

The City Council of the City of Charlotte, North Carolina convened for Committee Discussions on Monday, February 5, 2024, at 6:02 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Danté Anderson presiding. Council members present were Dimple Ajmera, Tariq Bokhari, Tiawana Brown, Ed Driggs, Malcolm Graham, Lawana Mayfield, Marjorie Molina, and Victoria Watlington.

**ABSENT:** Mayor Vi Lyles, Councilmembers Renee Johnson, and James Mitchell

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## ITEM NO. 1: COUNCIL COMMITTEE DISCUSSIONS

**Mayor Pro Tem Anderson** said okay, good evening, everyone. We are going to bring this meeting to order. Today is Monday, February 5, 2024. The Mayor is traveling, and so I'm going to preside over the meeting this evening. We'll start with introductions.

So, as you all know, today was our full day of committee meetings, and as we agreed as a full Council, we are going to begin to use this first Monday of the month meeting a little bit differently than we had over last term. So, today, we're going to have a truncated overview from our committee chairs around the most salient, important topics that came up, and then we're going to spend some time talking about one of the key topics that is top of mind for us that we'll be voting on in the future, potentially next week, which is our quality-of-life ordinances. So, first, I want to kick it off, and I'll start at the top of the morning with Mr. Driggs with the Transportation and Planning Committee.

**Councilmember Driggs** said the members of the Transportation Planning and Development Committee are myself, as chair; Ms. Molina as Vice Chair; and Councilmembers Graham, Johnson and Watlington. We had three topics of conversation. One was an update on CATS (Charlotte Area Transit System), where we heard that the ongoing remediation process at CATS continues, no big breakthrough news there. The FTA (Federal Transit Administration) review is near completion, so we expect to get that report from the feds in the near term, and the transition to the new bus management service is occurring right now. It's going on over the next couple of weeks. There was a question raised in committee about the status of the repairs to the trucks, and this is part of what we were told already about the process of remediation of issues at CATS. Basically, those are being sent out, and I think Mr. Cagle if you're here, perhaps you could give us just a quick highlight on that one.

**Brent Cagle, Interim CATS CEO** said yes, sir. Brent Cagle, Interim CEO (Chief Executive Officer) for CATS. Good evening, everyone. So, there were questions about the status of, what we call, the Truck Maintenance Contract. Trucks are the wheel assemblies on a train. There are three sets of trucks per light rail vehicle. So, we entered into a contract in July 2023. First, we sought approval from City Council in April of 2023 to amend an existing contract with Siemens, entered into that contract with Siemens in July 2023, to conduct truck overhaul maintenance on all of the fleet. As we were working through this with Siemens, we also added a new technology system, which will be the first implemented such system in the United States for light rail vehicles. This technology system is implemented across the world, just not in the United States yet. So, we view the contract as a win for Charlotte, as well as for all of our passengers. Total value on the contract is \$58.6 million. That contract, again, covers the entire fleet plus the technology system, and it meets our heavy maintenance or truck maintenance needs well into 2028.

By working with Siemens, we also expedited the contract. We were able to cut approximately 2½ years off of the estimated delivery of all of this work by working with Siemens to expedite the work. The primary way that they are expediting the work is, they have opened a second shop in Florida. Prior to this, all of the trucks went to California for service, and now they will split between California and Florida for service, Florida representing a much shorter travel time.

So, where are we today? All of those contracts are in place. It did take Siemens a little bit to stand up to shop to make-ready purchase the necessary equipment to do the maintenance and set it up in Florida. That is completed. As of today, the cash spend on the contract is \$22 million, and by April of 2024, we expect to have received 10 truck sets back. So, that's 30 total trucks. A truck set is the three trucks required per light rail vehicle. As well, Siemens is starting to install the technology system on vehicles. Once they install one set, or the technology system on one vehicle, we will start the beta testing with Siemens, with the expectation that the full fleet will be outfitted with the new technology system over the next 12 months. Again, I will note, this puts us in a much better position to ensure that we do not end up behind on maintenance again, and it's all well within budget and has been accounted for in our reserves as it's being paid for.

Mr. Driggs said thank you, Mr. Cagle. Within budget meaning that, because of the underinvestment in maintenance in the past, there were funds available at CATS to pay for this activity, so we're not actually incurring new commitments, as a result of that. The technology, just to explain, was a monitoring system for bearings, which would basically give us real-time indications of the health of the bearings, meaning not only that the risk of any failure of those wheel assemblies is reduced, but we're able to schedule maintenance on a more dynamic basis, like in your car when it tells you, okay, it's time. It's not a rigid schedule, and that could give rise to more efficiency. So, is that a reasonable description?

Mr. Cagle said that is exactly right. The new system is a predictive maintenance system and allows us to better plan that.

Mr. Driggs said yes, okay. Thank you, Mr. Cagle. So, another topic we talked about in committee today was the referral the Council made to our Planning people about the N1 low-density development, and basically the duplexes and triplexes, what the mix should be, and so on. Essentially, what Ms. Craig told us was that they were studying, in particular, five acre and larger sites, because those are ones that are subdivisions where you start to get into streets and things. So, that's their particular focus. A recommendation was that she consult with the UDO (Unified Development Ordinance) Advisory Group, with that mix of people, and develop a proposal to bring back to us based on her conversation with them. So, I think that's where that's going, but what did happen in committee was a pretty lively discussion around, what about locations smaller than five acres, because a lot of the feedback we've been getting relates to development that's happening by-right in those? So, we asked that she interpret that referral that she got to include less than five acres, since we didn't specify in the referral what it was going to be.

We also got a mobility update from Ed McKinney, talking about the way the projects that we've identified, 2,000 projects we've identified mobility, are now being shaped into 16 different districts and into a prioritization scheme in order to develop further. I suggested to him in the meeting that it would be helpful to me, and maybe all of us, if we could get a more comprehensive framework of the Connect Beyond, our Strategic Mobility Plan, this newest plan, so that we all understand what the interdependence is, I guess. We're going to need some revenue source, hopefully next year. So, how does that inform the work that Ed's doing? So, I think you understood that, and we expect to hear back from you about that, Ed, thank you, and that's it for transportation. Does any committee member want to add something?

Mayor Pro Tem Anderson said thank you, Mr. Driggs, and I wanted to say thank you to Mr. Cagle for pulling together this information, because we asked him to do that today. So, very quick turnaround.

**Councilmember Ajmera** said Mr. Driggs. From the Planning staff, what you're looking at is five and above, so I didn't catch, what was the plan for development for five acres and below?

Mr. Driggs said so, essentially, what the committee said to Ms. Craig was, everything you said about five and above is fine, but we want you to think about five and below,

because that's a real issue for us. So, the subdivision context that she was looking at is one thing, but these smaller sites and the juxtaposition of certain types of development, is another. So, she just said that she would work on that, and we'll hear back from her.

Ms. Ajmera said so, were there any recommendations from Ms. Craig on development of five acres and up?

Mr. Driggs said and below now. Based on the committee meeting today, and our request, she's going to look at the issues. She said they're kind of different. So, she's going to work on the five acres and above as a sort of subdivision topic, but then think about also the feedback she got from us on the smaller sites, which is where a lot of the pushback we're getting is coming from.

Ms. Ajmera said got it. Okay, so we'll get more info on that?

Mr. Driggs said we will. She'll follow up.

Ms. Ajmera said okay, so there are no recommendations as of right now?

Mr. Driggs said no. I think the next thing will be for her to talk to the UDO Advisory Committee and shape up her thinking on some of these things, because what she did point out is it starts to branch out as you work on this. You realize that you're now tripping over trees and other subjects. It's not actually that simple. She did mention to us that she would be following up separately on, for example, the trees question.

Ms. Ajmera said oh, okay. So, second item you had brought up was a mobility plan and 16 zones. I didn't quite follow that.

Mr. Driggs said well, we got teased with this a little bit during the retreat, but basically there are now 16 development areas that have been identified on the City map with sort of special needs in each location around the whole City, and the idea is now to take all of these projects that we have, the 2,000 ones, assign them to those geographies, look at the local needs, and think on a data-drive basis, taking into account safety, traffic flow, and issues like that, what our process would be for prioritizing within each of those.

Ms. Ajmera said got it. So, do we have a list of those 16 that would be part of the Strategic Mobility Plan booklet? Do we have those 16 areas? It's in the Strategic Mobility Plan.

Mr. Driggs said well, maybe the Manager can come in on that.

**Marcus Jones, City Manager** said Councilmember Ajmera, as we were trying to do as few presentations as possible at the Annual Strategy Meeting, one of the things we kicked ourselves with is maybe we should have gone a little bit more in depth with these 16 strategic investment areas. So, what Ed was able to do today, was to tease a little bit. So, what we were going to do is just put it in your packet on Thursday, but we wanted to give you some context first today, and so we'll give you more information around those areas, but what Ed tried to do today was just to show you that they existed, over 2,000 projects, down to these 16 areas, and if you start to think about what we're doing in the Corridors, add another six to those, and think about all that goes in to building these areas. Some of it's infrastructure, some of it's business development. So, we would take that in, and that's what Mr. Driggs was trying to say, these geographies are not all the same.

Mr. Driggs said I thought I did say that. So, two other things, if I may quickly. Ms. Craig pointed out to us that one of their considerations in this was these targeted growth areas. So, it wasn't clear to me at least in the meeting, that those areas had been identified by Council or agreed by Council, or that the criteria for defining them. So, I just suggested to her that if that was going to be a metric that they use, maybe we should know what it is, because it's not in our plan right now. The other thing we talked about was the ETJ (Extraterritorial Jurisdiction), and how our process affects the ETJ areas,

because we've been hearing from those. What I explained in the committee was that the ETJ falls under our jurisdiction pursuant to an interlocal agreement. So, that if people in the ETJ feel that they're not represented, they can talk to their County Commissioner and just say, look, you guys made the deal with the City, so please talk to them about the concerns that we have. They're in a special situation. So, I think that was it.

Ms. Ajmera said I will have more questions. I just need to look at the 16 areas. So, once we have those, I'm sure Council will have a say in how certain projects are prioritized. So, that will be part of the next step, I guess.

Mr. Driggs said I did warn Mr. McKinney he's going to get a call from each Council member, so each district person, and to fasten his seatbelt.

Ms. Ajmera said that's right. Okay, thank you.

Mayor Pro Tem Anderson said absolutely. Some more to come on Thursday in the packets with that information.

**Councilmember Bokhari** said Mr. Manager, from our takeaway at the retreat, are we on track for a February 2024 vote by Council, again, not the Council votes, but for us to be more locked into specific items in our appetite like the Silver Line?

Mr. Jones said so, thank you, Mr. Bokhari. I would say that two things. I don't know if it's February 2024, but we're definitely on track, and let me tell you why. So, there were a few referrals that came out on Thursday from the Mayor, one of which went to the TAP (Transportation Action Plan) Committee, that they began a bit of a discussion today around the projects. Then, there's a workgroup that's going to talk a bit about, and I don't know the best to say it, is how do you take those projects, look at what's in the Strategic Mobility Plan, what's in the 2030 Plan from CATS, and have something that is related to the City of Charlotte? So, all I'm asking is that I think we're saying the same thing, but you're saying you want it now.

