekaert, one way or another for I think 18 years now including nonprofits, I really appreciate the excellence of your work. So, thank you for that.

Ms. Smith said and Mr. Driggs, I also wanted to add, that in recent years the Finance department has created what we call is an Internal Controls Division. So, we have a small staff of people that are focused just on looking at controls and improving those controls. So, they sort of work on the very beginning before internal audit, which is then before the external audit. So, we feel like we have multiple layers built in related to our controls.

Mr. Driggs said good job. Thank you.

Councilmember Anderson said I agree with Mr. Driggs. This is a very strong audit, and it comes as a result of having really good internal controls and is certainly something that we should not take for granted. I did have a question on slide 20, when you talked about the compensated absences, and you were mentioning sick leave. Will that accrual process mirror vacation time, or will there be a different accrual process for sick leave?

Mr. Gougherty said it would be similar to vacation time, but I do want to stress that we're still under the very preliminary of just kind of looking at it. The Government Accounting Standard Board, GASB, rather than make it be very clear in terms of do this, do that, they wanted to make it a little more conceptual in nature. So, they added some language in there that might tend to think that sick leave should be accrued. In my personal opinion, sick leave is really not payable out to the employees, so it really should not be accrued. It's mostly used for credible service at the very end for retirement, but based on what the GASB has out there, there is some chain of thought that that should be accrued regardless, depending on how it's worded in your policy. So, I think one thing here is, getting a little bit more clarity from the GASB as they will release implementation guides throughout the years, getting more clarity on this standard, on what they're meaning and wanting from this, and then looking at the City's policy and then making sure they align with what is actually a liability or not a liability.

Ms. Anderson said okay, great, because that was my follow-up question, because sick leave is not typically paid out when employees leave, and it's also something that you

don't particular plan for either. So, an accrual process for that, we just really need to be mindful about that, as it relates to our employees. So, I'd like to see what GASB comes out with this year on that.

Mr. Gougherty said and trying not to get into the details of this, but it's basically they're saying if you have an employee that's going use sick leave next year, you accrue for that sick leave. Well, how do you administratively know that, and how do you account for that, that's not conceptually sometimes?

Ms. Anderson said on the front end.

Mr. Gougherty said yes, so it's estimating that and getting into that, because that's why just need more information to make sure and see what the policy is compared to that.

Ms. Anderson said great.

Mayor Lyles said alright. I think all of us that sit around this table are very much appreciative of, first, the audit that we have at end of this year, but more importantly, to the effort that is taking place everyday to make this audit what it is today. So, we know we have a great team. I like to think of this as something that our City does very well, when you start talking about the changes and recognize we're a \$3 billion operation. This is pretty significant, and so congratulations to the Manager and the team that he's put together. It is one of the most important aspects of what we can do in other respects, because without that ability to have this kind of audit, to have that kind of ability to have reserves and fund balances, the ability to maintain a triple AAA credit rating, is absolutely essential to the kind of growth and expectations we have for this community. So, thank you, and Mr. Jones, thank you as well, and thank you to Cherry Bekaert, we really appreciate the work that you guys do for us.

Mr. Gougherty said thank you.

Mayor Lyles said so with that, we will now go to the City Council calendar for 2024, and we're going to have our City Clerk present on this one.

Stephanie Kelly, City Clerk said good evening, Mayor and Council. Thank you for allowing me to present briefly the proposed 2024 calendar that is at your places. I believe a copy has been placed at your desk and also is on the screen for your viewing. In order to comply with the North Carolina Opens Meetings Law, notice requirements for city government, you will be asked to vote on this proposed Council calendar, or Council meeting schedule, as you do each calendar year. We are planning to have the calendar for a vote on your December 11, 2023, Business agenda, and I'd like to take a few minutes this evening to review the calendar with you and highlight a few considerations for 2024.

Moving forward into the new year, we are proposing to keep the regular meeting schedule consistent with this year's, more specifically on the first Mondays of the month to hold Council committee meetings, and then an evening committee discussion session. On the second Mondays to hold a Business meeting, and then on the third Mondays for your Zoning meetings, and on the fourth Mondays to hold a second Business meeting with a public forum. This is consistent with the current 2023 schedule. Exceptions for Mondays, due to holidays or conferences, are noted on the draft at your seats, but I would like to draw your attention to an exception for January 8, 2024. For January 8, 2024, there are exceptions being proposed. Typically, the first Monday of the month is for your council committees. However, due to the new year, we are proposing January 8, 2024, for committee meetings and a Business meeting.

The first council committee meetings of the new year will take place on January 8, 2024, and then the time typically used for action reviews from 5:00 p.m. to 6:30 p.m., would be allocated for committee discussions, and following that we're proposing a Business meeting. Also, of note for 2024, the majority of the Budget meetings are being moved to Mondays, and this is to help manage your onsite schedules to predominately Mondays,

to free up the remaining days of the week for community and constituent meetings and other commitments that you may have. The one exception is going to be the straw votes meeting on May 30, 2024, is being proposed for a Thursday instead of a Monday, and this is to accommodate time needed to cost out any additional adjustments that may be proposed during the Monday, May 20, 2024, Budget Adjustment Session.

So, in addition, based on Council feedback for this year, we are proposing that the summer schedule provide for no formal meetings to be scheduled within the month of July, to allow for scheduling of summer commitments. Those are the highlights of the proposed 2024 calendar, and as I mentioned, it'll come before you for a vote on December 11, 2023, and I'll entertain any questions or feedback or anything you might have.

Mayor Lyles said I wanted to say that we're just beginning to see this, and I know that there might be questions, and if there are questions that we can't address today, we certainly have time next week to do so.

Councilmember Mayfield said first question, actually Mayor, is for you. We're assuming that all of the current committee structure, that's the committee structure that's going to be maintained into 2024, 2025?

Mayor Lyles said I have spoken with I think everyone, except Ms. Ajmera. So, I wanted to say that yes, my goal is to keep things as stable as this calendar would be, so that people would have the opportunity for those that need to have work time, as well as other commitments that they have made, that we would pretty much stay in the same position, and the committees would be the same.

Ms. Mayfield said okay, thank you. Ms. Kelly, for the first recommendation of January 8, 2024, since the new year comes in on Monday the first, why would we not move the meeting to Tuesday, January 2, 2024? Like sometimes if it's a holiday, instead of having the meeting on Monday, we would have it on Tuesday, so that we don't have a full day that starts from 10:00 a.m. that very well can go into 9:00 p.m. to 10:00 p.m. that evening?

Ms. Kelly said I will have to check with the budget office on that particular recommendation, but it is the day after a holiday. So, that consideration is factored into that as well.

Ms. Mayfield said so, Monday is actually New Years Day, but typically we observe the day after as well, the second. Okay, because I know it's a little off, because next year is Leap Year. So, the dates are shuffled around a little. I would like to see if it's to the pleasure of my colleagues for us to look at potentially another alternative, because that is going to be a really hard day, the way this looks for January 8, 2024, to try to have the quorum and attendance that's going to be needed, starting a full day and going late into the evening versus normally we would get done probably about 7:00 p.m., 7:30 p.m., 8:00 p.m. at the latest. Thank you, Madam Mayor. Thank you, Ms. Kelly.

Ms. Kelly said yes, ma'am.

Mayor Lyles said alright. So, let me make sure that I understand that you're suggesting that we have a meeting on February 2, 2024?

Ms. Mayfield said so, this is a January 8, 2024, meeting, the first of the year, but I'm wondering if we can break it up. Either have our Council Business meeting and readjust our committee meetings or vice versa, so as not to try to do all on that night, because that would just be a very difficult day for a lot of people going into the new year for my colleagues that do go to work, to know that they're still going to have to maintain all of that, to see if maybe we can split it up. Worse case scenario, either have the committee meetings only, or have the Council Business meeting, opposed to having the full day starting at 10:00 a.m.

Mayor Lyles said I understand. I think a lot of this would depend on the management team pulling out the business items that would be important. I think that we could probably make that adjustment if we saw the need to, based upon what items would be on our Council agenda or Business meeting, but let's put that in the list and see where we can have some conversation and figure that out.

Ms. Kelly said yes, ma'am.

Ms. Mayfield said and the final question. Do we block out the time? So, we do have on here that January 21, 2024, until January 24, 2024, that's still going to be identified as our Annual Strategy Meeting would be, because normally the January 22, 2024, that Monday, would be our public forum, because we don't normally have a meeting on the fifth. Monday, which would be January 29, 2024, so we're not going to have a public forum on January 22, 2024, because January 22, 2024, Monday night, falls during the week of our Annual Strategy Meeting.

