

## ACTION REVIEW

The City Council of the City of Charlotte, North Carolina convened for Action Review on Monday, October 22, 2018 at 5:20 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps and Braxton Winston II.

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

**Mayor Lyles** said staff has settled Item Nos. 39, 43, 44 and deferred Item Nos. 40 and 41. Item No. 20 is pulled for a separate vote. Are there any Consent Items for comment?

**Councilmember Bokhari** said Item No. 35 please.

**Councilmember Harlow** said Item No. 36.

**Councilmember Ajmera** said Item Nos. 21 and 28.

**Councilmember Mayfield** said Item Nos. 32 and 33.

**Councilmember Winston** said Item No. 21.

Mr. Winston said Item No. 20, I don't have the item right in front of me, but my question was, have they met the goal? They said there was a goal that was established, but I didn't see the particulars on the ordinance. What happens if we pass this consent agenda item, and they don't make a good faith effort, or they don't move forward with it?

**Marie Harris, Strategy and Budget** said this one hasn't been negotiated fully yet, so it is not a signed agreement so it is giving authorization to do that, but we set a 20%, and the contractor has committed to that 20%.

Mayor Lyles said if we approve the contract, are you saying the 20% is in the existing contract?

Ms. Harris said it will be, yes ma'am.

**Councilmember Mitchell** said what happens if the contractor does not hit the 20% goal?

Ms. Harris said I can get somebody from CBI to answer that, but it would be the same as if any contract didn't meet their goal. There are usually penalties included.

**Nancy Rosado, Charlotte Business INclusion** said yes, it would be just like any other contract. Part D of the policy is all the post contract agreements, so if they didn't meet the goal there would be liquidated damages that could be assessed on the contract.

Mayor Lyles said right now, we are authorizing the City Manager to negotiate and approve the infrastructure reimbursement agreement. It would seem to me that we would authorize the City Manager to do this, including a 20% participation goal as stated in the action and add that statement to it. Without that agreement, the Manager it could go further, but this is where the Manager would be in negotiation. Would that be acceptable?

Mr. Mitchell said is this time sensitive?

Ms. Harris said I believe it is, and it is to have continuity in that project. The contractor is already working in that area, so this would help to not disturb the area more than needed.

**Councilmember Egleston** said this is incorrectly identified as District 2, but it is District 1 and I would make the same point. A lot of the work on the 16th Street improvement is going

on right now and is highly disruptive so stretching out the length of time; the street is actually closed right now, and it is a pretty significant connector over to North Tryon Street. Ideally, we wouldn't want to drag it out any longer.

Mayor Lyles said I'm going to ask the City Manager to come up with language that guarantees the 20% will be treated appropriately and let the motion state that. We will pull it off the consent agenda for you to restate this, so we are insuring that it negotiated with the 20%, so Item No. 20 will be a separate vote.

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## ITEM NO. 2: AGENDA OVERVIEW

There was no Agenda Overview.

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## ITEM NO. 3: ECONOMIC DEVELOPMENT STRATEGY AND NEWCO

**Tracy Dodson, Assistant City Manager** said I am excited to be up here tonight, and it was deliberate in me coming back to the City, not just Marcus' great recruiting talents but that NEWCO was going on. I knew about this and had spent a lot of time talking about how our efforts around the Economic Development world were really changing, not just at the City but everywhere. I am going to do a quick recap of the current situation. A lot of you heard this when we were in the ED Retreat, talk very briefly about our approach and how NEWCO fits in this together. It really is now about the we, the us, and everybody together as the City, the County, and the region.

The current situation, anybody who attended the Retreat heard us give overview of survey work and a lot of things like that that we had done. We have talked to a lot of people, did a lot of research on the studies that we had out there, and I want to hit on two things that we learned while we were doing this work. The first one that Economic Development as a category is becoming much more competitive and public. Amazon HQ2 is a perfect example. We've got be able to evolve in order to handle this. The process is getting more competitive; it is more specialized and it is more detailed than ever.

The second one is that our City's efforts around Economic Development have not been well organized. We've typically been reactive and disjointed. You can see here some survey results that we did when we surveyed several people internally as well as externally. I think some of you actually answered the survey results as well so we knew that we as our organization needed to evolve, at the same time that the Regional Partnership and the Chamber were looking at where they were going. I think from the City's perspective what we came out of this was now is an opportunity for us to lead and not follow. Many times, we've been in this position where we followed and we haven't been a part of the lead. So, to kick into our new approach I'm going to show you a couple of things very quickly. The ED Committee will get a lot more of this on Thursday, and I promise to spend time with each of you to shape out this plan is coming along.

It starts with our vision, which is for our City to open her arms to a diverse inclusive community of residents, businesses, and visitors alike, a safe family-oriented City where people work together to help everyone thrive. The purpose from an ED perspective is helping Charlotte's businesses and residents thrive. From that, we have developed this kind of organizational chart; this is a new way of looking at things and a new way of organizing. It is more of a matrix style, so it is a little bit unfamiliar, but I want to point out our mission which is at the top. It is hard to read so I will come around to everybody, so you can see this sheet, but the point of the mission is to build great places, grow and attract talent, create jobs and advance Charlotte. It is pretty simple and straight forward, but if you notice on the fourth pillar it says perspective businesses. A big piece of that is NEWCO. I wanted to give you a little bit of this background before I ask Ned and Jesse to come up and give their perspective on NEWCO and what is happening with NEWCO, because I wanted you to understand how this really weaves into what we are looking at from the strategic plan perspective.

**Councilmember Phipps** said is NEWCO an acronym for something?

Mayor Lyles said we will let Mr. Curran address that fancy title.

**Ned Curran, Charlotte Chamber of Commerce** said actually I'm going to let Mr. Cureton answer that when we get to that. That is just a placeholder while we work through a much better and much more creative and robust name.

I will echo what Ms. Dodson has said about follow and lead; the City has been engaged in this since the spring, when we were really moving towards a one organization model and has been very much involved, so when we talk about shaping clay for example. I is a phrase we use frequently, we are very thoughtful about how this will work with the City and its vision and how it will work going forward as well as with Dena and Peter at the County. When Ms. Dodson talks about "we" and "one" and you see in this effort here we talk about one vision, one region, one unified economic development. It is very similar in the themes and again that is not by accident.