Mr. Bokhari said all that sounds great. I would encourage you guys to go back and relisten to our discussion as a group, and what we voted on, which was, in February 2024, we would bring forth whatever critical strategic-level questions that we've never voted on as a body, and we will go down that path, and the one I then clarified after was, is the Silver Line something we are willing to table or not, because either one is a fine answer, it's just that it means two different things, and we've never addressed it as a group.

Mr. Jones said sure, and I'll take another crack at it, which I thought we were aligned, is that the prioritization of the projects related to rail is up to the MTC (Metropolitan Transit Commission).

Mr. Bokhari said yes, but what we discussed, again, we don't need to rehash it all. I would request you and your leaders go back and relisten to exactly what we said and agreed upon as a group. I think if you do that, you'll see, we said something very specific that did not overrule the MTC. It did not say, this is what we're going to do. It said, for Charlotte, one of multiple bodies that's part of the MTC, this is what we are willing or not willing to do.

Mr. Jones said we'll take a listen.

Mr. Bokhari said thank you.

Mayor Pro Tem Anderson said okay, alright, thank you, Mr. Driggs. We'll move on to Mr. Graham and the Economic Development Committee.

**Councilmember Graham** said thank you, Madam Mayor Pro Tem. The committee met, as all committees did today. Vice Chairman Mitchell, Bokhari, Driggs, and Molina. We

had three agenda items. As all committees did, we went over our performance management framework that we discussed at the retreat. This was a carryover discussion. I think the committee and the staff is aligned on those recommendations that came out. That was just for information only. The bulk of our meeting today was really centered around the impact of Uptown vacancies. This topic was introduced to the committee at our January 2024 meeting. This was a part two version of that. Just for a summary, this was a policy referral to the committee to conduct a comprehensive review of other cities to review initiatives underway, develop a framework for strategy policies on how the City might participate, and to propose for consideration of fellow City Council any recommended strategies and/or policies. So, that was the charge that the committee was given.

Today's meeting was, as I said, a part two of a discussion that started last month. Uptown vacancy, and vacancy in general, is not a topic just for Charlotte. It's something that we are facing nationwide. I refer everyone to a 60-Minute piece that was done on the topic, I guess about in January 2024 as well, and I'll make sure that Trent and I get it out to all the committee members. I think you'll really get a great understanding of the issue that we're confronting. For an example, just vacancy in Charlotte, the airport, there's 25 percent vacancy up there; Ballantyne, there's about 28 percent vacancy; University City about 35 percent vacancy. As for Uptown Charlotte, there's 940 total floors in Uptown Charlotte, 165 half full floors available, 22 sublease floors are available, five assets have 50 percent of available full floors, and 31 percent of all full floors available are within nonowner occupied buildings. So, obviously there is an issue that we're confronting in Uptown Charlotte.

Today, we heard from Center City Partners. They had a design competition, and they kind of gave us their perspective of the work that they're doing in reference to Uptown vacancies. They illustrated and gave an example of a number of projects based on their design competition, of things we can do for Uptown conversions, apartments, schools, a wide variety of other options that could be available, retail opportunities, etc., etc. One in particular that we discussed was the Brooklyn and Church property, which was a design winner, as well as in close proximity to Panther Stadium and is the old Duke Energy original building, that are going through a process of conversion with a proposal that they're looking at trying to see if they can make come to reality. That particular conversion talks about workforce development, programmatic funding and partnership, environmental, [inaudible], community space, housing.

So, we took a look at that with some questions that we asked the committee to ponder. One is, was there an appetite for public investment and public and church? If so, what type of benefit would you like to see, and is Tax Increment Grant, or a TIG, a potential tool? We had a robust discussion. I think we all were aligned that we ought to take another baby step forward in terms of working towards being a possible public participation. A baby step, not a full step, but a baby step, that we're willing to kick the tire, ask additional questions, ask staff to go back and give us a lot more information in reference to what other cities are doing, and in reference to public investment in these types of projects. That was a great discussion. It's an ongoing discussion. The problem, like I said, it's not uniquely Charlotte. There are no best-case examples nationwide that we can go to for answers, because we're all struggling with the same thing. So, more than likely, people will be coming to Charlotte saying, well, what are we doing as a pilot program? So, that conversation will be continued upon getting additional information from staff, but again, a lot of homework needs to be done. A lot of questions need to be asked in reference to how we move forward.

Lastly, we had a very brief introduction to the small business strategy. Again, small business is one of those things in Economic Development, that doesn't get a whole lot of fanfare, because it's not big and fancy and sexy, like workforce development, but it's the bread and butter of what we do. It's the blocking and tackling of Economic Development, Upward Mobility. So, they will be going through a year-long strategy evaluation, outreach, looking at small businesses, those that have been defined for 50 employees or less, and would be bringing some more information back to the committee, but I think staff did a good job in terms of kicking this thing off for small

business. There is a lot of interest at the committee level around small business and workforce development for certain, and we want to make sure that at the appropriate time, we invite Danielle to come and make a presentation before the committee, because there's a lot of questions around her activities, and we think it's time for her to say, hey. That does it.

Mayor Pro Tem Anderson said it was a really good discussion in your committee meeting, and I think as it relates to the vacancies Uptown, we left it on a positive note, saying, this is a challenge, but of course, they can be an opportunity for us to reimagine a part of our Uptown and really lead in an effort that is something that's nationwide that many, many of the large cities are facing. So, Ms. Ajmera, you had a question?

Ms. Ajmera said yes, thank you. Chairman Graham mentioned vacancy rates, and there are higher vacancy rates in University and Ballantyne. So, are we looking at all the office buildings, or just Uptown office buildings?

Mr. Graham said that's a very good question. It's something that I also pointed out at the committee meeting, that we have vacancies citywide. Obviously, today's topic was about Uptown, because I think because of the demonstration project that Charlotte Center City Partners had produced this competition, and so the focus of the conversation today was certainly on Uptown, but obviously, when you look at the slide that we got today and you saw the heatmap for Uptown, there are a lot of issues are in Uptown, but there's a lot of issues throughout the whole City as well. So, that was acknowledged.

Ms. Ajmera said okay. I appreciate you recognizing that. So, I think we need to be thoughtful and mindful as we come up with solutions to address office vacancy issues, because I see a slippery slope here. Are we going to provide the same sort of support to areas like University or East Charlotte or West Charlotte or Ballantyne? I don't think we need to cherry pick one over the other. I think all parts of our community deserve the same level of support as Uptown. I read an editorial in Washington Post over the weekend, and certainly this is not an issue unique to Charlotte. All cities across the nation are struggling with this. San Francisco being one, and New York, and others. I read in that editorial where zoning plays a big part in that, where cities are looking at zoning and how do they make the zoning process. Really, zoning is designed more for new development, but also for existing. How can we make the process more streamlined? Where it doesn't take six months or a year, because time is of the essence to address some of the conversion? While we recognize that not all buildings will qualify for conversion, because certainly there is plumbing and all that, but there are certain buildings that will be great for conversion. So, I think if we can look into that as part of the committee discussion, because I think that is something where small investment can make big impact, and that we can apply throughout the city.

Tax Increment Grant, I don't know if I can support that. I struggle with that. Knowing what I know now, I haven't looked at the presentation, which is from the report. It's just I'm not on board with Tax Increment Grant. So, I just want to go on record saying that, but I would be looking at other processes, City processes specifically, and how we can streamline that. Okay, I'll come back to that. I'll look at the presentation, but I might have follow-up questions. Thank you.

Mr. Graham said well, I just want to make one comment. I think you're spot on, on your observation in reference to the scale and the scope of the issue throughout the City, and I acknowledge that. I'm almost certain that this week I'll get a phone call from University City Partners, as well as the partnership in South Park, in reference to some of the issues that they're having over there as well. I left the committee meeting indicating to the group a couple of warnings. One, that we can't help everybody. Government is not the singular source to answering these questions. We can be a part of the solution, but certainly citywide, we can't be the solution. That's not attainable for a wide variety of reasons. Then, secondly, it's also when you look at the heatmap that we saw in reference to Uptown, and I wasn't at the first committee meeting, I was out of town, but I went back and reviewed the tape, and the thing that astonished me was, in

other cities where they're talking about buildings have to go. So, I think that we're going to have to have a really, really adult conversation in the community about this, and this is a scenario that's going to be with us for a while. These vacancy rates won't increase overnight. Councilmember Bokhari and I were thinking along the same thoughts about a more aggressive effort in reference to corporate recruitment for some of these vacancies Uptown. It's not a secret. Everyone knows that's part of the strategy throughout the country. So, we'll be competing with other cities throwing in incentives, trying to get folks to come here, but he made a number of good points in reference to how do we kind of make it sexy now for these folks who want to come, and outfit the buildings. So, there's a number of things that we kind of threw out that we have to address, and we acknowledge that.

Mr. Driggs said this is very interesting. For one, very creative work by Ms. Dodson and the people participating in the competition, responsive to the concern we have about the empty space, but it kind of opens up other topics, like we're creating housing, great. What kind of housing? Who gets to live there? It's going to take a whole different value calculation compared to what we're used to. We're talking about putting public money into this. What is it worth to us not to have an empty building? Again, what kind of residence do we create? So, it's going to take creativity on our part. I wanted to say also, and by the way I think Mr. Bokhari you mentioned, we should try to take this opportunity to do something that's sort of scalable, like create a model for this type of transaction. Would that be an accurate representation? I agree with that. We don't want to piecemeal this thing. We have a very large problem. It would be nice to get this deal done, for what it's worth, but it may or may not be responsive to the larger problem. It may not be something that we can replicate.

I did want to say about the TIG, I have reservations as well. To me, a TIG ideally is a case where some infrastructure that the City would pay for, is being paid for by a developer, and we're paying them back by giving them the tax break. So, in my mind, the question always is, is this something that is legitimately a City obligation, and it's basically a financing mechanism? So, I agree that we should look critically at what is being funded by the TIG, but I think Ms. Dodson referred to the fact that we would be looking at the types of things that might be eligible for a TIG. You can't do just anything with a TIG. So, I wouldn't personally take it off the table entirely, but I'm wondering if what we can do with a TIG and what is needed in order for this project to be realized, align perfectly, and whether it then works its way back to a CIP (Capital Investment Plan) or other ask, but that's it. I just think we need to wait and see, very interesting, creative, and definitely worth following, as you said, to the next step.

**Councilmember Mayfield** said Mr. Manager, question on the lines of our discussion if we, being government, were to step into this particular arena, with noting that we can not pick certain locations and not others. Before we even entertain a real conversation, it would be helpful to know what due diligence and callbacks do we have in place for each of those buildings. What have you done to secure space? Have you reduced your rent? Have you thought about diversifying who's coming into that space, because we're having simultaneous conversations? We're having conversations with small businesses not being able to afford to get access to space. We're having conversations in our arts community, with them not being able to afford access to office or meeting space. So, there are some things that can be done that may not necessarily agree with whatever financial bottom line they're looking at, that needs to be exhausted prior to coming to government and asking government to step in, because at the end of the day, we have conversations about the cost of doing business. If the costs of doing business are certain things and certain steps that must be taken, before there should be any conversation, because you have authority up to \$500,000 to do certain things, before anything comes to your desk asking for any money, it needs to be very clear that they've exhausted the avenues that are already out there, because that very well could achieve multiple goals for those small businesses, for our arts community, and for them to have revenue coming in before any tax dollars come to the table.