Ms. Kelly said well, the public forum is proposed to be January 8, 2024. We have to have a public forum sometime in January 2024. So, we'll look at those dates and see how we can break that out and make that happen, but there will be a public forum in January 2024.

Ms. Mayfield said okay. I'll follow up. Thank you, Ms. Kelly.

Ms. Kelly said yes, ma'am.

Mayor Lyles said I do know that our policy states the public forum on the fourth meeting. So, we'll just see. Alright, any other questions? We will have some time to review this.

Ms. Ajmera said yes. This is a lot of information. I might have some changes, and we can connect next week, so that I have an opportunity to review this. So, I'll reach out to you, Ms. Kelly and also [inaudible]. Thank you.

Ms. Kelly said sure.

Councilmember Winston said I have no bearing over this calendar whatsoever. The only suggestion I would, again hope you guys consider, is when you do have your Annual Council Strategy Meeting, that you really take time to do it together, and I would suggest that you spend that time away from this building doing it. It worked really well when we were able to, honestly even get out of the City and do it, and we benefitted through our terms, and where we we're not able to do that, we paid the price. So, I would encourage you to consider that time between January 21, 2024, and January 24, 2024, to really get out and get to a place where you guys can operate as unit and units in an effective manner. Thank you.

Mayor Lyles said thank you.

Marcus Jones, City Manager said so, thank you, Mayor and members of Council, and thank you, Ms. Kelly. So, just a couple things, and it may be stating some things that you've stated, Ms. Kelly, but it's been a good partnership with this. What we tried to do was learn from a lot that we discovered over this past year, and trying to concentrate meetings on Mondays, not only just, let's say the strategy session, but even some of the budget workshops, because we were having difficulties with attendance. So, we thought that if we moved everything to a Monday, there's this clarity, but there's one exception that we have, I think, straw votes on a Thursday as opposed to a Monday.

I totally agree with the Mayor Pro Tem about the Annual Strategy Meeting. We will talk with the Council members, and I think sometimes you get an Ad Hoc group together, Mayor, about getting away, being extremely intentional, especially around our Capital Improvement Plan and Infrastructure, and the CIP (Capital Investment Plan) and the Bonds, and you can eat up maybe a day just with that. One of the reasons we had the January 8, 2024 the way that it was, is because it is coming out of the holidays, and it

will be a few weeks since you have met, and we want to be careful, that while it's a very long day, it gives us a bit more prep time, because some of things that we would be talking about on the January 8, 2024 would include our strategies around safety, and some of the things that have been left in the committees up to that point. So, I just wanted to tag team with Ms. Kelly about some of the thought process around this.

Councilmember Bokhari said so I remember the thought process that went into figuring out how to repurpose the first Mondays of the month. I think it was a half successful experiment and half unsuccessful. I think the half of centralizing all of the [INAUDIBLE] we're all around on one day, I think makes a lot of sense for us, probably a little tough for staff given that it's on a Monday with the prep and stuff in the week before. I think what we still haven't figured out is how, when the full Council gathers that evening, the function of that meeting, because Mayor you've said it 100 times and it still hasn't taken hold, it's not supposed to be a read out, like we can do that in an email, and what we end up doing is getting an email read out and then someone reads it to us.

So, I think that if there's one major thing to rethink, it's that evening first Monday meeting. I still think there's value, but we've attempted for over a year and a half now to figure that out and it just hasn't worked. So, some suggestions of things to think about before we vote on this. Again, we're going to vote on that schedule, and it's going to be that I don't think that's the critical path to figuring this out, but I still think there's value to having the committees meet altogether in a day, but perhaps bringing that group together, almost as like a hybrid, it's one big committee for a couple topics. Maybe it's like, we go back and forth every other month. One month is, this is the major infrastructure investment, Infrastructure Strategy Committee, and then the next month, it's the Public Safety Committee. Some of the things that deserve all of our attention, they're once a month, it's the big committee meeting, where we all get down to some of the basics of what we're going to do.

When you think about infrastructure and public safety, we could go back and forth on that for the next year six times. So, it puts a little bit of a heavier burden on staff. I think the lesson learned from before, even in changing that is, it still can't be like a read out meeting. It's got to be a meeting that people do some offline work, maybe some committee stuff that happened earlier help input it, but we should all be reading the report outs of those committee read outs, and that's our update. I'd like to think we could figure out how to whiteboard and brainstorm and do something on those topics, where's it's one topic a month, and then it just rotates, but there's got to be some way, I think, where we structure how we come into that meeting, what we do in it, and what we take out of it. So, just some food for thought.

Mayor Lyles said I agree with you. I think that we've struggled with how do we share information that really helps build something that's stronger and bigger and better. As you've talked about this, one of things that I have thought about, is the idea of we choose the priorities that we are going to work on, and perhaps the committees are doing the legwork to make those things happen, but are we really doing an assessment that we have seen. So, perhaps this is kind of consistent with what you're saying, is that we actually take our priorities, and instead of it being a committee report out, which is supposed to be the work that we're doing, we talk about where are we want our priorities, what do we need, what are we missing, where is there a gap of things that we're doing, because so often we end up in a situation. I think open to any discussion, should be the idea of how to make better use of that time, because it is so much of, let's just read it through. We need more thinking. We need to have more opportunities to hear what other communities are doing. We need to hear from the people that really are in charge of administrating some of these programs, and saying is it working, do you see, what are we learning, and how do we adjust to what we can learn. So, I completely want to say this is an open place, but I have a lot of people that have.

Mr. Bokhari said just one follow-up before I close out. I agree with you, and I'll take another broken record from Mayor Pro Tem Winston over there. I think the other big magic thing in this is, we've got to structure it into policy outcomes, because it will be too dangerous for us to sit there and try to do staff's job. Mr. Manager, I think this is a

good exercise for you guys, as the leadership team, to go down and really come up with, if this is a board level policy designing group, that needs to have inputs around, let's say, two of our most important things, infrastructure and public safety. How would you structure that, so we're sitting down analyzing what policies are broken, what policies are missing, and we're doing that in a way where we're jumping light-years ahead, each one of those monthly sessions like that. We're not losing it in a way where only five people are doing it, and then we wait another month for another read out. That's why this has to be scoped perfectly to work, but maybe it could work.

Mr. Driggs said so I agree with that. I think it's actually useful if the chairs could provide for the full group a very short summary of what the topics were in their meeting. We talked about this, we talked about this, we talked about this, just for awareness, because it's actually, for me at least, a little hard to keep track of what's going on in the committees. That doesn't need to take much time. Otherwise, I just wanted to mention, we have a tendency during regular Council meetings to stray into discussions that are actually inappropriate on those occasions, and everybody then agrees, "Hey, we ought to have more time to talk to each other. We don't get to talk to each other." Then we get into that Monday night, and nothing particularly significant happens.

So, I think the idea that we're more intentional about what the topics are going to be on Monday night and not expect them to flow from the committee reports, makes a lot of sense. So, trees for example, Ms. Johnson, congestion, the ordinances, all of our public safety ordinances, the density conversation. There are these topics which we know are kind of out there somewhere, or the fact that we're getting so many petitions that are recommended for approval, and do not align with. So, there are a bunch of things we could talk about, but that has to be kind of programmed a little bit, and again, I think consistent with what was just said, so we understand in advance that there is going to be a topic of discussion identified from the conversations that we're having in meetings and from what's going on, and then there's a little bit of structure around that, like a memo or some suggestions, as to policy. I talked to Ms. Craig, for example, about the trees, and said, "Could you tell us what other cities are doing?" We don't have to wait to see the thing. We can start thinking now about what the tools are, at least, to manage those trees. So, I think I'm just in step with what's been said, but one of the benefits of that would be that we avoid those off topic or our conversations in other meetings, because the Zoning meeting should not be a policy forum. Thank you.

Mayor Lyles said thank you. I really think this is consistent with the idea of what are our strategic priorities and are we talking about them in a way that actually benefits change and policy development, so policy development is a key part of it.