When you look at the Mission Statement of each of the organizations of the Charlotte Chamber and the Charlotte Regional Partnership, you see that they really don't conflict. They are different, but there is not something that you are going well we have some work to do here that there is a way to put these organizations together that will be consistent with their underlying mission as it has been for quite some time. Many of you that have been around the economic development elements in the City have known that for years we've been studying something like this so the Foundation for the Carolinas has a catalyst fund. They studied this for a year; that came through with the Charlotte Regional Economic Development Strategic Plan; an Avalanche Group was a group we hired. We did not seek to reinvent or redo the work of those organizations; we started with their work, but they kind of went right up to the edge of let's put the organizations together, and so what we started with was well let's just try those shoes on and see how that would work.

When we look at this new enterprise NEWCO we see three primary focus areas; Business Recruitment, think of that as lead generation; Branding & Promotion and Public Policy. Business Recruitment lead generation, the Charlotte Regional Partnership's model is let's generate leads, and let's let those leads go where they want to go within the 16-county region. The Chamber's model has been more let's get leads but let's focus prudentially on Charlotte and Mecklenburg County, and let's hold the hand of the prospect; let's guide them around. Let's talk about what sites are available, project management are some of those things that we talk about.

A big change in the new model is that this NEWCO will get out of project management so that there is a level set within the 16 counties in the region and the towns and the cities that are a part of that MSA that it is equal terrain across the board. This organization is going to be focused on lead generation and passing those leads off to the competent teams that exists at the City and County Municipal governments, and that is where a lot of the work has been in done in working with Ms. Dodson. On the branding and promotion part, there really hasn't been any significant spend on marketing and branding this community. Neither organization has any significant dollars at all in; I was just talking to Brent about the Airport. Any of you recall seeing a Charlotte Chamber or Charlotte Regional Partnership at the Airport? No, and they are not in the Wall Street Journal; we are not in places that we should be, so we are talking about creating a seven digit spend here on marketing, branding and promotion to facilitate the lead generation.

The public policy piece is a recognition that we are better acting as a region where when we think about the Legislature; we have people who represent both parties, program, and rural interest so that we fact certain challenges around transportation, air quality, water resource limitations that we are working as a region, and it is much more about one or we versus being somewhat prudential as it might relate to a particular party. Beyond that, we are also thinking about in this organization that we want to make sure that we prioritize inclusivity and diversity in every aspect of what this organization is about. That we are thinking about recruitment and retention of businesses, so we are not abandoning the fact that most of the jobs well over 70% if you look at the avalanche report, 73% jobs come from existing

business, so we want to make sure that we have an environment that is conducive to those businesses that are here wanting to stay here and grow here. We are also thoughtful about entrepreneurship. We don't think we have adequate research capabilities. By that I mean, we are not investing enough in the research capabilities that we should have and I've talked marketing and communications, and I'll talk a little bit more about the revenue model in just a minute.

What we are looking to do here is to reduce the challenges that exist, the reality between the two organizations and then looking at the synergies between the organizations and optimize the opportunities. For years there has been confusion about who does what. So, if you are a funder and you are being asked to underwrite both organizations it is tell me exactly what the CRP does and what the Chamber does and how it is not duplicative and if you are a site selector or you are a company and you are looking for information or where do I go to get the information? Is it the same information; am I getting the same story?

I talked about the public policy piece and lead generation; talked about the project management, marketing and spend; obviously there is a duplication in overhead. We've got two CEOs. We've got two office locations, two IT folks and all those types of things, so clearly there are some opportunities there and so when we look at those opportunities we see okay, let's do the obvious let's eliminate all the duplications and be more resourceful and have more value for those that underwrite the organization. Let's be more comprehensive, let's have more conversations with the primary players that we engage with, and let's expand the base of financial support because we are not playing a little bit stronger to the region. The folks that have been doing this for the past year includes Jesse. As I said, he has been joined at the hip with me. The way we looked at the construct of this committee was to look at past, present and future leadership. There is a lot of Chairs of both organizations in this organization. We are thoughtful about diverse voices in the composition of this, and we were thoughtful about people who have been more closely related to the CRP in their past, more closely related to the Chamber and balance those. In many cases, people on this support or fund or have been on the Boards like myself of both organizations.

So, where are we going forward? Many of you saw announcements around Ernie Regal; you may know Ernie. He just stepped down as Chair of Moore & Van Alan. Ernie had a little time on his hands and as we moved from announcing the combination of these two organizations we were getting inundated with okay how do you actually stand this organization up so Jesse had some things to do in his real career as did others on the Ad Hoc Committee, so we needed somebody who could play point person on this. Ernie has been great at that. On the talent evaluation side going further we've got a formal committee with folks who have specific HR expertise or are in the immediate leadership role of the organization who are working on future talent of the organization. Obviously on the legal organizational structure are those things around the by-laws, the composition; there will be two organizations actually. There will be a lead organization; there will be a 501-C6 which is a Chamber of Commerce type organization or a booster for our region, but there will also be a 501-3C, which will be a non-profit organization that can accept money from foundations. It will relate to things like workforce development and talent in those types of things.

On the Financial Evaluation and New Enterprise Planning, so big, big picture here, it is going to cost over a million dollars to put these organizations together when we look at move costs, the integration of the two organizations and those types of things. We will save a little over a million dollars a year by eliminating all the duplication, the overhead and those types of things, but remember I talked about we want to have a seven digit spend where there is none today on Marketing, Branding and Promotion and we want to do much more robust in terms of research. We think one of the challenges we have and some of the flaws that have been identified by Ms. Dodson and her team are things that could be bolstered if we had a stronger research component. So; funding is vitally important and so one of the messages that you are hearing from me today and that you will hear repetitively as we roll out the new organization is we very much appreciate your support and we need that support to continue. We are asking the surrounding counties to dedicate their funding to the Marketing and Branding Component so it further reduces some of the money that is available to actually operate the organization.



The Chamber of Commerce historically has played a vital role for the City of Charlotte; it is the City of Charlotte's Chamber. There are traditional roles that a Chamber of Commerce plays for a City; we are not looking to advocate those responsibilities. For example, we've got a bond drive going on. It is important to all of us; we want that bond drive to win. The Chamber has played a pretty good role and a pretty good track record on helping to support the campaigns that go with those bonds. NEWCO will continue to play that role so that goes in to some of the thoughtfulness around the funding of that.

Jesse, I'm going to ask you to come up and talk a little bit about communication, branding and the inspiration behind NEWCO.