Mayor Pro Tem Anderson said okay, no additional questions. We're going to move on to Ms. Ajmera for the Budget, Governance, and Intergovernmental Committee.

Ms. Ajmera said thank you, Mayor Pro Tem. So, first, let me recognize committee members, Vice Chair, Mr. Bokhari, committee members, Councilmember Mayfield, Councilmember Brown, and Councilmember Mitchell. We had three items on our agenda. We had Federal and State Legislative Agenda. Second item we had was the Budget development schedule, and last we just went over performance objectives that I don't think I need to rehash those, because those were discussed at the retreat, but I will go in depth on those first two items. So, thank you, Ms. Burch for passing out Federal and State Legislative Agenda. If you can all just take a look at that quickly, and see if you have any questions, concerns. In a nutshell, there shouldn't be any surprises, pretty much what we have been discussing around mobility, aviation, upward mobility, digital inclusion, immigration, public safety, and environment housing, all of those issues have been included in our Federal and State Legislative Agenda, as you can see. You will see under mobility, that we have a specific focus on building out of the Strategic Mobility Plan. I know that that was one of our key priorities out of our Retreat. So, I just wanted to emphasize that.

So, in addition to those that's already been in front of you, there are other items that we did discuss. So, first item we discussed was Powell Bill, but we decided to not include that, because mobility plan discussion would cover that. So, we decided not to pursue that. We were not successful in previous years in restoring Powell Bill, and Mr. Dana Fenton, he's not in the room. Well, he suggested that it would be an uphill battle, so we decided to not include that on our legislative agenda. Second, we discussed state funding in depth about Project Break Point. So, as many of you remember, we were able to secure \$20 million in Budget allocation from general assembly last year, for our tennis facility, and committee discussed how we could potentially use those funds to further our tourism goals and recruit additional tourism assets, or to use those funds for maintaining our existing tourism assets. We were told by Mr. Fenton that that funding has already been reallocated behind the doors. So, that was certainly a surprise to some of us at the committee level. We did not know that Budget reallocation had already happened before even the public discussions had started.

Last, we discussed CMPDs (Charlotte-Mecklenburg Police Department) support. I know Police Chief had advocated for additional funding for the DA's (District Attorney) office for our courts, for juvenile support. We are waiting on our Housing and Safety Committee's recommendations, but we do have a deadline here for our State Legislative Agenda, which is April 2024, before they're going to a session. So, we'll try to work around that timeline with our Housing and Safety Committee, Chairwoman, Dr. Watlington, to add those items. So, that's all on State Legislative Agenda. On Federal, really, there were no changes other than we appreciate all that's being done. We certainly also highlighted the fact where we need to acknowledge Senator Thom Tillis' efforts to further our immigration reform. So, stay on the lookout for a thank you note that'll be going to Senator Tillis' office. I know Dana is working on that with Mayor's office.

Last, I also asked about R&D (Research and Development) credit. I know that's something Business Alliance has been advocating for. We'll get more information on that, and we'll decide whether to add that or not, but as you can see from our next steps here, we do have a timeline here. So, this will be in front of us end of February 2024 to adopt State and Federal Legislative Agenda. So, any questions or concerns on this? Okay, silence means we are good.

Just the budget development schedule, if you can take a look at that. So, next Monday, we have a three-hour Budget workshop. Our first Budget workshop. Traditionally, we have spent five hours. We are going to try to do this in three hours. So, let's see if we are successful with addressing four items on our Budget schedule for next Monday. At our next Budget workshop, which is on Monday, we'll talk about the General Fund, staffing and compensation, existing capital projects and capital capacity. The committee will talk about Enterprise Funds, such as aviation, water, and stormwater. Unless full Council would like to dig deeper, that will not be part of our Budget workshops. However, out of Enterprise Funds, we will have CATS as part of our Budget workshops,



because I'm sure, especially Transportation Committee members, might want to dig deeper into CATS budget.

Also, I want to highlight great work that our Budget staff is doing. We had our Budget 101 last week, which I had an opportunity to attend, and we had over 75 people. We had room packed, and I've never seen room packed for a Budget discussion. So, certainly great way to kick off our Budget process. So, for those of you that are watching online, please go online, we have a Budget simulator, provide us your feedback and how you will balance \$3 billion Budget. What projects that you would like us to prioritize, but certainly it's a great tool. It certainly takes a lot of time. Once you're into it, you can spend like six, eight hours, and still not balance a budget, but it's a great way to provide feedback. So, there are I think three more virtual engagement sessions, and there is one in person, that's at Eastway Rec Center. So, please attend those if you can. I had a great time just hearing from community on what should be our priorities, but that's all on the Budget. Thank you'll so much.

Mayor Pro Tem Anderson said thank you, Ms. Ajmera. We're going to move on to the Housing and Safety Committee with Ms. Watlington.

**Councilmember Watlington** said thank you. We had two items today, much like every other committee. We discussed our performance metrics, but in particular, we want a deep dive on the ordinances today. So, in a couple of minutes, I'm going to ask ACM (Assistant City Manager) Heath to come up and share that with us. The second topic that we covered today, was in regards to our framework around youth violence, and staff laid out for us next steps based on the conversations that we had at the Strategy Session last week. So, over the course of the next couple of months, we are going to be deep diving that, partnering externally as well, and we expect that staff will come back with recommendations to our programs and policies to try to ramp up our efforts around youth violence. That's the main things from today, more to come in regards to that. One thing we did highlight is that that needs to be in partnership with a timeline that will support our legislative agenda. So, as things come out that are not already captured here, that we can go ahead and get those in the pipeline. So, yes, we will look out for more from that. Today, what we'd like to share with you is the current status of the code of ordinances, recommendations that came out of committee last month. There have been a couple of changes since the committee met. So, we'll cover that with you as well, but we are looking to answer any questions that you have today, so that we can hopefully move toward taking Council action in the coming weeks.

Mayor Pro Tem Anderson said so, Shawn, as you come up, unless anyone has any questions for Ms. Watlington and her committee, we are closing out the committee discussion. Then, just as a reminder, a few weeks back, the Mayor asked myself and Mr. Bokhari to work together to come up with some ideas around how we can better utilize this first Monday of the month meeting, so it's an opportunity to have a more expansive conversation on a variety of priority issues and topics, that we the Council, have bubbled up through our prep for the Retreat and in other conversations. So, tonight, we are going to jump-start this new effort of utilizing Monday evenings with the review of this Code of Ordinances, and what the Chief has put forth, and some modifications. Hopefully, everyone has received the updated memo from the Chief in their packet last Thursday, which highlights the updates there. Before I turn it over to Shawn, Mr. Bokhari, did you want to make any comments about just the use of this time?

Mr. Bokhari said yes, I mean I think the way I level set it is, in the theoretical new model, at a mature state, which we're not at yet, but hopefully we can get towards, there'll be committee meetings, offline work with Council, offline work with staff, and the general work of marching towards long-term goals that are defined. It should take the form of the high level six block dashboards and the metrics and the things that have a waterfall of management underneath them. Then, how do we use our time? While we are certainly not there yet, this is a great example of how, okay, our time is best used coming into where there is a blank spot as it relates to the policy that's there, for one reason or another as you can tell here. I think that the mission is a lot of work through

committees, and some points through ad hoc committees, through whatever staff, a lot of work goes into before this moment. So, it's presented in a way that a lot of the questions have been answered, but this isn't about presenting the answer. This is about presenting, here's all the perspective, all the views, everything the Chief and his organization wants, everything all of you want, and how can you hash it out where you listen to the others with an open mind, and try to find a win/win scenario where you march towards an 11-0 vote versus a 6-5 vote? So, if I was to just kind of articulate the overall mission statement of using this time now, as a lot of work went into it, this is not about saying, oh, I've got my thing already in mind. It's keeping an open mouth to what you want, but an open ear to what everyone wants, to see if there's a path to an 11-0. That's really how I'd describe the objective.

Mayor Pro Tem Anderson said well stated. City Manager, did you have any comments?

Mr. Jones said I appreciate what the Mayor Pro Tem and Councilmember Bokhari have put together. There have been a lot of discussions over the years about not just having this as a report out of what happened during the day, but really being able to move the needle. So, we appreciate that. A couple things that I would just say that's on the horizon, coming from the retreat, one of the items that you talked about, maybe in this space, is this concept of regional discussions, partnerships with the county, the school board, things of that nature. Mobility also came up on the white board, or the parking lot, as an opportunity to have a discussion in this space. Thank you.

Mayor Pro Tem Anderson said absolutely. Okay, Shawn, we're going to hand it over to you.

**Shawn Heath, Assistant City Manager** said okay, thank you, Mayor Pro Tem. So, the presentation is brief by design, just five slides. I will be the spokesperson, so to speak. I am very pleased to have the team here, so Jessica Battle from the City Attorney's office, and Deputy Chief Robinson with CMPD. This has been a group effort over the last few months to advance this work, and what we'll do is a quick background on the referral itself, then we'll highlight the six specific ordinances there were reflected in Chief Jennings memo from Thursday of last week. I'll close out with some highlights related to the nonenforcement strategies that we're advancing in parallel to this enforcement recommendation.

Background for the referral. So, you may recall that Mayor Lyles released a referral for a review of the City Code of Ordinances to the Housing, Safety and Community Committee, in August of 2023. I will read here as quickly as I can, the key policy questions reflected in the referral. What effective strategies can the City employ in collaboration with partners to wholistically address perceived safety concerns in Center City and surrounding areas? What are community concerns and feedback related to our unhoused population? Are there revisions to the City Code of Ordinances to restore criminal enforcement penalties that should be considered to better help our neighbors, neighborhoods and businesses across the City to thrive. So, this referral was discussed in committee twice, first in October 2023, and then most recently in January 2024. If I could quickly highlight some of the key components from the January 2024 committee discussion. First was an acknowledgment that, if you go back in time, it was not the City of Charlotte that decriminalized the ordinances. This was really driven by a state action, session law 2021.138, commonly referred to as SB300, which was a 29-page criminal justice reform bill that had many features, one of which was it decriminalized most ordinance offenses at the local level. When that went into effect, City staff embarked on a multimonth process under the direction of Council to evaluate ordinances that may have been suitable for reestablishment of the criminal penalty option, culminating in Council's decisions in the March and April of 2022 timeframe to reestablish criminal penalties for about a dozen ordinances at that time. So, that was a point-in-time assessment that was done and Council approval on those particular ordinances.