Ms. Anderson said I absolutely agree that we can repurpose that first Monday meeting time to do something more intentional. I agree that we need more time to speak together, but I also feel like we need the opportunity to hear more outside voices. So, it's rare, and from a board perspective, we should have the opportunity to hear what best practices are, what other cities are doing who have gone through what we're going through as it relates to growth and infrastructure. We should bring subject matter experts in who are not necessarily from the city or the region, so we can learn from both their successes, but also mistakes. I think this would be a great time during that evening, centered as it relates to policy, in what we see out in front of us, if we bring some of those SMEs, those Subject Matter Expert voices to the table to help guide the shaping of the policy. I think that would be great food for thought, but we'll end up with a better answer overall as it relates to the policy that we stand up.

Ms. Watlington said I agree with Councilmember Bokhari's comments. To add to that, I think part of this discussion is about policy, part of it is about time management of strategic priorities, but I think there is an underlying conversation that we probably need to have, in terms of our identity as a board. We know that from an operations day-to-day standpoint, that we have professional staff that handles that, but I think there's an opportunity for us to consider ourselves as more of a working board, beyond just the advisory piece, because to the extent that these Monday meetings, that are planned in advance, that tie back to our strategic priorities, that connect to policy change, to the

extent that those can function as working sessions rather than hearing. That shouldn't be the first time we hear the information, because if it's going to be something substantial coming out of it, that requires some level of prep work, which may require one of us to take the lead on doing that investigation. So, I think that we could really make something of this, what I'm calling a work session. I think that it requires a more active role from each one of the Council members, so that when we get to the meeting, it's about the doing rather than the learning at the meeting. Thank you.

Councilmember Graham said I don't mean to be redundant, but I totally agree. When I looked at the Council Committee discussions, the first thing I wrote down is, is it even necessary, because it was really redundant of the meetings we had before, especially if there was a hot topic issue, we began to debate it at the committee meeting, then we redebated it again that afternoon, which led to confusion and chaos in some cases, and so is it even needed. So, I understand the brainstorming about how we can use the time, but I don't think we need to be meeting just to be meeting, unless there's a useful purpose for the time that we can come up with, and I don't we should have to create something just to say that we had to fill this time slot. Either there's a useful period for the time or there isn't. I think the committee discussions can rest on its own merit. A memo would do the same as an update, and for me, is how the Council utilizes our time for the next two years. Do we start on time? Do we have effective meetings that we operate as a high effective board? So, let's be effective and efficient, not only in terms of this particular category, Council committee discussions, but throughout the day and throughout the year, in terms of how do we make sure that we operate as a high-performing board, and that we manage our time in an effective and efficient manner. I think last year, we really struggled from my perspective, in terms of time management and being effective and efficient, and that's something that I hope that we can change as we move forward into a new Council and in a new program year for the next two years. So, is it even needed?

Mr. Winston said I would answer your question, Mr. Graham, it is needed, and I would agree with Mr. Bokhari and Ms. Watlington. I'll just give you my kind of insight, because I spent Mondays here most of all of those days. I think we need to commit to those meetings between the meetings, as Ms. Watlington was talking about. You can't rely on staff to do this work for a couple of reasons. First, those first Mondays are intense, and it's kind of all hands-on deck, everybody preparing everything from the beginning of the day to the end of the day, and what they're preparing is what guidance they've already received from Council. So, whatever has basically six votes or whatever policy direction that they've been given in the past.

So, what we're kind of talking about are the things are want to be working on, or how we want to be working on it. It's not really a job that staff can do, because they by nature, don't have those six voices telling them to do something. So, they can't figure it out for us. This has to be something that Council, as Ms. Watlington was getting at, however we decide to form and function and whether it's the committee chairs or whatever groups or the group, have to commit to talking to each other, figuring this out week to week. I will say, not even for that meeting after the meeting on the first Mondays, but for the work that goes into committees. Something that I noticed was that, at points in time, there wasn't actually a lot of policy work getting done in committees. There was a lot of information being presented, and therefore, that was kind of the problem when we came back to those evening sessions. We didn't have anything to give our colleagues for us to work on together so we can kind of critically think and come together.

So, I guess what I'm trying to say is that, however Council decides to parse out its leadership and the way to effectively communicate between the whole body of the 11, it's going to take a commitment between Mondays that that group of Council members is working together diplomatically to figure this out, and we've done this from time to time. Whether it be around arts, whether it be around SAFE (Safety and Accountability For Everyone) Charlotte, whether it be intergovernmental stuff that we've done, we have examples of it, but we need to kind of commit to it in our everyday work path. Like, Ms. Watlington said again, the form and function of this body has to be, I think, reclassified in a way that really does match the moment in time that we're at and we're heading to,

with the size and scope of work that needs to get done. Monday, I was a big skeptic on the first Mondays. It is a framework for something that can work well, but only if the 11 Council members are committed to figuring it out amongst themselves, how to bring this whole organization along with it. That's something we haven't done during this term with it, but it's new. It's a [inaudible] term, and you guys have a great opportunity to do something really great.

Mayor Lyles said I appreciate that. I think one of the biggest questions that we have is, we often work on projects and not policy and techs and not intent. So, things like that stand in our way. So, it might be even good for the Council Committee Chairs to go through, where are the policy documents for this? I mean, today we pulled up one and we're using it this afternoon or this evening, when we get there.

Ms. Mayfield said thank you, Mayor Pro Tem. You took some of the thoughts that I had regarding the policy discussion should happen in committee. I did hear and I support the idea, that Councilmember Anderson shared, regarding subject experts. I would say, for me, that will be in the committee, not in that broader, because that is one of the biggest challenges, the fact that we do not have the chance to come and talk together, when we are doing just this report out. I will also say that years ago, once upon a time, a long, long time ago, when I was around as a District Rep. I liked the fact that the Committee Chair and Vice Chair were in on every conversation, so that there was a clear understanding of what the expectations are. This year, a very short time period, it has felt more like just staff reporting out to us, and us not really being able to get into, okay, what is the policy language? So, looking at some of the work that we were doing in housing, I still can't go into community and tell them, yes, we started a conversation around tiny homes eight years ago, where are we today on it? We're talking about ADU (Accessory Dwelling Unit) and some other things, but we haven't specifically delved into how that can play out and what it looks like.

So, I think moving forward, and I know we only have one new Council member that will be sworn in in a couple of weeks, I still would like to make sure that before we collectively make a decision on this, that we include our newly elected Council member elect in this decision making, so that they can see this calendar as well and be able to have some input on this conversation. I definitely support the logic that I think we, individually and in small group, have had discussions about what we would like to see out of our committee discussions, and I think you're getting a chance to hear that now, as we're looking at this new calendar. So, it goes beyond just that first Monday and what it looks like. It's really how effective can we be when we're in these sessions, so that we are looking at policy. What do we have? What do we need to create? What do we need to adapt in order to address the goals? Thank you.

Mayor Lyles said I want you to know that I thought the expectation was the Chair and the Vice Chair met with the team or the staff. So, if it happens.

Ms. Mayfield said we can just clearly state that on the front-end.

Councilmember Johnson said I love this conversation when you talk about projects versus policies. It does feel that we are always given lots of information, and I think I've shared that with you, Mr. Jones, that we're presented with lots of information to the point where at the end of the meeting, there seems to be exacerbation when there's a discussion by Council. I think that Council should have opportunities to get into the weeds, and when you bring up these subjects, they are not considered inappropriate. When do we have those discussions? So, I think this is a great discussion, and if I peel back the layer just a little in our budget, we talked about bringing someone on full time as a liaison, maybe between the Council and staff. So, if we could get an update with that, that would help as we're completing projects. Ms. Mayfield, you talked about you had a discussion about tiny homes in 2018?

Ms. Mayfield said in 2017.

Ms. Johnson said okay. When I came on board, February 2020, I remember talking about the shipping containers. So, there's been lots of discussion. So, how are we closing those gaps? Another thing that we've talked about, and it went to committee in April of 2021, is allowing less than six members of Council to put something on the agenda, instead of having a vote before the vote. So, these are the kind of things that kind of get lost when we don't have time to come together and have discussions. So, I love this discussion. I like what Mr. Bokhari said. I think he gave some very concrete recommendations when he talked about safety and infrastructure. Those are two huge issues in our community, and if you go on any of our social media forums or hear from the public, that's what the public wants us to talk about. I know, Mayor, you and I had a discussion about safety discussions when we were talking about the new committees.

So, I agree with what Mr. Bokhari said, if we could come together as a working group and actually have some time to discuss policies and have some time to really get down in the weeds of those conversations and make changes. That's what our voters expect from us. So, thank you.