**Jesse Cureton, Charlotte Center City Partners** said thank you for this opportunity to really talk about this new organization. A few weeks ago, we had an opportunity to meet as a combined organization with the Chamber and members of the CRP, and one of the things we talked a lot about was this notion of one Charlotte, one region, one community. For many of you that know me well, it doesn't surprise you to hear me talk about one Charlotte. When we talk about one Charlotte and one community, let me just start by saying that is aspirational. We are not a one Charlotte community today; we are not a one region today, but we will be that one community and it begins to resonate for so many reasons. As we are beginning to brand this new organization, I want you to know that we are very pragmatic about the steps that we are taking and making sure that we build and create an organization that takes us to the next level. We've been very pragmatic in doing the stakeholder analysis and by saying that what I simply mean is that we are meeting with legacy leaders of both organizations; we are meeting with many of you that are in this room. We are meeting with other groups, stakeholders to talk about as we talk about one community, one region, one Charlotte, what does that look like from a structure standpoint? What does it look like from a leadership standpoint? We've been very transparent that we've launched a national search for the leader, and we are doing profile analysis to determine what that leader will ultimately look like. We are working with Ray Ward to begin to talk about our mission and our vision, and what I will tell you is we are beginning to see a shift that takes place within all the communities, not just our community but communities across the country when it comes to Chamber like organizations. Instead of the focus being on corporate entities thinking about what is the benefit for me it has really become more about the relevance of the things that are taking place within the communities, the relevance of education, the relevance of roads, the relevance of housing, the relevance of jobs and so we know that that golden thread will have to be prevalent within the organization. We are looking at what will that brand represent, so we are looking at the legacy brands, all of the brands all of the social impressions that are out there for both organizations, and we are doing a lot of work to determine what best communicates where we are going to go and to the question that was raised earlier, what will NEWCO look like. Our goal is to have a reveal for all of this on November 27, 2018; we hope that all of you join us at the annual meeting. At that meeting, not only will we reveal the name of the new organization; we will reveal to some degree the structure itself and we will communicate also the new executive committee which will be reflective to some degree of what we've seen in both organizations but a model that then reflects some participation from the regional standpoint as well. So, we are excited about the opportunity; we are really excited with the partnership here with the City, and with that I will turn it back over to Ms. Dodson and maybe we will answer some questions a little later.

Ms. Dodson said just to finish it out really quickly, kind of our goals and our next steps the way that I look at this, the first thing is collaboration and coordination, and we are all a team in making sure that this is a seamless transition. This is a lot of language, and I will just hit a couple of high points quickly. We want to develop goals of how we can increase the business recruitment efforts here. It is a little bit premature; we've got to figure out what "we" are all about first but then the second bullet is what is so important is the seamless transition. To support that, I will stay on as the Lead as we do the strategic plan in our organization. I will maintain leadership of that piece of it and then we will continue to work through things such as an MOU between NEWCO, the City, the County and how we participate and how we all work together on this project management piece and different items like research and marketing. More to come on that as it rolls into the strategic plan as well as their efforts.

**Councilmember Winston** said as I was listening to this and considering what we are trying to do here, it sounds like there be an entity that might be missing here, CRVA. When you started talking about we don't have ads in the Wall Street Journal and the National Airport promoting our City, our brand. I know that is one of the charges that CRVA is supposed to do, so in the idea of not duplicating work, not duplicating spends and the idea that we are going to be making big infrastructure investments like around the Convention Center. That is to bring in new things, but it is also to bring in businesses so that they see the improvements that we are making as some way to help them anchor to do their type of business. Would it not make sense to involve CRVA as a partner in this NEWCO?

Mr. Curran said that is a great question and a very timely question. We are and have been talking to Tom about sharing in the investment in the marketing and branding piece. We recognize that to the extent the CRVA invest that whatever marketing and branding piece will have to also correlate to their mission and their purpose, and that might be a little bit narrower than some of the efforts that might associate with NEWCO, and so it would likely be a piece of the investment in the spend, and we would invest with them but then there would also be dollars that would be raised that would be a little bit more targeted and would relate more to economic development specifically.

Mr. Winston said we are making these spends already in different markets, but how would this differentiate this significant set of figures spend versus what we are already spending?

Mr. Curran said they are a little more focused on tourism and visiting Charlotte, and it is an opportunity to showcase the City in those types of things, and this might be a little bit more about sites and industries and talent and those types of things, so I think it would be a part of the investment, and it would be co-investment opportunity but not the sole investment opportunity for marketing and branding.

Mr. Cureton said another thing I would say, I think that is the right question raised, even as we are looking at branding we are looking at the brand that has been created within Charlotte Regional Visitors Bureau, as well as some of the brand markets we've had in both organizations, because we don't want to create confusion. To Mr. Curran's point, CRVA is about destination marketing, and what we are talking about is economic development and moving companies to this area, but your point is well stated. Coming from business anytime you start using the terms consolidations people get nervous, but I think aspirational, at some point I do think you raise that question, does that become part of it. It is not lost on any of us as we begin to talk about how do we consolidate to create a much more powerful entity. You talk about Charlotte and the region more broadly, and I think at some point that may very well include incorporating the CRVA as well.

**Councilmember Phipps** said I was trying to figure out what it would look like; say you had somebody who was interested in a manufacturing plant, and they wanted to go to Cleveland County. In the whole scheme of things that wouldn't be coming to us, would it? Wouldn't it be going to the Cleveland County Commissioners and the State and that particular county municipal entity or is it the only things related to Mecklenburg County would be coming to this body or the City of Charlotte?

Mr. Curran said I think it starts right now, and I'm just going to be candid, and again I've been part of both organizations. We aren't putting forth our best where a manufacturing plant might be able to look at the data for this MSA and draw the conclusion that that is the best place to go. When I talked about research and branding and having a better sense, first we want better research and better data so that anybody looking at it would say there might be multiple places I want to play at in that MSA, and so if they are targeted and are specific to a particular county or location then that lead is going to be worked by that particular county or that location. This organization has to be neutral; people have to trust this organization that it is not going to be steered to any one place but instead put them where they best fit. That is the candid conversation we have with all the partners in this including the City and the County, so if they already know where they want to go and they just really want more information it is just going to be referral to the Cleveland Economic Development Team, which Ms. Dodson is part of Cleveland County, but if they are into three different options then you are going to refer it to those three options.

Ms. Dodson said the other thing I would add to that, and I've had a lot of conversation with the Manager, the Mayor and the County Manager as well and Jesse said it; one Charlotte, one region. I think we all have to be thinking that way, so it might not be coming to us and it might be coming to this body, but we've got to be fighting for one region and the success of our region. I've seen some prospects come through already that don't necessarily have the opportunity what they are looking for in Charlotte and Mecklenburg but do in Gaston. We'd rather have them in Gaston than in Texas all day long, so that is part of the mind change that is important on this side of it too. Prospects might not be coming necessarily to this body, but we do have to think about one region.