So, fast forward into 2023, and some of the concerns bubbling in the community that were the genesis for the referral itself being introduced in late August 2023. One of the requirements of the referral was to have a public listening session, which we did in late

September 2023. There were about 100 members of the community that participated. There were a few Council members in attendance, and there were really three key themes from that public listening session. One, a general perception that quality-of-life and public safety has deteriorated in the Center City. Two, support for restoration of criminal penalties on these quality-of-life-related ordinances. Three, a recognition that enforcement alone would not be sufficient to solve the underlying issues. I would like to underscore that while this was a public session that was marketed in advance through various channels, it just so happened the attendance that evening skewed very heavily towards the Uptown housed population. A number of folks in the community that deserve to have their voice heard, as they did that evening, but I just want to acknowledge to the community advocates, some of which I know are concerned about this particular conversation, who we had in the room that night and who we didn't. Finally, on December 5, 2023, Chief Jennings released a memo to City Council, which identified eight specific ordinances that were recommended for the restoration of the criminal penalty, and then Housing, Safety, Community Committee passed a motion at the January 2024 committee meeting, which you can see here, to move this conversation forward to full Council discussion this evening.

Here are the six ordinances that were reflected in the memo from Chief Jennings last week, and these are the titles of the ordinances. I know some, or many of these, may seem to speak for themselves, but this is a thing where details matter, and I'm not going to read every word of every ordinance, but most of these ordinances are fairly short, and I think it's important as Council is considering this, to have a really firm grasp around what are the specific behaviors and activities that are prohibited under these ordinances. So, I'm going to go through each one of these very quickly, 15-3, beer and wine consumption, possessive of open container disposal, prohibits consumption or open container on public streets, sidewalks or rapid transit centers, also unlawful to consume on private business premises without permission; 15-8, trespassing on motor vehicles, unlawful to enter another person's vehicle by force or threatened use of force, or to remain in a vehicle after having been requested to leave by the owner; 15-82, masturbation in public, unlawful to willfully masturbate in any public place in the presence of another person; 15-83, urination and defecation on certain public property prohibited, unlawful to urinate or defecate on any public place, sidewalk, street, right-of-way or any private property without the permission of the owner; 15-136, behavior, more specifically in City parks, and there are a handful of specific prohibited actions reflected in this particular ordinance, and they are consumption, possession of alcohol, drugs, burning flammable material or building a fire, entering an area posted as closed to the public, lie or sleep in a prone position on seats, tables or benches, and disturb or interfere with the activities of another person with an intent to disrupt.

As an aside, I would mention that Mecklenburg County has their own ordinance, which governs Mecklenburg County-owned parks within the City of Charlotte, and they have many of these same features built into their ordinance, which, by the way, had criminal penalties restored in late 2021. Finally, 14-282, soliciting from street or median strip. This is the only one of the six ordinances where the substantive language of the ordinance itself is recommended to have fairly significant modifications in order to ensure that the language is constitutionally sound, and this is an item that in a moment I'll ask Jessica Battle to comment on. In the revised version of the ordinance that's being recommended, the essence of it is that it would be unlawful to stand, sit, lie down or loiter in a roadway or median strip for any purpose other than to cross the road, and this would exclude sidewalks of course. So, if I could, Jessica, is there anything related to the case law review that you would comment on that informed this recommendation for the ordinance on the list of six, and then some ordinances that were considered, but are not on the recommended list anymore, because of some concerns around the First Amendment?

**Jessica Battle, Assistant City Attorney Supervisor** said yes, absolutely. Good evening. Jessica Battle from the City Attorney's office. I'm first addressing 14-282, currently soliciting from the street or median. This matter has a lot of First Amendment issues, and I can tell you that the research on amending this ordinance dates back to 2017. There was a case out of the Federal Fourth Circuit of the United States, in which

North Carolina is a part of. The case is called Clatterbuck versus City of Charlottesville in Virginia, and in that case, there were issues with their panhandling ordinance, and the Fourth Circuit was clear that persons have a First Amendment right to solicit funds in the same way that people have a First Amendment right to protest religious standpoints, points on abortion, those sorts of things. Likewise, people have a First Amendment right to respond and give contributions to those who might be soliciting. With that, we tried several times to update this particular ordinance. Since 2017, many of the federal circuits across the United States, have struck down panhandling and soliciting ordinances in various municipalities in the country due to those First Amendment concerns. So, the solution here was to eliminate all forms of mentioning panhandling, soliciting alms, begging, because you have to criminalize the behavior and not the speech, the speech being the asking for funds. So, we tried to make sure we did that and took away all of those references and made the ordinance proposal that there's no standing, sitting, lying or loitering in the median strips. We believe that were this ordinance to be challenged on a First Amendment basis, the City could adequately defend that, because there is a legitimate public safety concern in having people in medians causing traffic accidents, being hit themselves. We are all aware of traffic fatalities that occur in Charlotte, especially in our major thoroughfares. So, to avoid First Amendment issues, while we truly understand the needs and concerns of our community members, the Chief has also chosen to recommend what he thinks would be in the best interest of the City, in terms of liability and in terms of our officers taking action over unconstitutional ordinances. We want to make sure that we are following the case law as currently written.

As we move now to the other two ordinances that were previously recommended by the Chief's initial memo, and then unrecommended by his memo last week, the first being 15-7, unauthorized persons on parking lots, and 15-5, public solicitation and begging regulated, and 15-23, loitering for the purpose of drug activity. Similarly, it might be a surprise to some, that there are First Amendment issues in those matters as well. People have a right to walk freely in public vehicular areas or parking lots, as we would call them. As it relates to unauthorized people in parking lots, we believe that it would hard to define in an ordinance what is lawful business of being in a parking lot. The person who paid to park, that could be a lawful person, but if they have people who are riding with them, if I am tailgating and I didn't pay for the parking spot, but 100 of us show up to tailgate, it could be hard for a citizen to determine what is lawful versus unlawful behavior, and that brings up the constitutional issue of vagueness, that a person would not know whether their behavior was criminal or not, and that's why at this time the Chief has removed that from his recommended ordinances.

Last, I will reference 15-23, loitering for the purpose of engaging in drug activity. There was a case in 2010 out of Winston-Salem, North Carolina, State versus Mello. In that particular case, the North Carolina Court of Appeals struck down the city of Winton-Salem's loitering from drug activity ordinance for the same reason, saying that it is unconstitutional to criminalize what would otherwise be lawful behavior, standing in a certain area, being associated with people who may have a criminal past as it relates to controlled substances. With that being said, we did not believe that there was a way to lawfully amend this ordinance, so that it would comply with the constitution, and therefore, that's also been removed from consideration. It's important to note that a lot of the behavior that is not recommended for recriminalization can be addressed by State statutes. As far as panhandling, if someone touches a person, they could be charged with assault. If they cause a scene, we have disorderly conduct or communicating threats, and depending on the manner in which the person seeks funds, it could rise to the level of a common law robbery, if there were to be threats of violence in order to get money. As we talk about loitering for drug activity, people who commit certain hand-to-hand transactions are in high drug areas, officers can use those in the totality of circumstances, in order to form reasonable suspicion to investigate those people, and then arrest them if probable cause is determined. I'd be glad to answer any other additional questions that any members of Council may have at this time in relation to our ordinance proposals on behalf of CMPD.

Mr. Heath said and I have two more slides here. Thank you, Jessica. In terms of the guiding principles that inform the recommendation, three very quickly here. First, and this is kind of a foundational principle consistent with the memo from the Chief last week, that these are really selected based on a consideration of which ordinances warrant an additional enforcement tool in order to enhance CMPDs ability to maintain public safety. Number two, this is a really key point and something that Deputy Chief Robinson commented on extensively at the recent committee meetings is, even if Council were to reach the decision to establish criminal penalties for these ordinances, officers still maintain discretion based on the circumstances of what's happening in the moment. There's typically an opportunity to seek voluntary compliance, maybe a verbal warning is appropriate, it may be a civil citation, and the enforcement option of last resort is an arrest. So, there would be nothing about restoring these penalties that would require CMPD in all instances to jump straight to the enforcement of a criminal penalty. It's something where they have discretion in the moment.

So, on the last one here, once again, just an acknowledgment from the public listening session and from the advocacy community and from City staff, frankly as well, is that wholistic nonenforcement strategies are necessary in order to address the underlying root cause challenges associated with homelessness, we get that. On the next slide, I'm going to dive into, kind of zoom in pretty tight here on a few specific things that we're considering in tandem with this enforcement recommendation, but before I do that, if you would allow me, I would like to take a moment to zoom out for a second just to underscore a number of things the City of Charlotte has done in the last three to five years, to demonstrate a very strong commitment to housing and homelessness challenges in our community. First, with the Housing Trust Fund. Since the increase of the Housing Trust Fund from \$15 million to a \$50 million bond in 2018, we've committed roughly \$150 million in support of the creation or preservation of over 6,000 affordable units. Of those over 6,000 units, 25 percent of those are devoted to 30 percent AMI (Area Median Income) households and below.

Since 2021, the City of Charlotte has committed close to \$50 million of American Rescue Plan Stimulus Funding in support of a range of housing and homelessness-related programming, including Housing Support Grants to organizations like Freedom Fighting Missionaries, West Boulevard Land Trust, Heal Charlotte. We co-invested in a strategy for Brookhill Apartments with Mecklenburg County in order to avoid the displacement of the residents at Brookhill and preserve affordability through the year 2049. We've invested in the expansion of the Charlotte Rescue Mission. So, those are examples of how we've put the \$50 million of ARPA (American Rescue Plan Act) that Council chose to devote to housing and homelessness to work. Since 2020, we've deployed over \$60 million of Federal Stimulus Funds for emergency rental assistance to support those households in the greatest need that required emergency support to maintain their house. We supported over 23,000 families through that particular program.

As you know, we leverage our Annual Federal Allocations from HUD (Housing and Urban Development) CDBG (Community Development Block Grant) ESG (Emergency Solutions Grants) HOPWA (Housing Opportunities for Persons with AIDS) funding and since the year 2020, we've committed roughly \$30 million in support of a range of tenant-based rental assistance, supportive services, case management, etc., etc. Of course, City Council has made a number of very intentional policy choices over the last few years in support of this segment of the population, including the requirement that new multi-family construction or NOAH (Naturally Occurring Affordable Housing) investments by the City of Charlotte, will have a requirement that 20 percent of those units be devoted to 30 percent AMI and below, the fairly recent decision by City Council to establish a source of income protection policy for City-supported housing. So, as I mention all of those things, I'm in no way trying to diminish the magnitude of the challenges that we're facing as a community as it relates to housing and homelessness. Just simply trying to underscore that I believe this City, this Council, and previous Councils, have continued to lean very heavily into these issues.

In terms of the zooming in on a few specific items, nonenforcement related, in tandem with these recommendations, I'll go through these fairly quickly. Current activity, we believe, and the advocacy community has been calling for this as well, that additional street outreach is necessary in the City of Charlotte. So, a street outreach, think of bringing the social services to the unhoused population, building a rapport with those individuals, providing case work, system navigation, referrals, to these individuals on a dedicated basis. So, we're working with Hearts for the Invisible, which is a local nonprofit organization. We're building on an investment that Mecklenburg County has made in Hearts for the Invisible, to have a dedicated street outreach team devoted primarily to the Center City. So, we don't have the contract across the goal line quite yet, but we're getting close, and we're excited to see that street outreach up and running, and that will be done in complement with the CARES (Community Assistance Response and Engagement Support) team. It's not redundant with what we have in place. They will complement one another.