Councilmember Molina said I guess I've been here for awhile now, a year, which feels like an eternity. I guess what I've collected in the year, being a part of this body, and I've said it since I walked in the door, and I think a lot of the comments from my perspective lend itself to a capacity issue. A lot of what I see, as far as deliverables are concerned from a Council member perspective, we don't have the proper infrastructure as a Council body to really, in my opinion, carry out some of what we're talking about. One human being who, from a district perspective, has a responsibility potentially of 125,000 plus residents, and we all share a person with someone else. So, at any given moment, one human being and ourselves, we share that. So, some of this feels clerical, in addition to constituent relations, in addition to maintaining relationships in the community, in addition to now the conversation that sounds as though we should be immediately adept at what policy should be implemented from a city-wide perspective.

I've just never felt as though the offices are structured as offices. We are structured as humans who hold a lot, juggle a lot of balls, and we have for a very long time, in my opinion, made it look to the public that it's easy, and it is immensely hard to hold. You don't even have to be a mother with kids. You could be a single person with no children, and this is immensely hard. It is much harder if you've got children, male or female. So, before I say that we need to now do more, I think it, in my opinion, is time as a body to press pause and look comprehensively at this body and decide what it means to actually have a district in the 15th largest city in the country. How do we conduct business and how do we then start a policy discussion? How is there a continuum in, like some of the examples with some of the people who've been around longer, they say that they've discussed things at some point in the past, and then for some reason or another, those conversations have never continued, or they fell off or whatever the case. If we were conducted as offices, I think some of that would be minimized, not that it would disappear, because someone else would take this office and they would decide that something else would be important.

The turnover rate, we get one real year of governance, and then the next year is really about running for office again. In one year, I've run two campaigns. I had someone chew me out, literally, two weeks ago. They were like, "We can't get in contact with you, and da, da, da, da, da," and dare I go somewhere, and I post it on social media. That means that I must be galivanting, and I'm like, no actually, it was 50 other places that I went. I just didn't post that on social media, and I do that myself too. So, it's an immense amount for one human to hold to go to the next level, because it's, in my opinion, time for us to look at ourselves comprehensively in what it means to be a large city. One human with, like I said, especially from a district perspective, 125,000 people, we share someone. I share with Tariq Bokhari, one human being, who I have to look at my emails daily. My emails go with me. Then, at the same time, I've got to lend myself to the mental state and capacity that I need to hold the job.

So, if people could see kind of behind the scenes and all of the strings we've got to pull to make this job work. Then, the ones that maybe have lighter loads than others, can

actually be punctual, because there's no additional determinants. Like I said, before I say, let's be here every day, well that's not even the structure of governance that we have. We call ourselves part time. Right now, we're formulated as a part-time body, and people very happily tell me, "Oh, you're like full time," and I'm like but that's almost toxic. From my perspective, that's what I see, that's what I think, and I'd like to see us, before we run off and say that we need to now make it look even more structured without the proper infrastructure, I think we need to have an infrastructure conversation.

Mayor Lyles said thank you very much. We are going to have the one closed session in this room before we leave. There's a second one that we will have to do after the meeting, but we will need to do the one in this room before we go downstairs.

Ms. Ajmera said I have a couple of things. Councilmember Molina, thank you for acknowledging this job is difficult. I think it takes a lot of courage to say that. Whether you are a parent or not, this job is difficult, especially the decisions that we make. Every time you have to make a decision, it's tough, because you're bound to make someone upset, and you're bound to make someone happy. I do agree we do need more support, but I think that it's more to come. I'm sure we'll have discussion on that in coming weeks. There are couple of things that I was going through this calendar, and I highlighted. First, our budget sessions. If you look at the workshops, we had 1:00 p.m. to 5:00 p.m., and now that's been condensed to 2:00 p.m. to 5:00 p.m., which I'm fine with, but I think we have to be very mindful and focus on big topics, especially going into our budget cycle next year, focus on capital improvements, infrastructure, because I know that has been coming up for past several years, and not get caught up in the details. Otherwise, we won't be able to finish it in three hours, 2:00 p.m. to 5:00 p.m., because we have Council meeting that starts right at 5:00 p.m. So, I don't know if it's realistic, but I'm willing to give it a try, and if it doesn't work, we might have to revisit the schedule, if 2:00 p.m. to 5:00 p.m. budget workshop time is not enough. I am a half glass full person, so I'm willing to give it a try and see. We might be able to get in done in 2-1/2 hours, you never know, but I just want to set the realistic expectations going into this.

There was a second item that I have. When it comes to committee meetings, if the committee structure stays the same, I would like to have a little bit of breathing period in between committee meetings, because I have back-to-back committee meetings, budget, and then 2:00 p.m. Jobs and Economic Development. If we can have at least 30 minutes in between. Currently, there is scheduled 30 minutes, but that rarely happens. Lots of time, we are taking up entire two hours. So, if we can have just a little bit of breathing room, I think that would help, because there's so much information being just thrown at us. So, maybe 30 minutes in between committee meetings I think would help. There are few more things that I have, but I'll come back to that, because I know we are running out of time here, but those are the two items I would definitely like to see being addressed before this gets adopted. Thank you.

Mayor Lyles said please feel free to send in information that we should have your additional comments on this matter. We also can talk about this when we are at the Council Strategy Session as well. Some of these things, like how we're structured and how we choose to serve, we've talked about, and I think it's a matter of focus as well. So, thank you everyone for this opportunity to speak clearly, and your heart and head, to make this possible.

Ms. Ajmera said I just have one last thing. We have this council strategy meeting from January 21, 2024, to January 24, 2024. Does it start on Sunday?

Mr. Jones said much like we've done in the past, Sunday evening has been an opportunity to travel, to get there, to have a meal, so that you start bright and early on Monday morning.

Ms. Ajmera said so, do we know the location? The reason I ask, because I think we've got to be mindful of those who have infants and toddlers at home. So, got to be mindful

of the location where we have that meeting, so that we can travel back and take care of the babies at home, and that's all I have. Thank you.

Mayor Lyles said okay, thank you. Alright. I'm going to ask the City Attorney to help us with the closed session portion of this. Thank you, Madam Clerk.

ITEM NO. 5: CLOSED SESSION

Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, and carried unanimously to go into closed session to view a law enforcement recording pursuant to NCGS § 143.318.11 (a) (10).

The meeting was recessed at 6:16 p.m. for a closed session in Room 267.

BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, November 27, 2023, at 6:44 p.m. p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, Marjorie Molina, Victoria Watlington, and Braxton Winston II.

ABSENT: Councilmember James Mitchell

Mayor Lyles said thank you for your patience and consideration. This Council is working very hard on trying to take on a number of efforts and sometimes our timing isn't always exact as we would choose it to be, but we're grateful that you're attending our meeting tonight. I want to call the business meeting of the Charlotte City Council to order. This is our November 27, 2023, meeting. The City Council begins our meeting with an expression of inspiration. This is something to solemnize our work that we continue to work together and represent you with respect and dignity. So, tonight, I will ask Mayor Pro Tem, who is experiencing his last formal meeting, a business meeting, with us since he is going to run for another office. I would like to ask him to give his expressions.

INVOCATION AND PLEDGE

Councilmember Winston gave the Invocation and the Pledge of Allegiance to the Flag was led by all.

AWARDS AND RECOGNITION

Marcus Jones, City Manager said thank you, Mayor and members of Council. Tonight, we have a presentation that is long overdue, and I'd like to invite Ben Hitchings, who is a member of the American Planning Association Board of Directors. He's joined us to recognize the City and some of its efforts.

Ben Hitchings, APA said thanks so much, Mayor Lyles, Manager Jones, members of the Charlotte City Council. It's a pleasure to be with you this evening. I had a wonderful tour this afternoon of the City with the planning staff, with Alyson Craig and her team, and it was a delight to learn more about your beautiful City. My name is Ben Hitchings. I'm the Chair of the APA (American Planning Association) awards jury and a member of the American Planning Association's Board of Directors. The American Planning Association is an organization of nearly 40,000 planners across the country and around the globe, dedicated to creating great communities for all.