Mr. Cureton said I agree with all that was said. I think that even full transparency there is some definition yet to be defined around what this looks like. Intuitively clearly if something comes to this entity that needs to be in Charlotte then the project work will be here but one of the reasons we brought Ernie Regal in early is to begin to figure out some of those process steps that we will have and it needs to be, not only something that works well here within the City, but also it needs to work well within our region as we are looking at marketing and branding communication becomes really important, how we begin to talk about the broader region. We have bedroom communities that are representative of these regions so that again we begin to build this regional language. Some of that I think we know what it looks like intuitively in other parts of it we just have to define and figure out.

**Councilmember Eiselt** said two thoughts come to mine when you build on the strategy. I hope that we can hear more about foreign investment, and I think that it seems like that is sort of disjointed. There is a lot of different people working in the space of foreign investment in this City, and when you talked about it I think you said 73% of our new business comes from or retained or businesses that are already here, I would think that would also translate to better opportunities for foreign investment really tapping into our German companies that are here or the Swiss companies. I've really never heard what that strategy is so that would be one thing I hope we will hear more about. The second piece of that a little bit along the lines of that point is that I hope that when the new strategy comes together we have a better understanding of how the Council or the City is involved in our Economic Development efforts, because I did hear that, get ready because there will be an ask, but I don't know that in the past I would have felt comfortable doing that, because I don't feel like we get a lot of feedback. I still really don't know what the Amazon proposal was, what the City's role was, why we didn't get it. We got little bits and pieces about why we didn't get it but recently we were at an NLC conference and all the other cities were like you guys clearly know why and it was like no, tell us why. Everybody else seemed to have gotten a good debrief, and I'm sure we really understand why or what our proposal was. That is going to be something that I really hope to hear more about, how you are going to be engaging the City in our economic development efforts.

Ms. Dodson said I'm going to react to that and then I'll let these guys chime in. A couple things on retention; you saw the four pillars out of my strategic plan. Retention is absolutely one of those four pillars. The other part of the business recruitment piece is targeted industries, and it is something that I'm very hopeful to coordinate with NEWCO on but foreign industry has to be a piece; international has to be a piece of that, what that looks like and how we coordinate that I think is still yet to be seen, but it is one of those critical ones that out of my work on the strategic plan we've identified we have to be better coordinated on and definitely more streamlined on. Part of my strategic plan is deliverables and results and reporting back to you all as well as the community. What are we doing and where are we seeing those results, and so that is a piece that I will work in and you will see when I can lay out the broader strategic plan.

Mr. Curran said from the foreign investment standpoint I think Jesse, over half the projects that the Chamber sees today are represented by Germany, Asia, and others so it is a large component of the cases that are open and the projects that are worked. I think that will continue, and I think we will be refined. I think the marketing and branding piece would include targeted communications out into some of those groups where we see fertile ground and people that know us so other companies always advocate for us or have been pretty good about that. From the standpoint of when you have the Chamber and the folks at the



Chamber are very good, when I say we are going to eliminate duplicate jobs; we will have one CEO, one IT Director, one HR Director, but by in large we are talking about a more robust organization. We are going to invest more into the organization than is invested in the combined organizations today, but the project management piece will be done by the City and so when a company comes in and they want to be non-descript and it goes by project XYZ there is a certain protection of that anonymity that the Chamber is held to today. Well, that will now be possessed by the City in conjunction with working with NEWCO, so you are going to have much greater accountability in this new structure than you have today.

**Councilmember Egleston** said you referenced duplicative efforts between the Partnership and the Chamber; I think there are far more duplicative efforts going on than just between those two organizations, and I hope that the CRVA would be one place where obviously they have a different mission, but I think there are some overlapping interest. I hope that part of the process of this merger will be exploring and identifying whether it is the COG whether it is engaging the Universities in the area. The other counties that we want to be involved in this region, their local Chambers and making sure that we, especially around research. We've got UNC-Charlotte that could be a partner in research. We've got the COG who does a lot of research around regional planning, so I hope that we are looking for other places besides just the duplicative efforts of the Chamber and the Partnership to streamline some of that and work collaboratively on funding research and identifying the types of things that we need, so we are not replicating efforts of somebody right down the road.

Mr. Curran said we agree completely. COG is something that we've already talked about; Center City Partners is another example of an organization that does some promotion. We are not quite there right now, because we are trying to stand NEWCO up, but they are clearly on the radar screen. COG could be very effective on the public policy piece.

Mr. Egleston said the Universities for me would be a good part too.

**Councilmember Mayfield** said as we are looking to consolidate and going through looking for new leadership, are the Steering Committee members eligible to apply for that new role?

Mr. Cureton said no and not only that Ernie Regal, the gentlemen that we selected as the transition executive, is not eligible either to apply for the role. That was one of the requirements that we put in place as we brought this Committee together.

**Councilmember Harlow** said this is great, and I think it is excellent that you are trying to move to some sort of merger model that consolidates and creates some efficiencies, gets rid of some redundancies. I understand you are still building it out and as you said Ned you are trying to stand it up. My concerns really, it sounds like we've got a great team here on all sides from public and private but the question is really about the towns and I know much more about the Chamber than the Regional Partnership. Is the buy-in really there from the towns or is that part of the standing up of this group and I can't imagine they are going to say we are going to do away with all our local Chambers the way we are kind of doing this merger. I guess so much of anything that is going on in this area right now, a lot of it is suburban rural, urban rural and this is a great opportunity but I imagine there are some challenges as well.

Mr. Cureton said what I would say to you on that is that this is a process. We are not recommending to anyone in the region that they eliminate their Chamber. When we started this conversation, we started with the premise of first of all that we do this, because we think we can do this and one plus one equals three. The second thing we used as a foundational premise was that we were going to have to earn some things, meaning we can't start day one and the regions are going to buy into this because they are suspicious, they are concerned and that sort of thing so we have to one, change the narrative, and we are going to have to earn some things. Even day one this is still going to be predominantly Charlotte, right? So, we are going to have to earn some things through process and business structure and everything else such that the counties over time come right, because we've earned that and that is how we get to the point where aspirational we are one region. That also becomes relevant when we talk about 2040, so I love that slide that was talking about 2040. At some point when we look at what is happening with housing and roads and everything else,



gentrification and people moving out, roads discussion is going to be bigger than Charlotte; it is going to be a regional discussion. Education is going to be a discussion bigger than Charlotte. It is going to be a regional discussion. When we talk about this region we talk about the academic ability to deliver high tech jobs. That is going to be bigger than Charlotte, or Johnson C. Smith and the UNC, and the Queen story is going to be a regional story or aspirational that is where we want to go.