Number two, every year we have some federal funds that we use for tenant-based rental assistance. This is a very important funding opportunity as it relates to addressing individuals that were formerly homeless or chronically homeless. So, we're in the process of getting our current year contracts in place with a handful of agencies, for the tenant-based rental assistance, i.e., the rental subsidies. What we're going to do this year is, we're going to have an intentional carveout for 10 clients that are referred specifically from the Center City, in order to have a little bit more connective tissue between some of things we're doing on street outreach, and some of the things that we're doing with rental subsidies and supportive services, recognizing that broadly speaking, of course, we're trying to address housing and homelessness challenges across the city and the full County, but there is clearly a great need in the Center City itself.

Increasing public restroom access in the Center City, there's a need for that. There are a number of things that we're doing in collaboration with Mecklenburg County, and I'll start from the smallest and move my way up. So, first, there's a nonprofit in the City of Charlotte called Hope Vibes, and among other things, they have a mobile truck. It's about the size of a large U-Haul truck, and in that truck, they have two full bathrooms, including two toilets, two showers, two sinks, and they have three washers and three dryers. So, this is a really big truck, and they rotate this service around. It's on wheels, and that particularly asset is in need of a major refurb and repair project. So, the City and County, in partnership, are going to get the Hope Tank back on the road. I would set expectations a little bit. There are clearly limitations in how many places they can visit during any given week, but they've agreed that they will certainly focus on the Center City as one of their target areas. So, that's the first thing.

Second, in collaboration with the County, we're going to have a couple porta-johns set up around North College and 11th Street, pretty close to the County's Homeless Resource Center. The County has agreed to have the porta-johns placed on their property, so we're taking care of the contracting. We will fund that for up to six months. I'm also working with our general services team to identify another area in the City that's suitable for porta-johns. Third, I've mentioned the Portland Loo before. It's a company based out of Portland Oregon. They have a design, single stall restroom, that was designed specifically to address challenges associated with the unhoused population, in terms of arson and vandalism, etc. So, we're at a point from a City staff perspective, that we're ready to move forward with that particular opportunity, but we're working with the County and giving them some time to do some due diligence, because I'm getting a little ahead of myself here, but what I'd love to do is have the City buy two Portland Loo's and the County is doing evaluation. I'd love to see if the County could possibly, I can't commit anything for them today, allow us to have those Portland Loo's placed on County property and that they would operate and maintain those over the life of the assets. So, we're leaning into that as fast as we can, and just received a current quote from the company last week.

In terms of planned activity, I would just remind you once again, we've been talking about a Home for All for a couple years. This is the community framework focused on

housing and homelessness, working very closely with Mecklenburg County on this. United Way was selected as the quarterback agency. FY (Fiscal Year) 2025 is a big year, where this effort starts to ramp up. The County is evaluating a \$14 million funding ask to support the activation of the Home for All work. The City is evaluating a roughly \$12 million funding ask, and as has always been the vision, the United Way is embarking on a private sector fundraising strategy for this work as well. So, this is very much intended to be a collaborative effort. In terms of the types of things that fall under the Home for All umbrella. Some of what we're looking at in that \$12 million investment would be, prevention measures that you're familiar with. We've talked before about the idea of legal aid to have eviction prevention in the community. We've talked about property provider, recruitment and retention, which is just a long word to say, how can we encourage and incent property providers to allow individuals with vouchers in the community to have access to housing?

Moving down to the bottom item here on the list, this is really a concept at this point, but it's been based on a lot of conversations across the local ecosystem in this space, not just the city and the county. The idea here would be to have a roughly 75-bed non-congregate shelter that would really create a low barrier opportunity for the unhoused population. It wouldn't be devoted to individuals just from the Center City, but once again, ultimately, I believe what we're trying to build towards is, you think of a continuum in your mind where you have street outreach and engagement, you have supportive services, tenant-based rental assistance providing some short-term subsidized housing options, permanent supportive housing. This would be an emergency shelter, and one of the things that we believe would be necessary or would be quite helpful, is if this had some hardwired support services built into the facility itself, focused on individuals with severe mental illness and substance use issues. So, we're really trying to build out an integrated model here. As I'm talking about, it can sound like a bunch of one-offs, but that's the ultimate vision, so wanted to give you a sense for some of things that we're doing today, or actively exploring, that we believe are kind of developing that degree of humanity into the strategy.

In terms of next steps, Council discussion, Q&A (Question and Answer) this evening, with the possibility of having the vote on February 12, 2024, where there would of course be an opportunity for public comment. So, that's the end of the prepared presentation, and we're happy to answer any questions.

Mayor Pro Tem Anderson said thank you, Shawn and Ms. Battle. Just evidence of all of the work that has been done in preparation for us to have this discussion tonight. I also appreciate you, Shawn, highlighting how much we've done as a city, to focus on helping and addressing the challenges of the unhoused population and the underhoused population. So, we have several Council members who would like to speak to this topic. What I'd like to do is, we'll just around the table.

**Councilmember Brown** said so, yes, Shawn, thank you for all of the information that you provided. The presentation was very nice. I like the idea of some of things that's going to be done in downtown Charlotte. I still hold true to how I feel about recriminalization, that's not going to change for me. I stand firm on that, with a lot of grassroots organizations and community individuals that feel strongly about this topic that we're discussing, very, very sensitive to me as well. You fight for what you fight for. You believe in what you believe in, and that's the person that I am. I realize that I am with a group of individuals, and we sometimes have to dig really deep and try to figure out what we're going to do to make things work. The discretion piece is what I have a problem with, and I know when I spoke out on this before, I got an email from the FOP (Fraternal Order of Police) and I responded to them. I didn't appreciate that email at all coming to attack me on how I feel. It's my right to address my concerns as a Council member, that was put in this seat by the constituents and the constituents only, and so I was very upset over that, and I wanted to address that, and this is the perfect time to do so. I also feel like that City Center is a focus point for the City of Charlotte, that we are kind of catering to them, and that's not fair, because the City of Charlotte has a wide variety of other areas that need to be addressed in the same manner and the same focus. I'm not saying that I wouldn't be willing to work with the committee, but we're

going to have to circle back on some things for me. I know it's moving into discussion. I know that it's a heated topic in the community. A lot of people will be coming in and have signed up to speak on this topic.

I just want to share something real fast, and I don't want to be really long-winded, but I want to be crystal clear on how I feel and what my point is on this. When we say at the discretion, I'm not saying that all officers are going to be willing to just arrest people, but I know sometimes when you give pushback to the some of the officers. For instance, just like we had that incident at Bojangles on the corner of Arrowood and South Tryon Street. The officers used that discretion that day as well and we saw what happened. So, I want to be crystal clear when I say that I'm not going to just sign up and go along just to get along on the ordinance recommended for recriminalization. For one, and I want it to be clearly stated and put on record, that I was then disagreeing with the committee, myself and Councilwoman Johnson. So, I want to be clear and make sure that Brown is on the record for not agreeing with the committee.

So, nowhere in downtown Charlotte, I went around myself, didn't broadcast it. You can't use the restroom anywhere downtown unless you are a client or you're in a restaurant, but if you're just strolling down the street and you want to use the restroom, that's not going to happen. So, it sounds good, and I know how long it's taken for me to reveal my life and fighting for the individuals that come from where I come from. It takes a very, very long time for plans like this. They don't just change overnight. You can put your slides together, put your documents together, state what sounds good on record, but when you actually put it out there, does it really work? I'm just going to use myself for an example. Coming home and having to check the box and trying to get a job. You know how long it took for us to have to [inaudible] box, so someone can get a job? Still, to this day, you've still got to check the box to get somewhere to stay. So, we really need to look into what we can do. There are grassroot organizations that you have, and that you've mentioned, but you also said something that bothered me as well. That when you had the meeting, that it was catered to Uptown Charlotte, but that's not the only people that are going uptown and downtown. The entire City uses uptown and downtown Charlotte. So, just because you're not a resident in that area, doesn't mean that you can't affluent the area to use it for the facilities and the things that you need to do. So, that's going to be my position on it, and I'm going to stand firm with that. It's a no for me.

Mayor Pro Tem Anderson said thank you, Ms. Brown. Shawn, did you want to clarify the attendance of the public forum meeting?

Mr. Heath said yes. Well, I think really, I just wanted to acknowledge when I was providing the key themes, which were the key themes, I didn't want the community to interpret my remarks to suggest that it was a fully representative sample of the community views on this issue. It was a public session. It was open to anyone. It was marketed as open to anyone. So, I'll leave it at that.

**Councilmember Molina** said so wow Councilmember Brown! You're hard to come behind, girl, and I don't disagree with her points. I think the one strength in having a body is that we're going to have all of these full perspectives come. So, I don't want to belabor any points that Councilmember Brown brought up, but I will just add my portion of my initial thoughts around the ordinances, and some of the concerns that have been raised to me as a result of interacting with the community members. I got a call in particular on Friday from a very engaged Uptown resident, and for the record, I was actually at that meeting that Mr. Heath is referencing. So, I guess I'll preface it with, a lot of the participation was from Uptown residents, that are actually living in Uptown, and how they are in particular being affected by some of the issues that we're looking to create the ordinance to try to control. That, in addition to what we had happen during the New Year celebration, has caused some particular concerns where it comes to, not only our Uptown residents, but our community as a whole, with reference to public safety and things like that. So, I think it actually inevitably drew some additional attention to our Uptown and the emphasis around creating control with, not only people who live there, but people who visit there as well. So, not to belabor that point, but to



come back to the call that I received. I spoke to a resident who I simply adore. Her name is Judy Seldin-Cohen, and she is very active, very involved across our community. Although, she didn't give me anything in particular that she agreed or disagreed with, she had a concern around the unhoused population and how, if this actually is something that we adopt, where are we in coordination with I guess the resources that would involve the county? Let's say, for an example, if this was adopted by the Council hypothetically, and we needed to connect someone to resources, where are we in that portion of I guess the exchange that would need to take place? There's no pressure to answer that today, but is that something that if this were to happen on the February 12, 2024, for an example, for the unhoused population, are those resources in place, or is that something that we'd have to kind of deal with as we go? Do we know that?

Mr. Heath said yes. I think if the ordinances were restored for criminal penalties, then to the extent there are homeless individuals that are trying to access the system, nothing would change in that. As a county, as a city, we have the coordinated entry process, which is the way that anybody in the community that's looking to access resources and programming, that they may be in need of due to their housing situation or lack thereof, that's how it would start. That would be unchanged.

Ms. Molina said okay, because I think the only thing that I would add, and I know that we have like an intergovernmental connection, but I think now that we are considering this for adoption, I think inevitably we're going to have to have kind of a continued touchpoint with our county counterparts, so that we have some level of agreement with the resources that they have access to, as opposed to what we have access to, and see how we can widen that for the humanity in this. I think everyone in this room agrees with, and there's no points missing on the need for humanity, as we continue to work towards policies that will protect our residents. So, understanding that this is a continued work in progress. I don't want to belabor any additional points, but that was only my initial thoughts around it. So, I'll just listen for the rest of the Council and anything. That's all I have, Mayor Pro Tem.