Every year, we present just four national awards to honor exceptional planning efforts across the country. One of them, the Burnham award, is presented for a comprehensive plan that advances the science and art of planning. The award honors America's most famous planner, Daniel Burnham, known among other things for his work on the 1909 Plan of Chicago. Burnham believed deeply in the power of planning to improve the lives of people in our communities. The Charlotte future 2040 Comprehensive Plan truly embodies this vision. Our awards jury noted that the Charlotte 2040 Plan is the product of extensive public outreach, which included innovative techniques ranging from the creation of board games to a TicTok challenge, to engage stakeholders, with more than 40 different outreach techniques used in all. The result was engagement with thousands of voices in the City, and a total of more than half a million interactions.

The Charlotte 2040 Plan is also the product of thoughtful technical analysis, with particular attention to understanding and addressing systemic inequities and the needs of the City's most vulnerable populations. The result is a vision rooted in advancing equitable growth for current and future generations in the City, a key challenge and opportunity for communities everywhere in the 21st century. The awards jury observed that the 2040 Plan is a modern plan, beautifully displayed online with a logical structure, well-considered strategies, and compelling presentation that reflects the voices, needs, and desires of the Charlotte community, but the plan is just the beginning. The Charlotte 2040 approach includes strong implementation techniques, including an anti-displacement strategy and other measures that are being operationalized through the preparation of a Unified Development Ordinance, 14 community area plans, and the work of a Neighborhood Equity and Stabilization Committee, an Equitable Development Commission, and a Community Benefits Task Force. An essential ingredient in this work, to realize the community's vision, is you the City Council, to help fuel implementation with your leadership, guidance, and resources.

We salute the collaborative efforts of the Charlotte community, working together to make the city a vibrant and equitable hub of commerce, culture, and community, and to develop a plan that we are proud to hold up as an example for other places across the country and around the globe to learn from and replicate. So, on behalf of the American Planning Association, it is my great pleasure to recognize the City of Charlotte, North Carolina, with our 2023 Daniel Burnham National Planning Award, for its Charlotte future 2040 Comprehensive Plan, and to present this recognition to the honorable Mayor Lyles.

Mayor Vi Lyles said thank you. I accept this award on behalf of the Charlotte City Council. Of course, I would like to say that it was a unanimous vote, but it wasn't. I'd like to say that sometimes those kinds of votes that are split are the best times that we can address what we need to do, because we have to come to some place that we will all agree. I also would like to say that we have one of the best teams in the country, and I appreciate your recognition of them, because we are provided the opportunity to work with a group that cares deeply about what's happening in this community, because most of them live here and they expect that they live just like the people, and our other residents. So, that in itself, is an important part of what creates the fabric of this community. I'd also like to recognize Mr. Winston, who really could probably quote the Unified Development Ordinance, if required to in a school event, but I would like to ask him to make a few remarks on his behalf, as this is his last Council meeting.

Councilmember Winston said thank you very much, Mayor Lyles, once again. First, I would like to thank staff for all of your work that you've done drafting this plan. It

provides us a roadmap for our future growth. I know oftentimes I say from this dais that the data is there, the data is there, but please let this be a representation. This award is the highest level of honor that a planning document can get by its national professional peers. This isn't somebody we hired to audit the report. These are folks who do this day in and day out, and honestly have no real interest in what's going on specifically in Charlotte. They're dealing with everything around the country. So, this is proof that the work that we've done is good work, and we should also thank the thousands of our residents who participated in the process, and thank you to City Council for adopting this important vision. This award serves as a reminder that by working together, we can overcome challenges, address disparities, and build a future where every community member's needs are not only heard, but prioritized. We're inspired by this recognition to continue our mission of a city that truly serves and uplifts all residents, especially when looking at how we grow and develop as a city. At this time, I would like to invite staff to please stand up, so we can recognize you as we accept this award.

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PUBLIC FORUM

Animal Care and Control

Raisa Tubay, 14307 Tapestry Woods said hello, Council. My name is Raisa. I am a volunteer and a foster for Animal Care and Control. Our group has attended many times now advocating for our City shelter, which is overcrowded and underfunded. As volunteers, we have hands on experience. We spend a lot of our free time walking and enriching dogs. We do anything possible for others to see what we see, that we have some amazing dogs in our community. Sadly, due to the amount of strays coming in lately, these amazing dogs get put on euthanasia list to make room for the new ones. Just last week, the shelter had an intake rate of 26 dogs per day. That's 26 new dogs per day for an already overcapacity shelter. This puts all of the dogs that we have cared for at risk. We have seen too many on their last day now. We just can't keep up.

As a foster, I try to take the dogs from the list to give them a chance. Nothing really beats seeing a dog from the list get adopted and pick a Christmas tree with his family as I saw over the weekend. I wish they all had this chance. We fosters had 125 dogs in our care as of November 6, 2023. That's 125 lives that would not be here had it not been for fosters, and although we have grown in numbers, we just can't keep up. The only way to keep up is for the shelter to be equipped with what it needs to handle this massive population growth. They need adequate space, they need adequate staffing, a department structural change, and funding for community programs. This is the only way for us to solve the problem now, and to have sustainable, lasting change for the future for all of the animals in our community. Thank you.

Liam Carrera, 14307 Tapestry Woods said hello, Council. My name is Liam, and I'm 10 years old. I've been the foster brother of all the dogs my mom has brought home, and though I've asked can we keep it more times than I can count, I understand that fostering saves lives and there are a lot of homeless dogs that need help. Dogs like our dog Luna. We lost her a few months ago. She was adopted from Animal Control 16 years ago at a time where the population of Charlotte was not what it is today. My mom always tells me the story of how Luna was adopted and returned as she was terrible on a leash, nippy and jumpy. My mom found her months later and adopted her into what would be her forever home. She went on to be the best dog and she was loved until the very end. It breaks my heart that dogs are not getting a chance, let alone two like Luna. The shelter is so overcrowded that a lot of good dogs don't have a fair chance to find a forever home. Often, the dogs that have been there for a few weeks are the first to go. They'll never get their chance of finding a loving family, and fosters like my mom who wants to help as many dogs as they can, but they can't keep up with the amount of dogs that come in. To keep up with the amount of homeless animals in our community, Animal Control is in desperate need for funding. A lot has changed in 16 years, and it's time for a bigger shelter, for more staff to care for the animals, and for other lifesaving

programs. This is the only way for real change for the animals in our community and to save some more lives. Thank you.

Jennifer Barthel, 2020 Chesterfield Avenue said good evening. I volunteer for Friends of Feral Felines. I'm also a foster at CMPD (Charlotte-Mecklenburg Police Department) Animal Care and Control. You've heard people come and speak over the past couple months about the need for a new shelter. I am here to talk about another way to lessen the burden at CMPD Animal Care and Control, and that is low-cost spay/neuter, and particularly low-cost TNR (Trap-Neuter-Return) for community cats. TNR involves fixing, vaccinating, and ear tipping community cats and then returning them to their territory. Community cats are cats who do not have owners. They live outside through no fault of their own and rely on human caregivers to survive. They may be friendly or feral, and it's estimated there are around 100,000 roaming or community cats in Charlotte. Without human intervention, feline populations can triple in the span of a year. Female cats can have up to three litters per year with an average of four kittens per litter. These kittens that are born and found outside are often taken to Animal Care and Control, which directly impacts the shelter's ability to provide services to other animals in need.

Through Friends of Feral Felines, I'm helping community members try and find resources for low-cost TNR appointments, which are very limited and cannot be found in the Charlotte area. Spay/neuter appointments at a regular vet can typically cost around \$450. Low-cost TNR should be around \$25 to \$50, but recently, if you can find an appointment, it's not uncommon to pay \$100 to \$150 per cat. Humane Society used to offer same-day appointments. They don't any longer. Animal Care and Control posts that they have a TNR program. I applied for TNR appointments in May 2023. I've never heard back. It's just very difficult for people to find appointments. So, I would ask that City Council please look at giving some kind of funding, either a grant or a line item in the budget, for low-cost spay/neuter and TNR surgeries. Thank you.

Cindy Campbell, 9616 Commons East Drive said thank you for the opportunity to speak this evening. On the City of Charlotte's homepage, there are six icons, the fourth is a paw, and underneath are the words pet adoption with the phrase, "Give a pet a loving home." Upon clicking that icon, one is routed to the City's Orphan Pet Care Division. Right now, there are five faces peering out from that page, if you dare to look. Wolf, Ferris, Dandelion, Crush and Sage are their names, shameless plug, they are available for adoption to kind and loving homes, but why? Why are they in the shelter in the first place? Why is there a need for a shelter? Let me first say, the caretakers, employees, and volunteers alike of our homeless friends, whether at the City shelter or many of the other overworked, at capacity rescue groups in Charlotte, deserve medals of honor for their daily acts of kindness and compassion to the vulnerable souls who have found themselves in need of good humans in our City.