Ms. Dodson said I spent three years on the DOT Board and got a feeling that we were beating our heads against the wall sometimes about the lack of being able to think regionally and as this NEWCO kind of concept has come through to me it is the number one way I think that we actually get there as a region on some of these bigger policies is we are all leaning into this and all really starting to think and act like a region a different way than we have in many years past.

**Councilmember Driggs** said I think it is great that we are doing this, long overdue. Two questions, for one what kind of funding are you expecting from the City and the County and the State? Is there going to be an ask from us for money that we haven't been investing in the past in economic development?

Mr. Curran said we are not expecting any funding from the State; it doesn't fund either of the organizations today. We are asking all funders to hold their funding levels at a constant level for at least two years. We've like to nudge Tracy to come to you and to give us more than that, but we will start with just asking for a two-year commitment to make sure that we get this on solid footing.

Mr. Driggs said the State did fund the Regional Partnership at one time, right?

Mr. Curran said they did but when they formed the EDPNC they stopped funding it.

Mr. Driggs said the second question, from the way you are describing this it sounds like we could find ourselves back in the same position we are right now where a whole bunch of stuff is going on and one day we go into closed session, and we get told here is the deal, and we need this from you guys. Is there something about the confidentiality provisions in your discussions that would prohibit a closed session prior to the one in which you are asking us to vote? I'm just saying if you think about it the way this is all being described a whole bunch of stuff is being done by other people, and I don't see where we fit in, but we have to manage the revenue consequences, the incentive commitments that are being made, and I would just like to see a clearer picture about how we are involved in it.

Mr. Curran said when you say we you are specifically on Council?

Mr. Driggs said yes.

Mr. Curran said I think that is a valid question; you staff will be more involved and involved earlier than they are today.

Mr. Driggs said that is an internal issue, and I have concern about that too.

Mayor Lyles said you are concerned about the staff being involved more closely at the beginning?

Mr. Driggs said something about choices being made that involve large commitments and taking shape to the point where we are being asked yes or no before we have any idea of what is going on.

Mayor Lyles said I think that is a fair concern.

Mr. Driggs said I'm just saying we need to talk about that.

Mr. Cureton said let me say two things in regards to that; just from an involvement standpoint, you need to know early on as we talked about even the modeling of this new

business. We were sitting at the table with Marcus having conversations and again with a number of you. I will tell you as we are building out the Executive Committee for this NEWCO organization that we are creating, I will tell you as we are modeling that up that will reflect an opportunity where the City will be represented, so there will be opportunities where you won't be in a position where you are just hearing something for the first time. It will be a collaborative effort as we are building out this new structure.

Mr. Driggs said I would just mention if I may; when you say you've talked to a number of us. I wasn't one of them. The situation where different members of Council are at different levels of information about what is going on is actually not ideal.

Mayor Lyles said we all agree on that.

**Councilmember Ajmera** said I do agree on that point that Mr. Driggs made. I would like to know what is our commitment sooner rather than later, and if we are doing the consolidation and you said \$1 million in savings every year, what does that mean for the City? Also, what is your collaboration strategy with other minority Chambers, and how is the Steering Committee being appointed?

Mr. Cureton said that is why we are working with a law firm currently to build the by-laws of this new organization. What I can tell you is what the current organization that is just a framework look like. We have an Executive Committee that consists of about 25 people. We have local seats, open seats, officer seats from treasurer to first vice to second vice. We have rolling Boards of Directors that will cycle out based on years. These are volunteers that are identified that represent, not only ethnic populations, but millennials, and we have an Advisory Board that are typically companies that based on their membership they participate. The CRP looks very similar to that. that is the legacy framework, and I took note of the comment around making sure we are inclusive of everyone around this table so noted on that, but part of what we are doing right now is building an infrastructure that represents participation of not only this community specifically but the region as well. We are actually in the process of building out what that infrastructure looks like, but at the base line what I shared with you with the legacy organization is where we start from with an egression of making it broader, more inclusive, more reflective for the regional input.

Ms. Ajmera said could we go back to the Steering Committee lists? So, this is the Steering Committee, correct?

Mr. Curran said Ad Hoc.

Ms. Ajmera said so this is Ad Hoc, so it would be polished I guess over the course of the next few months.

Mr. Curran said when we engaged Ernie it was really so this organization could organization could somewhat stand down. We are still involved on the talent side of things and those types of things.

Mayor Lyles said that is the Ad Hoc Planning Committee; Ms. Ajmera was asking about the Steering Committee going forward.

Mr. Cureton said this Ad Hoc Committee is reflective of legacy leaders in both organizations. The Steering Committee that you are referring to is really the Executive Committee, meaning that will be the Fiduciary Committee of NEWCO, and we are in the process of identifying who those individuals will be, and that will be part of the announcement that we made on November 27, 2018 as we introduce this new organization, the new structure as well as the new Executive Committee.

Ms. Ajmera said the Steering Committee will have the voting power, am I correct?

Mr. Cureton said as we are talking about it today, again we are managing through that process right now. The Executive Committee will have the fiduciary rights for the organization, meaning the voting rights.

Ms. Ajmera said we often talk about diversity and inclusion. The challenge I have is we see the same names over and over again, so I encourage you to go out, talk to the minority Chambers that are already established from LGBTQ, to Asian Chamber, to Hispanic Chamber and so many other Chambers that we have that represent the minority communities. I want to see that representation being reflected in this organization especially in the Executive Committee, not just the Advisory Committee of the sub-committees. I would also like to understand the collaboration efforts and the strategy with other minority Chambers, because there is a gap there currently where I think we can improve on and enhance that relationship to ensure that we continue to tackle this diversity and inclusion and we give everyone a voice at the table.

Mr. Cureton said thank you for your comments; I will share this as well, as we put together even the framework of this new organization one of the golden threads for all of it policy, branding and marketing is diversity and inclusion.