Mr. Jones said so to Councilmember Molina's point just now, the County Manager, myself, Anthony Trotman, as well as Shawn Heath and United Way, have been committed to have conversations just like what you've asked, to how can we make sure that we can be more seamless in the operations? Some of what Shawn has presented tonight is a result of those initial conversations with the county and the United Way.

Mayor Pro Tem Anderson said excellent.

Ms. Molina said I just want to also say, Shawn, Attorney's office, thank you for your work on this. I know this is difficult. We are balancing something so very delicate for our community, so I appreciate your work. Deputy Chief Robinson, great to see you.

Ms. Ajmera said Mr. Heath, great job. So much progress since we last received an update on this. Great to see. This is not an either/or. It's not enforcement or support. It's not mutually exclusive. We are doing all of it. We are working on addressing homelessness. We are addressing affordable housing crisis. We are addressing access to public restrooms. We are investing more money into support services. So, this is a truly comprehensive plan to address supportive services, wraparound services, as well as enforcement. I have shared this at the committee meeting, this is not just about public safety, but this is about public health issue, because we've got to make sure that we are keeping all our residents, our visitors, our unhoused and housed population in safe and sanitary conditions. No one should have to live in unsanitary conditions regardless of where they go in our City. I would like to understand. I need clarification on a couple of items. Number one, this is going to be coming in front of the full Council in February 2024. When does it go in effect?

Mr. Heath said so, the last time Council went through this process, the ordinances that had the criminal penalty restored, it was effective as of the date of adoption. I would defer to Jessica if there's any discretion for Council to consider another approach.

Ms. Battle said I would second that, that it was the date of the vote that they went into effect.

Ms. Ajmera said so, I would like to suggest that we have an effective date of March 1, 2024. It would be a more humane response, because this will give our nonprofits, our partners, an opportunity to get the message out about access to public restrooms, where they are located. Getting that information is absolutely critical to ensure that we are having a humane response to our unhoused population. Also, Mr. Heath, you highlighted this, that law enforcement alone cannot address this on their own. This is really a community problem that requires a community solution. With that, I would like us to look into our mental health support. I know CMPD has a team that goes out there, but they are not available on weekends, from what I understand. I would like to see if there is a possibility to expand our mental health support. I don't think officers should be serving as mental health counselors. They already have a lot on their plate. So, if we can figure out a way to expand our mental health support as part of this comprehensive strategy, that adds to our humane response.

Mr. Heath said Councilmember Ajmera, may I just ask one followup. Are you referring specifically to the CARES team?

Ms. Ajmera said yes.

Mr. Heath said okay, thank you.

Ms. Ajmera said yes. Do you know the hours? From what I understood, they were not available on weekends, is that correct?

Mr. Heath said last that I heard, it was Monday to Friday from 7:00 a.m. to 3:00 p.m., and in terms of the geographic scope, when it was first rolled out in late 2022, it focused on the central division that was expanded to include metro in the middle of calendar year 2023.

Ms. Ajmera said so, I would like us to see if we can expand the hours on weekends, that would be helpful. I know Robert Dawkins and others at the grassroots level, have advocated for this, and I think that's a fair request. It will add to our more humane response to our unhoused population, or anyone who is struggling with mental health illness. I certainly appreciate how Mr. Jones looks at everything with sort of assessment. How do we assess whether our ordinances that we are recommending today, is doing what we intended it to do? So, if we can have some sort of assessment after it goes in effect, let's say 12 months, 18 months down the road. Is it really doing what it was intended to do? So, I think having that in place would be helpful, Mr. Jones, but I certainly appreciate the work the committee has done, Chairwoman, Dr. Watlington, Vice Chair, Councilmember Mayfield. I think you have come a long way from where we were. I just appreciate that we have a partnership with the County, and County along with the City, is investing into addressing the root cause of the issue, and that it is absolutely critical in addressing this problem holistically. Thank you.

Mayor Pro Tem Anderson said thank you, Ms. Ajmera. Shawn, I feel like we have made a lot of good traction on what's before us this evening, and the thought processes, and research behind it. As I've said before, this is a multi-faceted issue. It's not just an unhoused issue. It's not just a behavioral issue. It's a multi-faceted issue, and of many things that we're thinking about approaching this, it is an issue that is impacting our residents Uptown. They live and breathe this area every single day, morning, noon and night. I was able to be at the listening session as well, along with Councilmember Molina and Councilmember Graham. Councilmember Graham and I share Uptown. We split Uptown from our representation. So, I feel really good about the holistic approach, specifically the nonenforcement strategies that are multi-pronged that we are standing up to address the root cause of the challenge, but I would also say that there is a broader impact of inaction as well, and we have to balance the two. So, the work that the CARES team is doing and the new Hearts for the Invisible, how we're engaging them, I think will help tremendously from quarterbacking our residents to the right

resources. So, I think those things are all very good. A question I had, Shawn, you mentioned the opportunity to bring on porta-potties in one, if not two, areas, proximate to Uptown. What would be the timeline for those porta-potty units to come online?

Mr. Heath said so, we'll have the two porta-johns located at North College and 11<sup>th</sup> online next week. Then, as I mentioned, I'm working with General Services to try to identify one more location. I've had some conversations with CMPD and some local nonprofit organizations to get feedback on how many porta-johns might be necessary? Where should we consider putting them? Next week doesn't have to be the start and the end of this, but we wanted to make sure we had something that was guaranteed to be online potentially during the same week when Council is taking a vote on this.

Mayor Pro Tem Anderson said that's excellent and, as I thought you had done, our community partners have been at the table with us from the beginning. So, I don't think a vote in any way, shape or form would surprise them, because we've been working with them, staff has been working with them, the committee members and leaders have been working with them. So, I believe if and when these do come back online, I think we have worked very closely with the community partners to make sure that they're ready. I also think a lot of the things that you mentioned about the porta-potties, for example, and the Hearts for the Invisible, and other aspects, I'm wondering the effort we need to do to ensure, from an outreach perspective, that that information is shared. So, we have our community partners at the table, but to the extent that we can share that from a grassroots outreach perspective about these changes and what potentially might come, I think that would be very helpful. So, I've heard from many, many residents from Uptown, but across the City, I think the residents have a very humane approach to this, but they also recognize that, in particular, Uptown Charlotte is a pulse, is a generator, and it really is the face of the City for many visitors who come from the region and outside. So, we need to ensure the public safety of the residents and everyone who frequents Uptown. Thank you.

Mr. Graham said I think it's really important that we talk about the wholistic nature of what we're doing. Remember guys, three years ago we had people sleeping on the streets in Uptown Charlotte, literally, and they're still doing that at Tent City. The point I'm trying to make is that, Uptown Charlotte, and I represent a portion of it with Ms. Anderson, is where people go to work, they live there and they play there. We've been talking about quality-of-life issues in Uptown Charlotte, that goes beyond just the unhoused population, for well over a year and a half, three years going back to Tent City. I just want to make sure that the community knows, and the Council knows that we're not starting from scratch. We addressed the issue of Tent City. We addressed the issue by forming a community-wide task city, county, nonprofit organizations. The Manager was a part of that. I was a part of that. The Mayor was part of it. Huge corporate leadership in Uptown Charlotte create this strategy a Home For All, which focused on housing, as well as homelessness, and made those recommendations and gave it to United Way to carry out.

So, there's a series of things that we have done over the last three years to specifically address homelessness and housing, specifically in Uptown Charlotte, because it is our corporate living room. It's where the region comes to play. Where people actually live there. I represent Uptown just as strong as I represent Beatties Ford Road or Mountain Island Lake or Coulwood. They deserve the same type of representation in terms of issues relating to their quality-of-life. This issue really came to fruition, I think, last April 2023, and I went to a Fourth Ward meeting last May 2023 and started beating up the Manager immediately. So, this train has been slowly moving while the residents of Uptown have experienced, not only issues related to the unhoused population, but crime in general that has nothing to do with the unhoused population. There are a series of issues and things that we have to begin to take a look at, like the conversions, crime in Uptown Charlotte, which is down seven percent, but the perception is that it's an unsafe place to be. The millions of dollars of investments that we'll be making in Uptown Charlotte, Spectrum Arena being one of them. We just did that a year ago, almost \$250 million. The transit that we're investing in Uptown Charlotte. Talking about public incentives for conversion in Uptown Charlotte.

So, at some point, we have to respond to the emails that we're receiving from our residents, and do it in a way that it's not just a stick, but it's both, the carrot and the stick. We're doing a lot of good things to address the issues on the ground from a grassroots perspective. Last year, Councilmember Brown, we were able to give \$500,000 to Block Love Charlotte to do intrusive grassroots type of work, to help with the homeless population in Uptown Charlotte. Some of the recommendations that you see out here, in terms of street outreach and the public restrooms, we've been talking about for months. So, I'm glad that the management team is catching up with some of the recommendations that a lot of us have been saying that we need to have a wholistic response to this issue. So, I think it's really good, Shawn, that you really kind of walked us through in terms of historically what we have done, what we are currently doing, the issues that are in front of us, but more importantly that we have to be proactive to responding to citizens who live in Uptown Charlotte. Three weeks ago, we had a community meeting in Uptown one morning. Property owners, property managers, residents, and the stories they're telling, notwithstanding the unhoused population, about their personal experience in Uptown Charlotte, was chilling.

So, I think that the ordinance is a small step forward. The officers will use a whole lot of discretion in carrying it out. I'm not sure there's a need for us to delay implementation. I think everyone kind of knows it's been certainly a lot of heads up for the last three months where we're headed. I talked to Liz over the weekend. I read her editorial today. I think she would appreciate what we're saying, because these are exactly the conversations that we've had. So, I think a lot of the things that many in the industry are looking for, street outreach, more supportive services, public access to facilities, and my strong support for A Home For All, which we didn't really have an opportunity to discuss at the Retreat. Again, it would be political malpractice for us to invest all that time over the last two years, to produce this report, and not take it across the finish line, by making sure that it's funded appropriately, and now that we're having, I think, a meaningful conversation with Mecklenburg County about how we can actually work together to get this thing done.

So, I will support the ordinance, because I support my residents in Uptown Charlotte, and I want to support the investments that we've already made in Uptown Charlotte, and I want to change the perception that Uptown Charlotte is not safe. At the same time, I also want to provide all the type of support necessary to make sure people help themselves. I'm willing to invest more with Block Love Charlotte in this fiscal year. I'm willing to invest in A Home For All. I would love to build, Shawn, more SRO (Single Room Occupancy) housing, where folks can live and get the services they need right there, which I talked about how do we redefine our Housing Trust Fund? How do we use those dollars differently? So, I think this is a win-win. None of what we're doing is easy. I don't want to say there's winners or losers, and what we're doing is just responding to what we're seeing on the ground. I think the response that we are giving the community by putting the ordinance back in play, is appropriate, and certainly I think all the things that you just outlined, in terms of the strategies that we can utilize in conjunction with the county as well as other grassroots organizations, those folks that are doing the work, I think it's the right direction that we need to go in.