I can only speak for myself, but I'm tired, I'm angry, I'm sad, I'm stressed, I'm heartbroken, and I find myself at a breaking point. Citizens are willingly exploiting fellow residents by not being part of a solution that starts with prevention. Spaying and neutering is the only way out of this situation. Most of us know the Albert Einstein definition of insanity. Doing the same thing over again and expecting different results. Charlotte and its residents are engaged in insanity. We are not a pet-friendly city. Having dog parks and breweries where one can take their dog, is not the definition of pet friendly. The missing ingredient is awareness, education, and free or low-cost resources for spay/neuter services. In 2023, this is inhumane and outright stupid for a city this size and allegedly so progressive, to not have spay/neuter information and resource access broadcast on all media platforms, buses, murals, billboards in Charlotte. I'll end with a nod to Bob Barker, who died earlier this year. "Please, be a responsible pet owner and spay or neuter your pet." Thank you.

Environmental Sustainability

Jerome Wagner, 110 Summerlake Drive SW, Concord said good evening and thank you for this opportunity to speak to you. My name is Jerome Wagner. I'm a retired

Environmental Engineer who's has been a climate activist for a decade. I lead a climate justice focused group, named 350 Charlotte, and I convene the SEAP (Strategic Energy Action Plan) Accountability Committee of the Charlotte-Mecklenburg climate leaders. The SEAP Accountability Committee has been active for two years at this point. Despite our principled and persistent effort, we have not been able to assure ourselves that the City will meet its near-term sustainability goal adopted during the summer of 2018 for carbon-free City buildings and City fleet by 2030. We went so far as to assert to you on June 7, 2023, that the City will not meet its 2030 sustainability goal. We asserted further that the shortfall from the approved goals would be significant. Our findings have not been rebutted by you on Council, nor by executive staff, nor by operational staff.

I'll state, at this time further, that the City is not implementing the detailed tactical approach and timelines identified in the Strategic Energy Action Plan, the SEAP. That plan was approved by the seated Council in December of 2018. The CMCL (Charlotte-Mecklenburg Climate Leaders) and Accountability Committee remain appreciative of the efforts being made by Sarah Hazel, her direct reports, and the City staff, who are working with them, but the thanks and appreciation stop there. As we approach the halfway point of this program, we echo and amplify the City's original sustainability goals. Further, we note that there are many in the City who value and prioritize the climate mitigation goals and activities I am referring to here. I assert that there has been very little real progress so far in terms of decarbonizing the City. In closing, I beg the Council to redouble attention and progress in this area during 2024. Good evening and thank you.

The Infusion Fund

Carla Aaron-Lopez, 1409 Fugue Court said good evening, Charlotte City Council, on this eve of my 40th birthday. I and my biggest collaborators, the Mint Museum and Charlotte is Creative, would like to express our gratitude for the opportunity fund, and let me tell you why. For three years, Local Street has given a diverse display of all of the different types of artists and creatives we have in Charlotte, and for the first time this year, just to go along with industry standards, I was able to not only pay each participating artist, but also participate in ethical practices, to where volunteers who worked hanging works of art for eight hours a day in a short amount of time period, were able to be compensated as well. As you continue forward, and hats change at the same time, I want you to think about moments like these, when City Council makes decisions like those that impact entire communities in the City of Charlotte.

When I first started Local Street in 2021, it was in response to the Black Lives Matter mural. I did not want those artists pigeonholed for performative action that has now disappeared on the street. Instead, I saw the entire communities of Charlotte, the diversity of Charlotte, come together. Year one, three days, we saw 1,000 residents, many of whom did not go to a museum ever. Year two, we saw that same amount on the opening night, 2,000 people in two weeks. This very last year, 1,000 people on opening night on a Sunday, 2,000 people during the course of one week. When we create collaborative actions, as such between individuals, local government, and major institutions, what we know is that in three years, over 5,000 people, majority from the black and brown communities, now know Charlotte. You're welcome. I appreciate you all.

Inclusion and Diversity in Charlotte

Izzat Saymeh, 4104 North Tryon Street said Good evening respected members of the Council. Good evening. Thank you for this forum. I am Izzat Saymeh, a proud Palestinian American, a local businessman and entrepreneur, a father, and a long time Charlotte resident. Can you hear me? Council, can you see me? We expect and demand our elected officials to hear us and see us. We expect you to lead. We expect you to lead in spite of any tough blowback, any political football being played, or political calculations, be the voice of the voiceless. Human lives and the safety of innocent citizens are supreme too, and supersede any other calculations and considerations. We

should not just parrot meaninglessly self-evident values, but rather implement them in our private and public lives.

Our community has sent over to the City Council, as well as the County Commissioners, a resolution denouncing Israeli genocide and supporting a just cause, the Palestinian cause. Have you taken a look at it? Have you? We need a commitment from you to truly consider passing it. Palestinians not only want to be free, but want to live in dignity as well. Four score years and many generations ago of suffocation, suffocating blockades, massacres, occupation, and stifling apartheid are more than enough. American weaponry, political cover has greenlighted Israeli bombing campaign, last six weeks, 15,000 innocent lives taken, 6,200 children. Do you have children? I do, 38,000 people injured. Speak up against atrocities and the genocide taking place today, 21st century. Please consider the resolution that's in your email box, ma'am.

Cease Fire in Gaza

Brian Kidd, 1327 Bexton Street said my name is Brian Kidd, and I am one of the newly elected Co-Chairs of the Charlotte Metro Democratic Socialists of America, and I'm here representing my chapter, but also joining the supporters of the Palestinian cause and calling on you to support a permanent ceasefire in the Israeli/Gaza conflict, and also condemn the genocidal actions of the Israeli government. After 50 days of conflict, it's clear that what Israel is doing is just a complete overreaction to the pain that they suffered on October 7, 2023. Over 10,000 civilians, I believe, I heard an even updated number, over 15,000 civilians, have been killed, tens of thousands more have been injured, and over hundreds of thousands have been displaced from their homes, and don't even know if they'll have a home to return to after the bombing stops.

I believe, as an American, we should've learned by now that bombing countries into the ground does not solve anything. We saw in Vietnam and Afghanistan, that the resistance of the people in those countries outlasted what damage we did to those countries, and in Libya and in Iraq, we saw that those bombings just led to an even worse decivilization, which led to even worse civilian deaths and terrorism in its wake. I think, as Americans, we should be pushing Israel to learn, not from repeating the same actions as us, but rather look to countries like the U.K., look to countries like Spain, which dealt with their separatist issues with the IRA (Irish Republican Army) and with ETA (Euskadi Ta Askatasuna), after learning after decades of conflict that diplomacy was the way to solve it, bringing them to the table, deciding to lay down arms and find an agreement that finally ends the cycles and cycles of conflicts that have just embittered the people of Palestine and Israel. Thank you.

Laith Shehadeh, 1236 Effingham Road said thank you to the Council and to the Mayor for listening to us today. My name is Laith Shehadeh. I am a 26-year-old resident of Charlotte, and I am a proud Palestinian American. My parents came to this country a year before I was born, escaping apartheid and a brutal occupation, and to search for the American Dream. Twenty-six years later, I like to think that I live that dream. I hold a Master's degree in Quantitative Finance, which allows me to work my dream job. I enjoy the freedom to travel and have the privilege to play soccer and spend my free time outside. My home is safe, free from the sounds of gunfire, bombs, and frequently military raids, but today, I want to share the story of my family, most of which who still live in Palestine and have very different life stories. For many generations, we have lived in a town called Urif. Just above the mountain facing Urif, is an Israeli Jewish only city, or what is referred to as a settlement, built on land that belongs to my family. Our land was stolen to build the settlement. Our land, which used to house thousands of olive trees and produce some of the world's richest olive oil, now houses hatred and extremism. What used to be a source of income for my family, is now stolen. These settlers, many of whom are Americans citizens, often descend onto our town in an effort to intimidate people, and more often than not, these settlers are armed and have killed family members and friends of mine. Recently, one of them was a relative by the name of [INAUDIBLE]. He had a wife, a young daughter also. He was shot in the back three times and died. [INAUDIBLE] stories, just one of those from my village, among many others, killed for the crime of being born Palestinians. Their aspirations and dreams

were shattered by those who couldn't find peace in the American Dream, but immigrated to a promise land far away in search of blood, driven by evil and racist antisemitic ideology called Zionism.