**Councilmember Bokhari** said having worked in a variety of different capacities with both of these bodies, the two things that I just kind want to relay that I think have been opportunities missed in the past and hopefully this will make its way into the new plan is getting tighter with targeted industry players and with verticals in town. When you look at the proactive piece as it relates to advertising, the seven-figure budget you are talking about there are pages out of other cities play books that we just simply haven't done. If you look at Austin, their VCs dropped in there. They brought in their own company tabbed out, and after they built it and had a success they marketed that and basically said see this is why Austin is a Tech Mecca, and they partnered public and private down in verticals there to do that, and I feel we either inspirationally advertise for hey, we've got a lot and please come here, and we do it in a silo. We could do so much more and it would help so much more with the funding of the legacy Chamber type model when the business players know they are going to be coming and trying to advertise the things I'm doing that make this a great place. I think that is really important, and it is not just proactive advertising it is the same experience I had with HG2 and what we went through with Amazon where literally I was representative of collaboration of banks who all agreed to sign their name to help and say we have a special proposition for banking. We had to force our way to the table. We literally had to force our way into a room over a month and finally after they were all like that is great we appreciate you, radio silence, we said okay we're just going to do an event, and we are going to come out there and say we are part of this and then we were adopted in. That is absurd to have the logos of every bank in town basically giving the Heisman, because it wanted to be controlled internally. So, getting deeper with the verticals I think makes a ton of sense and then my other concern is just the nature of serving multiple masters in the way that the partnership has been constructed. It is one thing- I get the power of the region and all the counties surrounding and clearly that is a benefit not to be baulked at but at the end of the day, and I've heard plenty of reasons and justifications why, I think one of our biggest flaws in HQ2 we all whether they said they wanted it or not, came up with 85 options for them and said well here are all the things. Rather than all of us saying there is one thing that we are all going to get behind one thing, the best thing, whether that is what you want or not and say this is the best thing we have to offer. If we can't say it is the best we have to offer how do we expect an external company who is considering us to go and look at 20 or 30 things. I think those are the two big concerns I have, and I guess my only questions is specifically are there are any example of specific City Chambers that take on dual roles where half of the organization focus on a City like Charlotte and the other half is responsible for lead gen for 15 or 16 counties of would this be the first of its kind?

Mr. Cureton said no it is not the first of its kind. Actually, Ray Ward has done a great job in identifying a number of cities out there that have gone through various similar changes where they were predominantly a major city. They needed a regional focus, and they managed to do some of the same things that we are managing through now. We are going to all that we can to learn from those experiences; they have identified them for us. We are getting best practices and part of that is informing how we build out this new structure for this new organization, so this I not a first here in Charlotte.

Ms. Mayfield said I'm just trying to get better clarification, and maybe I'm wrong. The Chamber has really been independent from City, so I'm concerned that there is a financial ask that is out there, but for clarification sake, the financial ask may be considering we did fund Regional Partnership you are asking under this combined that we continue that funding?

Mr. Curran said not fresh funding.

Ms. Mayfield said I would agree with my colleagues that we need to have a lot more conversation about the possibility of that, because I am concerned that the City keeps identifying new funding line item. If there is a merger the benefit for us would have been a presentation saying we are combining you no longer have this commitment of \$200,000 that you cut previously in your budget. I hope we can find some time to have some real conversation as a Council regarding the impact of what NEWCO could mean and as far as a line item and City employee resources helping the Chamber. They are independent entity. I'm concerned of the direction that we may be going in with this partnership only with City funding. I think the idea of the partnership could be good with consolidation, but I'm concerned about our funding and how it will be used.

Mr. Winston said is this something that needs to be dealt with in the ED Committee?

Mayor Lyles said it is part of the economic development strategy. All of this is in ED on Thursday. Ms. Dodson said that at the beginning. So, as someone who has watched these two organization grow and watch what the competition is doing to us we have an opportunity here that I hope we can work out the details, and I heard some of those details on how do we use CRVA, what is their approach to this and that is a large part of what we do, how do we insure diversity and equity in representation and how do we make sure that our choices are informed and then what is our funding commitment to this. All of those are things we have to work on, and it will be in the ED Committee for further discussion, but the thing I want to say in the beginning, the ED Committee spent with several of us over five hours talking about this strategy, and we are looking at how to build a framework to support the initiatives that were on the slide that talked about retention, recruitment. All of those things were there, and I wish you could pull up the slide again that talks about but our role is part of working collaboratively with our partners of which we are achieving some efficiencies as well as not just us but the community, and the people that we are working with have efficiencies that they are going to receive but the entire focus on this is around our ability for economic development and our strategy is outlined in the Committee's work. We appreciate a lot of the details, and I know that they are going to be lots of fights and tensions but eventually what you are trying to do is build something to support the pillars of work that we identified at the Retreat and will have further discussion on later on. Thank you very much.

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**ITEM NO. 4: ANSWERS TO MAY AND COUNCIL CONSENT ITEM QUESTIONS**

There were no outstanding questions.

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**ITEM NO. 5: CLOSED SESSION**

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

The meeting recessed at 6:17 p.m. for a closed session in Room 267.

The meeting returned to open session at 6:56 p.m. in Room 267 and immediately recessed to move to the Meeting Chamber for the regularly scheduled Business Meeting.



## BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, October 22, 2018 at 7:03 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Edmund Driggs, Julie Eiselt, Larken Egleston, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Gregg Phipps, and Braxton Winston II.

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## INVOCATION AND PLEDGE

Councilmember Bokhari gave the Invocation and the Pledge of Allegiance to the Flag was led by Boy Scout Troop 11.

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## PUBLIC FORUM

### Death of Spencer Mims

**John Poetzsch, 8334 Wycombe Lane** said I appreciate the opportunity to speak briefly on behalf of my brother-in-law, Spencer R. Mims, III. Charlotte Observer headline on April 11, 2018 “Jury finds police negligent in shooting of mentally ill man.” The mentally ill man was my brother-in-law, Spencer R. Mims, III. I am here tonight to ask the question; what are you doing to prevent police negligence in the future.

My father-in-law called for assistance in calming his son during a mental health crisis. When the two CMPD officers arrived, Spencer was sitting on the floor of the front porch with his knees to his chest in what could be called a fetal position. He was described as speaking in a calm normal voice. He was holding a small box cutter near his throat. While this would imply a threat of suicide; per the officer’s deposition, he never at any time verbally threatened his father, the officers, or himself. Despite Spencer’s seated position and calm demeanor, within five minutes of seeing him the officers escalated the situation to the point of shooting Spencer three times. He died on the way to the hospital. Spencer was shot six feet from his father, who was in the line fire as was the second officer. The officers who arrived were untrained in dealing with a citizen in crisis. In the trial, the City Police defense did not try to defend the officers. They instead attempted the character assassination of a good and kind man, my children’s God Father, who they called “Ace.”