Now, I am not a lawyer, so I won't pretend to play one, but I am certainly disappointed about the parking lots and the drug activities ordinance being pulled away from it. I'm not sure my lawyer's at the end of the table, Mr. Baker, do we have any options? I think we need to, because a lot of the conversations I get are from parking lot owners who email me saying, "Listen, my parking lot is a wreck, because of loitering and defecation and people there that shouldn't be there." The car break-ins in Uptown Charlotte, a lot are coming from the parking lots themselves." So, I heard the attorney's explanation about why we shouldn't, Police Chief pulled it away, but certainly those two ordinances, I think, should be included with the rest. Help me understand why we shouldn't?

**Patrick Baker, City Attorney** said I think the long and short of it, and this is a constitutional law class that could last for three months on some of these issues as it relates to panhandling and loitering and speech issues. In fact, the Supreme Court is going to be taking up a case shortly, coming out of Oregon, on a number of homeless

issues that relate to loitering and where they can be and where they can't be. The main issue is that if there's criminal activity going on, there's going to be some sort of crime happening. It's not just the standing around that's going to be the issue. They're going to be standing around to do something. So, there's some opportunities there to address the actual crime that may be committed, as opposed to trying to anticipate what their intent is, keeping in mind that the crimes, there's this thing called mensrea, which is what is your intent to do something, and if you're not intending to do something, if I'm just standing around or walking around, because I just want to get out of the sun. I just want to walk around the parking deck, the question is am I walking around the parking deck to do a drug deal or to break into a car or am I doing something else. That's where the issue is of asking the officers then to guess what the intent of the particular individual is. If there's criminal activity going on, there are other crimes and other enforcement mechanisms that can be used there. So, it's just a tricky situation. I don't know how much that particular ordinance was being used anyway. I think there is some anecdotal evidence that, I think, they're really focused on the other crimes that are happening as opposed to standing around.

Mr. Graham said so, again, I'm a layman. So why can't we just push the envelope and say, okay, we're going to include it? What would that do?

Mr. Baker said I mean it's been on before. The issue ultimately is, I would assume, that the police department would use their discretion and not just trying to guess at somebody's mensrea, but that would actually be focused on what their actions are.

Mr. Graham said but the other six were discretionary as well, right? Like the young lady who was smoking the marijuana, the officers didn't use any discretion. She just went straight to the point. So, its discretion, right?

Mr. Baker said I hear you, and that's just our recommendation, because of trying to keep the officers out of those situations where we can, but the reality is, that life requires them to make those types of decisions all the time. We just try to avoid them when we can.

Mr. Graham said so, the committee did vote for those two, and then the Chief sent a letter saying, "I take those two back?" Had the committee already voted on those two?

Mr. Baker said yes, that was the way that it transpired.

Mr. Graham said so, the committee has voted on it?

Mr. Baker said yes, and then the Chief provided the memo last week with the revised recommendations.

Mr. Graham said so, the committee hadn't voted to take back those two? I'm just asking.

Mr. Baker said correct.

Mr. Graham said I'm just causing a mess. So, the Council votes should stand, right? I'm just making a mess. I'm just asking, right?

Mr. Jones said so, just as the committee valued Chief Jennings' initial memo, and I'm not speaking about the committee right now, I think at a bare minimum, having your Police Chief and your City Attorney giving you caution about two of them, is just something to consider.

Mr. Graham said I have enormous amount of respect for the Chief, no doubt about it, and Jessica, and our City Attorney, but process matters too, right? I'm just saying.

Ms. Watlington said I will say this too, in regards to that, at the end of the day, what comes out of the committee is a recommendation, and it can be modified in whatever way that ultimately the Council's going to support.

Mr. Graham said I'm being Malcolm tonight. I'm just being silly tonight. Again, listen, I think at some point, for this Council and for me, as we move forward, we should not be afraid of the unknown on a wide variety of issues, because I think that's where we are as a community. We've got to make decisions and not worry what's going to happen if we do something in Raleigh. We've just got to not be so cautious. I'm telling you, a lot of the emails, a lot of the constituents I've talked to, a lot of the activities I'm hearing, are centered around these parking lots. Just a point.

Mayor Pro Tem Anderson said understood and thank you, Mr. Graham.

Mr. Driggs said Ms. Brown, I heard you. I want to explain why I'm arriving at a different conclusion. I don't think anybody could accuse this Council of having a lack of concern for people in difficult circumstances. We heard about all of the efforts that are being made to provide early intervention to avoid the situation where it ever gets to where some of these offenses are being committed. We have engaged with our investment, with our policies in every which way. I don't believe we are criminalizing poverty or homelessness. I believe we are criminalizing behaviors, and there are many people who are in poverty or homeless who don't engage in these behaviors, and there are some people who aren't that do. So, we're talking about the behaviors. We have a huge spectrum of ways in which to try to avoid letting it getting to this point, where those behaviors are occurring in nonenforcement ways, ways that show concern for the circumstances of the people involved.

At some point, as a last resort, at the end, you tried this and you tried this and you did this and you did this, and the officer said please don't do that, and at some point, you have got to have the ability to actively intervene. I believe there's an obligation on us to send to the rest of the community here, who don't want to see those behaviors taking place, that we appreciate them too. That we will not send a message out to everybody that we think it's okay for them and their children to see these behaviors. So, I'm very hopeful in every instance, that we get there before this happens, but there has to be a point at which we can just prevent it from happening. So, that's why I reached my conclusion. I do think that we have also an obligation to our officers, notwithstanding the instance of bad behavior, that you mentioned, but the officers are being challenged by members of the public to do something when these things happen. As it stands now, they're powerless to do that. I would like to have them use restraint, but be backed up with the authority to take action if their requests and polite intervention is disregarded. So, I will be supporting the recommendation.

Mr. Bokhari said so, within the spirit of this discussion being, how do we get to 11? That's the purpose. We'll give it a try. I think the writing on the wall seems to me like we could maybe squeak out, if not, have a couple extra votes for the list that's there, maybe even the list that was tabled without the rest of the process. As I'm listening around the room, there are three parts to this, where if we had a magic wand and every one of these were solved perfectly, one being, not allowing it on our streets, having the teeth necessary. Two being, how do we not do it that's not in the spirit of criminalizing things? Then, three, how do we have the best wraparound services in the world that the folks who need it, either homelessness or panhandling, are getting it? Everyone is aligned to either all or one more or so of all three of those things. So, I'm wondering if there's a way that we continue forward in the path that's here, keep marching forward, but I think there's more strength with 11 votes on something like that, and more we can do beyond what's just here, as a follow-on step.

So, I just took a stab at writing kind of, what would an outcome statement or a mission statement, if you will, look like that encapsulates all that in the form of like a homeless and panhandling new deal? What we're going to do differently than everybody else? This is real rough, but completely complying with the constitution, obviously, and I think there are ways that we can absolutely do that within what has been said here, we

mandate that no loitering, outdoor sleeping, or panhandling be allowed in Charlotte, full stop, so long as, one, we're not criminalizing the vast majority of interactions we have with the public in this space, and two, we are proactively providing the vast majority of wraparound services that are needed, and in a best in class manner worldwide.

So, I think, it's simple to say that, but when you get into the weeds of, alright, what did staff figure out and how do we move forward? I think the ordinances we saw for the First Amendment things, and respectfully, it's not a First Amendment problem if I walk in the middle of a four-lane intersection, from a safety perspective, to handle this. I find it hard to believe we can't justify and find reasons why safety-wise the median isn't any different. Even beyond that, I think when we combine it with, we're not saying you can't ask for help, which is the crux of the First Amendment piece here, we're saying there are better, more optimal, places that we are going to lead the world in, whether it's A Roof Above, or a men's shelter, or different bathroom facilities that we put around. The point here being, we have to take that as seriously as we take vetting the ordinances and putting them out there. Then we figure out the protocols in place, where one, this is just about primarily first, hopefully empowering with more teeth, but discretion like we talked about. The Manager and I briefly discussed this, perhaps the second escalation from there is, and this is the wrong word, I don't have the right word for it, a homeless court, if you will. Not a criminalized criminal system court, but a place that's more responsible with kind of awareness of the resources and routing people to the proper places where they need the help, because I find, there's going to be a lot of people that probably don't know about the resources. Then, once you get through all that, you're at the bottom percentage of people who just don't want the help, and that's a different problem than I think we're facing today.

Then, finally, yes, the judicial system, but if we could figure out how to minimize that, I think we'd be in a really good spot. Then, like I said, focus really hard on what is a best in class, kind of nation leading wraparound services approach, where we're funding those who are doing the great work, and we have that backlog filled, and we're finding the gaps where there aren't programs there. To me, that's an 11-0 approach. Perhaps people are not interested, and we have gone through approaches in the past where we've had narrow margins, and they're always dicey. So, if there's a way, Marcus, Mr. Manager, that we could have a takeaway, or even if we do march forward, and I think we should pass both of these, we don't stop there, because when the items come up, as they definitely will down the road, where we have an issue that we're navigating, a 6-5 Council is going to be a lot harder to navigate a response to something we've created, which will happen. Then, an 11-0, because we knew that we found common ground there. Maybe that's too much of a pipe dream, but I think it's possible.

Mayor Pro Tem Anderson said thank you, Mr. Bokhari, and thank you for trying to get us to a place where we can all agree that this is good for the City.

Ms. Mayfield said so, I actually have a number of questions for you. So, one, it was mentioned by Councilmember Graham the allocation to United Way a number of years ago. When was the last update that we received regarding our funding from the United Way? Do you know, or Manager do you know?

Mr. Heath said yes, United Way spoke to the Housing Safety and Community Committee last year to provide an update.

Ms. Mayfield said it will be helpful if that information can be sent back out, because what I'm trying to remember is, have all the funds been expended, and if not, where are we financial wise, and exactly what have they done to address this? I'm also trying to get an understanding. You identified that we're talking about helping to do the repairs on the Hope Vibes van, which has been down for a while. I'm trying to understand how we got to that. So, I'm trying to understand how we got to the place of it being a consideration that our funds help to repair your vehicle versus us just working with Project Outpour?

Mr. Heath said so, this was really a desire to collaborate with the County to take an asset that's currently out of operation and get it back on the road. That doesn't preclude us from also considering opportunities to work with Project Outpour.

Ms. Mayfield said so, it would be nice to know what the dollar amounts are opposed to just this large overview. Again, 2/3 of our taxes go to the County, 1/3 of your taxes come from the City. The City has historically stepped in and funded a lot of programs. Financially, the County is in a very different situation today than it was 20 years ago, than it was 15 years ago, not to mention the County did institute their tax increase. We have not for a number of years. There has to be somewhere in this conversation of collaboration and partnership, not always meaning the City is going to cut a check. There are other ways for us to collaborate and be at the table. It would be very helpful to know what this financial ask is, because again for us, it may be more beneficial for us to look at the relationship with Project Outpour, which has also already been in the community for a number of years doing really good work in partnership with the libraries, which is also a County resource. So, we're still partnering, but without knowing what the cost of this van repair is, that's a hard challenge for me to just say, well, we're going to partner, without knowing what's that dollar amount and what does that look like for us in this contribution.