In the last few weeks, we have seen 20,000 more of these stories happen, and we ask the City Council to do what it can to intervene. My purpose of coming before all of you today, is to consider standing in the face of injustice and having the City of Charlotte take a stand against apartheid and genocide. Myself and many Charlotte residents, are here to ask you to stand on the right side of history and immediately issue a ceasefire resolution. Following other cities like Carrboro, North Carolina; Atlanta, Georgia; and Richmond, California, we ask the City Council to listen to its citizens. Thank you.

Mayor Lyles said If we are going to hear the speakers, then we can't hear everyone in the room at one time. So, I'd like for us to get the speakers through, and then of course, there is space in this building for you to have other remarks or additional meetings with each other.

Jibril Hough, 14408 Soldier Road said good evening. Like you said, I'm Jibril Hough. I'm here representing the Islamic Center of Charlotte, and one of about 30,000 Charlotte area Muslims. We are facing a humanitarian crisis and genocide in Gaza, a crisis that is not just confined to the Gaza Strip. We have people in Charlotte who have lost family members in Gaza due to the U.S./Israeli bombing. We live in a global village, a village that if you're Palestinian and/or Muslim, your life and concerns are not as valuable to most elected officials and political leaders. We are here tonight to say, the lives of Palestinians and Muslims deserve the same kind of respect that you give any other community. Most of you on Council have had some type of relationship with myself or other Muslims and Palestinians in the community of Charlotte. You visit our Masjid's. You received our votes, our money. We have shared Boards together. We have stood for justice together. Tonight, that justice must include us. It must include the Palestinians and Muslims. When our government and elected leaders turn their backs on us, we get genocide. Over 14,000, now 15,000, Palestinians have died in Gaza. Islamophobia is on the rise in America. Three Palestinian young men, Sunday night, were shot in Vermont, and this weekend one of our fellow community members who had signed up was harassed at his door, because the address is publically known if you're speaking here. We need to change that. It's been said that the hottest places in hell are reserved for those who, in times of great moral crisis, maintain their neutrality. Worse than that, I would say the hottest place is reserved for those who are not just neutral but support the moral crisis. We must fight this racism designed as islamophobia. We must free Palestine.

Parker Demos, 2606 Kenmore Avenue said my name is Parker Demos. I would like underscoring what I'm about to say. I want it to be known that the person who was just skipped, was the person who was harassed last night, right, okay. What grounds this resolution we have proposed, which has been brought forth by constituents of Mecklenburg County, and is being considered by our City Council, is an ethic rooted in community, solidarity, and love. The call for Palestinian liberation and sovereignty echoes around the world. I have never, in my life, seen such consistent and widespread global direct action and international solidarity. The message is clear. The people of this world reject the dying clutches of imperialism. We know that is a world after imperialism. Imperialism is an unsustainable failed project. We know there is a world after this genocide. Palestine will be free. Palestinian children, who play under the cool shades of olive trees, will be free. Palestinian women and men who are human beings, who are sensitive, who are not barbaric, they deserve social mobility, full citizenship, and reparations from the decades of apartheid violence at the hands of the failed, racist, genocidal, Zionist state of Israel, a country which is younger than my living grandma.

In the coming generation, Palestinian bloodlines will heal, thrive, and have full autonomy over their own futures and destinies. Palestine will be free. Two jurisdictions in this country, and I'm hearing more, have already passed statements in solidarity with Palestine. What a beautiful opportunity we have in Charlotte to contribute to this

movement. To everyone on this Council, we are reaching out to you in peace and in partnership. This is the right thing to do guys. This is the right thing to do. Your community believes in you. Finally, to my Palestinian and Palestinian American friends and allies, you are loved. You will see justice. You will decide your own justice. From the river to the sea, Palestine will be free. Thank you.

Youssef Houissa, 1115 Campus Point Court said my name is Youssef Houissa. I'm here to share my thoughts on the objective truth that any and all people have the right to life, liberty, and the pursuit of happiness. This isn't just a belief, and I refer to it as an objective truth, because any person not devoid of humanity, would agree with these words so impactful that they are enshrined in our nation's Declaration of Independence. Our country holds these values dear, in theory, as does the overwhelming majority of the world, as evidenced by the passage of the UNs (United Nations) Declaration of Human Rights, a vote wherein the United States voted yes. Similarly, I ask this Council to support a simple call for a permanent and lasting end to the violence in occupied Palestine, a nation under siege and devastation from an oppressive force who seeks only to use its assets to subjugate and exterminate others in the interest of expansion, similar to what brought the United States into World War II.

It is patently unAmerican to support these acts of terror and the Federal Government, in so doing, has demonstrated how far out of touch it is with the people. Only fringe elements of our society support the genocide being carried out in another. In fact, evidenced by my being accosted and threatened in my own home last night. This is the Police Report, and this is your fault. A man crossed the threshold into a space I should expect safety, and seeking to do me harm. The cancerous ideologies allowing for genocide are no longer just foreign, but are as deep rooted in this country as Islamophobia has shown to be. So, I ask you Council, do you aid and abet these acts? In the same way I have a right to free speech under our constitution, the people of Palestine have the right to freedom and self-governance under both international law and the law of civility. I ask this body to support peace, to support prosperity, to oppose hatred. Don't be like the soldiers who mercilessly slaughter children. Don't be like the man who tried to intimidate me out of making this statement. Represent the beautiful and diverse people you were elected and ordered to represent and call for peace. You serve at our pleasure. You do not dictate our opinion. Do your jobs or we will soon sit in those seats. Thank you, Council.

Ibrahim El Hedok, 541 Lex Drive said good evening, Council members. My name is Ibrahim, and I am concerned resident whose grandfather is a survivor of the 1948 Nakba from Northern Palestine. My grandfather tells us the story where he had to flee with his family from Israel's malicious terrorism as they embarked on their fishing boat toward Southern Lebanon and where they're never allowed to go back. In the current invasion of Gaza, UN has described it as the worst ever humanitarian crisis they have witnessed. Usually, in classifying genocide scholars scramble to prove the motive, while for Gaza, Israel has made it clear in their own statements, to "mow the lawn," and justify killing "animals." Benjamin Netanyahu, himself, invoked the biblical reference of the Amalek from Deuteronomy 25, which continues to read, "Now go attack the Amalekites. Put to death men, woman, and children." I'm trying to understand why people could be hesitant to see it for what it is.

Indeed, if we take a look at history, at the injustices that have happened, we see why people have stayed silent for a long time. To name a few of these injustices, slavery, South Africa's apartheid, Jim Crow, the Holocaust, the Vietnam War, and so many more. Do you ever wonder at that time, how did mainstream public address these situations. Were they reluctant? Were they unsure what to say, or they just deferred it as completely complicated? Here comes today, and we abhorrently view this as a human right violations, atrocities, war crimes, genocides. It's easier for us to look back at history and judge it with a clean slate when it's all said and done. Only the courageous ones stand up and call for [inaudible]. This is the case of the Palestinians plight for freedom from Israeli occupation for over 75 years. City Council members, please don't underestimate the action you take in standing up for justice. Thank you.

Katie Gunzenhauser, 9709 Campus Walk Lane said hello, good evening. My name is Katie Gunzenhauser, and I have been a citizen of Charlotte for five years. Like many of you, I love this City. I love the trees, the people, the Charlotte's Got A Lot slogan, and the potential [inaudible]. In the past, when I imagined speaking in front of all of you, I never thought I would have to come here with such a heavy heart and a very simple request. I am taking the podium tonight to urge each of you to read the statement that people have written, and to make a statement and take action in solidarity with Palestinians. Our government, built on the promise ideology of freedom and prosperity for all, is neglecting and obliterating the rights and livelihoods of millions of Palestinians at our big age in 2023.

As a public health professional, I am deeply disturbed to see what is happening and what our country's continual weaponization of our economic and social power, to uproot the lives of millions and Palestinians. Since October 7, 2023, the Biden's Administration's drastic, devastating, and quite frankly, illogical response to the siege on Gaza, has made me find myself not asking for you to do anything, but simply stand. I urge you to stand in solidarity with us, with our people facing a world no one deserves, and to write and share this resolution stating these claims. By failing to do this, you are complicit in genocide and in stealing the rights of human safety, health, and home, that all of us deserve. To not do this is to fail me, to fail our Charlotte citizens who truly believe in equality. To not do this is to condone the massacre of people, who just like us, are passionate about their jobs, about their educations, about their communities and their families. Thank you all so much. I believe in you. Have a good evening.