Training of the officers in the CMPD training modules may well have prevented this tragedy. In the CIT Training Manual, it includes the ability for the officers in the field to call for an officer specifically trained at a higher level and has a variety of mental health issues. In their depositions, the question was have you been through training for CIT? Answer – I have not. I know other officers have but I have not. How about training and dealing with emotionally disturbed individuals? When have you gotten that training? There is a class they are offering. I haven’t taken it yet. We are waiting on seats to open. De-Escalation Training – Have you ever been through any kind of de-escalation training? Answer – I think there was, you know, a couple scenarios in the academy, but we were not dealing with them. Taser training – What was the plan if the Taser missed as you rushed in? Answer – I wasn’t expecting the Taser to miss. So, you didn’t have a plan in case it missed? Answer – I had confidence that the Taser would work. You were taken by surprise then. Answer – I was; it is rare that the Taser doesn’t work. In fact, in the discovery information there was 17 months-worth of data with 68 deployments of Taser and was only effective 32% of the time.

**Mayor Lyles** said I am sorry, but we have three minutes for each speaker and I obviously we regret the loss of life in your family member, and we understand. We’ve had a resolution with the jury’s verdict in this case, but your letter to us speaks volumes about the need for the kind of crisis intervention training and de-escalation training and the work we need to do around Tasers, and this will be shared with the Police Department as well as we continue to grieve when these situations happen, and we submit to you that we are continuing to work on it.

## **Jobs4CLT**

**Leslie Dwyer, 2528 Laburnum Avenue** said could we just take an etch-a-sketch to this here to just start over. I've been pitching jobs for CLT, because I see systems, and I'm really frustrated, because I have been pitching this to various people in our City that I know can make this come together, because I know them, and I believe the best in them. This is where our consensus is: I'm pitching that we should as a non-profit go in and invest where there is no investment, create a small business accelerator wellness center, hire the people that are already there, listen to them and use the building process as a way to improve minority business inclusion. We have to build that, and my frustration is that the only way I see this working is if we get enough people to make a pledge to commit \$10 per month for a year to learn how this work and next year put a new button on the outsiders, pledge that we are not accepting and not voting for anyone who takes outside donations. I'm saying this very specifically, because I started in economic development finance 25-years ago, and we have watched for that long as going from four channels of news a night where people at least learn your names for the half hour that is state and local to believing that we can't fix this ourselves. This is how we rebuild trust; we read the story that comes out every couple weeks, hey this is what I need and then the rest of the activist, advocates and stuff the resources are here. How about a place for demand driven assistance for the minority business inclusion work you are doing? That is what I'm talking about. Politics is just the hiring process, and honestly, I love the private sector economics because that is where we come together. That is whack-a-mole. It is not easy because the private sector you know what you are doing. You need to make a profit. The bridge to that is economic development, the public/private partnership side. After I was here last, I finally got a chance to go back and look at the budget, not meant to cast dispersions on staff, they are bullet proof in this. It is that we have a system that says it is based on a strategy document where we've never tested investment brings jobs. So, what I'm saying is in that document where the strategy document doesn't even list the City as a partner in economic development, that is unnerving for me, and it is because we haven't tested the assumptions in the non-profit sector. It has to be about that.

## **Affirming Housing Charlotte Framework**

**Janet Ganoung, 9907 Dear Spring Lane** said an article in the Charlotte Observer presented a dismal but accurate historical perspective on how we've spent housing bond dollars. Two months ago, this Council voted unanimously to distance itself from actions of the past and change policy going forward. Most notably the unanimous vote for the revised Housing Charlotte Framework included a minimum 20% of units for people earning under 30% AMI, the group facing the greatest shortage of housing. Should the proposed \$50 million Housing Bond, pass this policy would give hope to people like Curtis Simpson, who works fulltime as a custodian at Independence High School, in order to support his family, but who lives in a roach infested home with broken plumbing, because there is nowhere else to go. In the Sunday article, City staff stated that the 20% minimum is only "when financially feasible." We have e-mailed, texted, called City Councilmembers between Thursday's on-line article and the printed edition yesterday, and not one of you has chosen to publicly reaffirm the policy that without any ambiguity dictates "at least 20%." How is this possible? We from Carolina Jews for Justice along with a gallery full of partner advocates personally witnessed the unanimous vote on August 27, 2018, with 20% minimum language. The passing of the revised HCF solidified more than just the numbers, or so we thought; it was a sign of government community partnership based on trust and mutual respect. Along with our coalition partners, we committed to work to support the bond referendum because of this new policy, even though it was a compromise from the 30% of units for which we had all advocated. We have been fulfilling our commitment by knocking on doors, signing up to work early at voting sites and putting out yard signs for the bond campaign. As you can see, a gallery is not filled with coalition members or volunteers or signs tonight. Why should we ask our folks to take valuable time out of their day to attend City Council meetings in support of an assumed partnership that may not even exist? Will this Council tonight reaffirm its unanimous commitment to a minimum of 20% units for those earning under 30% AMI? And equally important, will it vow to actually enforce this commitment with developers who receive public funds? Given the tone of the Observer article the information in direct conflict

with your August 27, 2018 vote and Council silence in setting the record straight it is quite understandable why voters may refuse to support the upcoming bond referendum. In these last hours, you have an opportunity to distinguish yourselves from Sunday's historical perspective and build voter confidence and trust for our future. Please stand up now and evaluate your commitment. We and the folks most directly impacted by your actions are watching very closely.

Mayor Lyles said let me reply on behalf of the Council, because we are going to respond to that article and we will. I want you to know that you said this yourself, you had a unanimous vote on Housing Framework for housing for Charlotte. I haven't seen us take another action on this agenda that changes that vote, so what I say is if you see people raise their hands that becomes our ordinance; it becomes our practice, and so the Framework that was included in our agenda is still the Framework that is there. I wish I could control what was written in the newspaper, but I can't, and so sometimes you just have to trust that this Council believes in a unanimous vote and implemented that, and when someone wants to run for office that doesn't believe in that unanimous vote, I say that they should actually just file for election coming up whenever they choose, but what I would also say is that we are measured by the work we do, not what is reported in the newspaper.

### **Lake Arbor Apartments**

Mayor Lyles said since the Lake Arbor have become an issue in this community, we have been having weekly reports at the Council meeting, and usually we have a discussion in advance of that, so what I would say is that we are going to hear the speakers and then we will hear a report from Ms. Wideman and Mr. Krise about the status of where we are with Lake Arbor.

**Blanche Penn, 2207 Central Oaks Lane** said I have a PowerPoint that I'm going to present, and you should have that. I was very upset with the PowerPoint that I saw and I do have some members that are here and they are standing up also. One of the things that you can read with me, Greg Phipps, City Council said in all of your inspections, did you find any evidence of rodents, and the Code Enforcement said no sir. Now here is our brief that the Lake Arbor Apartments people have been doing. I visited South Side the other day and that has been around for 60-years. It is wonderful and still standing, things are still going on over there but we have mold, running water that is out of the ceiling, rats, bugs, no air all of these things are still going on, and I challenge and I want to know has everybody went out there to visit any of those residents. Let me know.