Mr. Heath said Councilmember Mayfield, if I may, I mean, with Hearts for the Invisible, we're contemplating a contract that would up to \$500,000 in support of street outreach with the rental subsidies. That's a million dollars of tenant-based rental assistance on an annual basis, and the idea is that we would devote a portion of that towards the client's referred from the unhoused population in Uptown Charlotte. With supportive services, that would be \$250,000 devoted to activate the supportive services in tandem with the rental subsidies. With the public restrooms, the porta-johns, of course, are a fairly modest expense, but we can do three or four porta-johns for \$25,000 to \$30,000 for a six-month basis. So, in each one of these instances, note we have specific numbers. The County is showing up in a big way in collaboration across the board on really, number one, number three, and then everything under A Home For All, the County is right there, front and center, advancing this work in a meaningful way. So, I just don't want to leave anybody under the impression that Charlotte is being asked to carry the water on all of this stuff.

Ms. Mayfield said I appreciate that. Those numbers being shared with everyone will be helpful. The question that I was going to have for Hearts for the Invisible is, one, they're located off of University City Boulevard. Their regular hours are 9:00 a.m. to 5:00 p.m. Having that breakdown of what the expectation is, knowing that here's the reality. For a lot of people, and there are numerous reports and studies that have been done of the window of crisis, and that window of crisis isn't necessarily 9:00 a.m. to 5:00 p.m. through business hours. It's more in the evening, overnight, weekends. Having a better understanding of what their hours and the expectations are going to be, and what that financial cost is going to be, what Budget line item it's coming out of, we already have a lot of funding in rental subsidies. To me, the conversation would be, okay, we're going to allocate some of the rental subsidies that we already currently invest in over here versus we're talking about a new line item to cover rental subsidies and supportive services. We fund a lot of supportive services, as well as rental subsidies. So, what would that look like to say, okay, well 10 of these that we've already funded, because unfortunately they haven't been able to be utilized, are going to be reallocated for this particular need versus trying to create a new funding line item for it. That is a very different conversation for me.

Again, I also want to understand, we have an MSD (Municipal Service District) in Uptown. So, are we talking about the funds to cover these additional resources and support that is targeted specifically for Uptown? Are we saying that we have identified through Budget, which we already know, here's the MSD from University, from South Park, from everywhere. From the MSD of Center City, of Uptown, from their MSD, this is how much we are allocating to address the needs that they have in their area, because your businesses are already paying an additional tax in order to help with certain things.



Now, yes, we can say it's for hospitality and tourism. We can also say it's for safety and for the growth and the betterment of the area. Yes, sir.

Ms. Jones said so, thank you, Councilmember Mayfield. Boy, did you open up a lot just now. So, let me go back in time. My timelines aren't totally aligned with Councilmember Graham, but it's pretty close. I'm going to take a giant step, if I could just have a minute. There's been a lot going on around safety and this Council for a while, and it seems that Dr. Watlington is in the center of each time we had one of these conversations, whether it's SAFE (Safety and Accountability For Everyone) Charlotte, or whether it's somethings that we're doing in the Center City, or whether it's the last referral to the committee. So, a lot of good things all across the spectrum as it's related to safety, so I'll park that. You're exactly right. You have agreements with your MSDs, and with those MSDs, there's a series of things that those dollars can be invested in, and that's a conversation I think this Council can have. I think Ms. Watlington started it during the last Budget discussion, but so much was going on. This past October, I think it was around October 2023, we talked about ARPA and interest that we had from the ARPA dollars, and we're over \$6 million of just that interest. We said anything that happened around safety, when we were ready, we could use some of that instead of opening up the Budget.

So, I will tell you that Shawn's been very, very good with looking at other sources, redeploying sources from whether it's CDBG, government funds, things of that nature, as opposed to jumping into that, but that has been an opportunity, if this Council had to do something quick, whether it's around the unhoused, whether it's around public safety that would be there. Last thing I'll say is this. Absolutely, I'm swimming in a lane that typically isn't the City's lane, but I don't see how not to swim there right now, because whether you use terms like carrot and stick, it just seems like a wholistic approach is the right way to do it. We want to bring as many people along with us, trying to have a wholistic approach, but I hear you loud and clearly about what's happening with different budgets and allocations of funds.

Ms. Mayfield said thank you for that, Mr. Manager. ARPA funds are limited. Those are one-offs. We have partner allocations that we made last year for ARPA funds, where in this upcoming Budget, we're going to have to have discussions of how do we either incorporate them into the Budget or for what ARPA funds we have remaining, what are the commitments to it? It will be very helpful, because this is an ongoing issue, this isn't a one-off. The concerns that are in Uptown are also in University. They're also in South Park. They're in Ballantyne. They're at Phyllis Place. They're all over. So, whatever we decide, as Councilmember Bokhari loves to share, needs to be something that can be replicated and easily. When we have these MSDs, it seems to me that our conversation would be around, how do we better direct the funds to address the needs that you have versus us creating a new line item that may or may not be there in the future. If I'm asking about these partners, I'm asking for a very clear reason, because if you're set up in the University area, but you're going to come in and do work in Uptown, what does that work look like? Is that a 60/40 split? Is that an 80/20 split? Again, 2/3 versus 1/3.

We have a lot of needs. The County has a lot of needs. Right now, the County has access to a few more resources than what we have, which we don't like to talk about. Yes, we're the big brother in the room, but sometimes big brother needs a little help too. So, I want to make sure that we're not making commitments that future Councils are going to be held responsible for, and having a clear understanding of how we choose A over B. Again, we have a vehicle that has been down, and I respect the fact that we want to help, but what does that help look like if we're talking about immediate assistance and we have another company over here that's already been doing it? Let's contract with them. Let's get it started. What is it going to look like to do these repairs? Hell, I just asked you for money two nights ago for a business. So, I'm not knocking the idea of it, but I still want equity in the conversation. Unfortunately, the questions that I haven't heard up to this point, speak to some of these very specific pieces. We very well may have shared the dollars. It will be helpful to get those dollars sent back out, because we're getting ready to come up on our Budget conversations. I don't want there to be a misinterpretation, well, Council approved us moving forward with this, so we've

allocated this amount to go towards this. So, are you telling me something else of importance that's an immediate giveback to the community, might not happen, because we made this decision? Let's just look at where these dollars and cents potentially are coming from for the long term, because this isn't a one-off short answer, and to understand who are these partners. We won't need new ones, but if we have one of these partners as a partner that has started through United Way, have you exhausted of all your funding, because we've already paid you. So, it's not new. We've given you money to do a job. We funded a program that you said, "Here is where I want to see this work happen in community." We don't need to put ourselves in a position where we are then funding, from multiple sources, the same work that should be getting done, especially if that work has not been getting done at the level that we anticipated or expected. Thank you.

Ms. Watlington said I think that every person here has said some version of what I have been thinking about. What I would like to do in the spirit of what is supposed to be this process, I just want to make sure that we come back to the notion that, what we're discussing here are the consideration of these ordinances, as part of a wholistic strategy. Certainly, there's much more that we can discuss in terms of the wholistic strategy itself, but that's not what's on the floor right now. So, I just want to make sure that as we think about what the next path forward is for Council, do we want this recriminalization of these particular ordinances, whether it's 6, or if there's appetite for 8, to be a part of that wholistic strategy? I'm not sure what the outcome of this conversation is supposed to be. I get the sense, just from conversations that I've been having with Council members, that there is sufficient and solid support to move forward. So, in the spirit of that, I hope that we do do exactly that, and as it relates to the rest of the overall strategy, certainly there's more work to be done. Out of consideration for everyone's time, I will leave it there.

Mayor Pro Tem Anderson said thank you, Ms. Watlington. This has been a really good discussion, and I want to thank everyone for their comments and everything they brought to the table. As was just mentioned, we are discussing the ordinances specifically as one piece of an overall, wholistic, multi-pronged strategy, to address this issue and this challenge. So, I believe that everyone has had an opportunity to speak to the issue. Shawn, thank you. Ms. Battle, thank you for your comments. Ms. Brown has one quick comment before we close out.

Ms. Brown said I don't know if it's going to be quick. I'm going to be heard out of respect for my voice. So, I heard a lot going around the room, and it was about the ordinances, the things that I've heard. I heard Councilmember Graham saying he's very dear and you work in District 1, you and Danté, Mayor Pro Tem. That's great. I work in District 3. I've got a ton of emails I can send to you where people are concerned about things going down in District 3. Do we care about District 3 the same way we care about Uptown Charlotte and Downtown Charlotte? Do we care about putting an ordinance out there? I know that Mr. Heath said something about there are City-wide things that are going on, and that they've implemented those. If we gave \$500,000 to Block Love, let's give another \$500,000.

I do have some numbers that I just want to share, but while I'm doing that and we're going through it, the humane response would be to have restrooms downtown, so that people that don't have the ability to come and ask to have a restroom put down there. Two restrooms, porta-johns, we'll see how far we get with that. The real issue that I have is that we move fast on this, really fast, and then we have to come back, because some things were unconstitutional. It will behoove us, all of the intelligent individuals that are sitting around this table, to be able to go and do the research before we put it out there to know that something is unconstitutional. If I speak truth to power, I knew that some of these things were going to bite us, but what do I know? The thing about me being on this Council and things happening last April 2023, okay, I got sworn in on December 5, 2023. What happened last April 2023? Ya'll worked on it, right? It's a slow moving train, as you said. I want everybody to go back to the time when they first came to City Council. You didn't have all the knowledge that you think you have today, and so the thing that bothers me is, I was elected to this Council just like everybody else. I have

a voice and I'm going to use it for whatever I think I feel, and I need to express my concerns for, not what nobody else thinks. When we're at a meeting and there's the whispering and the laughing when I'm talking, that is the most disrespectful thing I've seen in I can't remember when. As someone that is a member of this body, it's very infuriating.

So, the experts would say simply that those that are closest to the problems are going to have the solutions, but the problem is we leave them out often. We leave them out too often. I'm going to close with this, and I'm going to recuse myself on presenting the numbers, because what I'm getting ready to say is more important than any number I can produce. There were rumors that there was whispering that you guys were going to have a convicted felon come to the Council. The way some of the behaviors that I see, I would have to say that I believe that that whispering was going on in the room behind my back before I came. Thank you.

Mayor Pro Tem Anderson said thank you, Mr. Brown, and I want to say that we made some really good traction with our Retreat and some of our processes that we stood up in terms of how we operated at the meetings during the Retreat, and all of you received a memo from the Mayor about potentially adopting some of those processes in behaviors on a go-forward basis, so all Council members feel like they have a voice and can duly represent the residents that they were voted in to represent. So, I just want to make sure, just as a body, that I state that before we close out the meeting.

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**ITEM NO. 2: CLOSED SESSION (AS NECESSARY)**

No closed session occurred.

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**ADJOURNMENT**

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

The meeting was adjourned at 8:18 p.m.



Ariel Smith, Lead Clerk

Length of Meeting: 2 Hours, 16 Minutes  
Minutes completed: October 23, 2024