Samar El Hedok, 541 Lex Drive said good evening. My name is Samar El Hedok. I'm American with a Palestinian and Lebanese heritage. My great grandfather had to flee from his own home because of the Israelis in 1948. I'm a 12-year-old girl and I'm here to advocate for a ceasefire in Gaza. I'm advocating for a word I didn't even know the meaning of until now. I'm here to speak up for children like me who are being killed in Gaza every single day. I'm hurt by the images and videos of men, women, and children's bodies scattered across the streets and under buildings. I can't imagine that Palestinians are living without water, food, medication, electricity, and proper shelter, while it's a basic necessity for every human being. I can't imagine that while I'm talking, a child dies, and another could be killed in the next 10 minutes. Thankfully, there is a pause at the moment. I can't imagine that my country is funding for the killing of a whole nation. This needs to stop now. Call for a ceasefire permanently. Free Palestine.

Mayor Lyles said that concludes our public forum for this evening. So, we have heard you, and thank you for just being as respectful as you've been. I appreciate that very much. I apologize for not always, but there's a lot of paper up here. I want to especially recognize that we understand that this is an effort that we are paying attention to, and so appreciate what you've done and said. So, that concludes our presentation from the public forum. Again, as I say, please be careful as you leave the chamber, if you choose to leave this chamber, but you're welcome to stay for the remaining portion of our agenda tonight. Thank you very much.

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PUBLIC HEARING

ITEM NO. 7: PUBLIC HEARING AND DECISION ON A RESOLUTION TO CLOSE A PORTION OF ALLEYWAY OFF ROLAND STREET

Mayor Lyles declared the hearing open.

<p>There being no speakers, either for or against, a motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, and carried unanimously to (A) Close the public hearing, and (B) Adopt a resolution and close a Portion of Alleyway off Roland Street.</p>

The resolution is recorded in full in Resolution Book 54, at Page(s) 702-705.

ITEM NO. 8: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF PARAGON DRIVE

Mayor Lyles declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Driggs, seconded by Councilmember Anderson, and carried unanimously to (A) Close the public hearing, and (B) Adopt a resolution and close a Portion of Paragon Drive.

The resolution is recorded in full in Resolution Book 54, at Page(s) 706-709.

ITEM NO. 9: PUBLIC HEARING ON THE QUESTION OF ADOPTION OF AN ORDINANCE FOR THE PROPERTY KNOWN AS THE "SAVONA MILL" (PARCEL IDENTIFICATION NUMBER 071-114-17) AS A HISTORIC LANDMARK DESIGNATION

Mayor Lyles declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Bokhari, seconded by Councilmember Molina, and carried unanimously to (A) Close the public hearing, and (B) Adopt Ordinance 668-X with an effective date of November 27, 2023, designating the property known as the "Savona Mill" (parcel identification number 071-114-17) as a historic landmark.

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

Scott Reid, Rscott@portmanholdings.com

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 453-461.

ITEM NO. 10: PUBLIC HEARING ON THE QUESTION OF ADOPTION OF AN ORDINANCE FOR THE PROPERTY KNOWN AS THE "WYCHE-DOBSON-MCCOY HOUSE" (PARCEL IDENTIFICATION NUMBER 080-102-08) AS A HISTORIC LANDMARK DESIGNATION

Mayor Lyles declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Mayfield, seconded by Councilmember Molina, and carried unanimously to (A) Close the public hearing, and (B) Adopt an ordinance with an effective date of November 27, 2023, designating the property known as the "Wyche-Dobson-McCoy House" (parcel identification number 080-102-08) as a historic landmark.

Mayor Lyles said I have to say that I think one of the daughters of the Wyche House actually works for the clinic on Wilkinson Boulevard.

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

Joyce A. Zimmerman-McCoy

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 462-466.

BUSINESS

ITEM NO. 12: EXTENSION OF OPTION TO GROUND LEASE FOR AFFORDABLE HOUSING

Mayor Lyles said we will be pulling this item from the agenda, Mr. Jones. So, we will not take a vote on Item 12. We will be coming back with that when the Manager is prepared for approval or adoption.

ITEM NO. 13: PROPERTY TRANSACTION RELATED TO HAMBRIGHT PARK AND RIDE

Motion was made by Councilmember Driggs, seconded by Councilmember Anderson, and carried unanimously to (A) Approve payment to the North Carolina Department of Transportation for removal of a Deed Restriction (a property interest), in the amount of \$141,450, and (B) Adopt Budget Ordinance 670-X appropriating \$141,450 from Beltway 77 Phase I Owner, LLC to the CATS Capital Projects Fund.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 467.

ITEM NO. 14: INDEPENDENCE BOULEVARD BUSWAY RESTORATION PROJECT

Motion was made by Councilmember Molina, and seconded by Councilmember Ajmera, to (A) Adopt a resolution authorizing the City Manager to negotiate and execute an amendment for \$950,000 to the Municipal Agreement with the North Carolina Department of Transportation for the design and construction of the busway entrance and exit on Independence Boulevard to cover the updated project cost, and (B) Adopt Budget Ordinance 671-X appropriating an additional \$950,000 from the CATS Revenue Reserve Fund to the CATS Capital Projects Fund for the Independence Boulevard Busway restoration project.

Mayor Lyles said I would like to say that Mr. Driggs and I were with the MTC (Metropolitan Transit Commission) when they voted unanimously to recommend this. It is particularly important as we talk about the Far East and the ability to get to the Center City.

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

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 468.

The resolution is recorded in full in Resolution Book 54, at Page(s) 710-711.

ITEM NO. 15: EASTLAND PROPERTY TRANSFER TO MECKLENBURG COUNTY

Motion was made by Councilmember Molina, seconded by Councilmember Graham, and carried unanimously to (A) Adopt a resolution approving the transfer of approximately 4.5 acres of city-owned property (a portion of parcel identification number 103-041-99) to Mecklenburg County for use as a public park, and (B) Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete the transaction as authorized.

The resolution is recorded in full in Resolution Book 54, at Page(s) 712-713.

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ITEM NO. 16: SALE OF CITY-OWNED LAND FOR WEST BOULEVARD/REMOUNT REDEVELOPMENT

Motion was made by Councilmember Watlington, and seconded by Councilmember Bokhari to (A) Adopt a resolution approving the sale of 0.7 acres of city-owned property at 1527, 1537, and 1541 West Boulevard (parcel identification numbers 119-033-40, 119-033-41, and 119-033-42) to Lambert Commercial Real Estate LLC for \$500,000, (B) Authorize the City Manager to negotiate and execute all documents necessary to complete the sale of the property, and (C) Adopt Budget Ordinance 672-X appropriating \$500,000 from Lambert Commercial Real Estate LLC to the General Capital Projects Fund.

Councilmember Watlington said I won't belabor the point, but I did just want to recognize Lambert Commercial and [inaudible] and the rest of our Economic Development Staff for the work that they did on coming to this so mutually beneficial Community Benefit Agreements with the community on this one without a rezoning. That really wasn't a required conversation. So, I'm immensely appreciative of the work that they've done to get to a place where the community can feel comfortable that what we've done here will be supportive of the playbook.

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

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 469.

The resolution is recorded in full in Resolution Book 54, at Page(s) 714-715.

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ITEM NO. 5: CLOSED SESSION

Mayor Lyles said alright, the next item that we have is to go back into closed session. So, Mr. Baker, we have two items, I think, total.

Patrick Baker, City Attorney said that's correct, Madam Mayor.

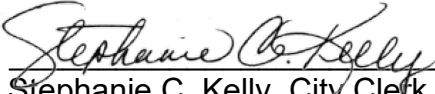
Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs and carried unanimously to go into closed session pursuant to NC General Statute § 143.318.11 (a) (3), and to view a law enforcement recording pursuant to NC General Statute § 143.318.11 (a) (10).

The meeting was recess at 7:43 p.m. to move to CH-14 for a closed session.

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ADJOURNMENT

The meeting adjourned at 8:25 p.m. at the conclusion of the last closed session.


Stephanie C. Kelly, City Clerk MMC, NCCMC

Length of Meeting: 2 Hours, 15 Minutes
Minutes completed: September 16, 2024