Mayor Lyles said we've all been out there.

Ms. Penn said many of those 296 residents have also started visiting them in those neighborhoods and their neighborhood talking about their concerns and issues, and also when we talk about minimal house coding, really what in the world is minimal house coding? Then we talk about monitoring 262 active cases so what does that look like? Also, we talk about nine individuals referred to the volunteer emergency piece, and there are some concerns in that particular area also. We also talk about those cold cases that is out there that is open November 6, 2018. The residents want to know, and I want everybody to know that the residents are engaged in this process and that engagement on that meeting, they started that August 25th. The voice for the people, myself Blanche Penn, Action North Carolina and the Community Relations, so we were not included in that process and on that emergency on the 21st we continually to do meetings and now we've already gone to the Council, and guess what they told us. The County Commission told us to come back to you all and talk to you all, so we are back here again. On October 9, 2018, we had our own strategic plan, and so we are here again meeting with you. The worst thing that disturbed me was this right here; the landlords had this private meeting on October 9, 2018 and October 10, 2018 this leaked out some kind of way, and here it is October 22, 2018, and the residents still have not been heard, or they have not talked to them, so I have a concern with that. Those pictures of before and after. I hate before and after pictures, but here we go I went into this home. It is a beautiful home. I went into this lady's home, but there is a lot of problems in her home. It is a beautiful picture okay, so yes if you go to my house today and



go into my bedroom with all those clothes thrown out you would see something going on in there-

**Serita Russell, 3140 Timberbrook Lane** said whose side are you on? If you are supposed to represent the residents of the City, but are you helping us? City Council didn't even push for us to be at the table with the attorneys and the owners to discuss their action plan. We haven't received a letter or correspondence from the owners or anyone regarding the plan of action that they were going to take to bring our complex up to code. I live in this community; why aren't the owners accepting the rent for residents? Some people have been trying to pay their rent, but they have been turned down. Some people have received a non-renewal letter, but we need to know why. There were nine residents who were offered emergency housing through a community link. Who were those people? Not everyone was offered that and I think we are all living in the same conditions. I'm here representing my community. I live in Lake Arbor. Over the last two weeks, I had an opportunity to go and visit some of the resident's homes, and what I saw was heartbreaking. Some of the conditions that people live in worse than I do. I've seen it on TV but to see it for my own eyes it was unbelievable. I couldn't believe it. We are normal people trying to live a normal life but have to go through the conditions that we go through it is heartbreaking for me, and it is heartbreaking for the residents. We are left with unknown answers. We don't know. Some of us are being affected not just having a decent home to live in but also our health, and we need answers. Whose side are you really on?

**Tasha Tucker, 3202 Timberbrook Lane** said I've been here before, and I've told you guys my story. I've been on the news. I've told you guys my story. You've seen the conditions. If you guys came out to that apartment complex you've seen the conditions and there is no way in the world that you guys can sit up here looking so judgmental; you've seen those conditions. Whose side are you on? What people are you for? Who did we elect to represent us? I just want to say thank you. I want to say thank you for hearing our stories and making a mockery of us of who we are. We are live people. We are making six figures. We are struggling on an everyday basis just to pay rent. I want to know people whose leases were not renewed. I have now 10 days to place my family. What am I going to do? Can I come stay with one of you all? I am heartbroken and frustrated. You said you were out there Mayor Lyles; what did you see? Who did you talk to? Because you didn't talk to me. If you had talked to me I would have invited you into my house so you could see for yourself. That baby you heard laughing, that is my baby. That is where she has to live; whose side are you on? What people do you represent? To me, you are just like the slum lords; you take advantage. Your twist and turn my words around. This guy said he didn't see any rodents; I have pictures of a rat this big. I'm not exaggerating to you; you saw it on the news. That child that you heard laughing, that is where she sits and says Mommy what is that. And this is acceptable? Come on Mayor Lyles, come on Councilmembers, for real? Which one of you got my back? Which one of you got my family's back? I go to work, and I just came from work to come here.

**April Lewis, 2311 Farmer Street** said standing here with Lake Arbor, a little bit too emotional, just because I hear these stories every single day. I'm not going to cry, because it is not for empathy; it is upsetting, pain, its frustration, but the fact that we elected you people in here and I hear these stories of these families going through things at home, their sanctuary. The fact that the responses that you are giving to these people claiming that you are going out there to speak with residents, knowing for a fact it is only a few of you that have actually spoken to the residents. I'm not understanding why you are so scared to sit down and talk to people, when the only thing they want to do is help you come up with a solution that is going to help, not just them, but everyone that experiences something like this in Mecklenburg County. It is not just Lake Arbor. You heard a young lady that I was telling you about another story that is similar to what they are doing. It is frustrating; it is aggravating. It is discouraging to know that we elect people that are supposed to protect us from these landlords that come in here to yes, bring housing, yes wonderful developments. Yes, they bring in a lot of jobs, but they are also causing a lot of pain for the people that are not making enough to actually qualify for this housing development that you are claiming is affordable. This word affordable, we need to define that a little bit more clearly. Affordable for who? I ask also, whose side are you on? Because at the end of the day I am working hard to give each and every one of these people a reason to vote. If I have to sit up here



and pose whatever about housing because a lot of you based your election on housing, I'm not seeing anything getting done. It is my fight, my will and my drive to make sure that these issues would not happen again. This face, you will continue to see this face until something happens. I promise you.

**Jessica Moreno, 2931 Oak Haven Drive** said you guys hear this echo several times; whose side are you on? Residents were not brought to the table when City Council heard the plans the lawyers are presenting the slum lords presented. They were not brought to the table; you could have put them at the table, and you did not. Residents heard about the plan through Twitter, not through the lawyers, not through you, not through proper means but through Twitter. Whose side are you on? That is disrespectful. Who do represent, the slum lords or your constituents? You have been invited to visit the residents in their homes; have you really gone? Have you gone to visit them, or have you gone to visit the management? Who has walked up the steps at night with no lights like these residents do every day? They go up the steps with no lights. Have you walked up those steps? Have you walked into their bedrooms with water gushing down the walls? Have you breathed the air from more than 30 seconds? I have and I'm heartbroken. I'm heartbroken that they have to come back again and again, because they feel like you are not pushing for their best interest. It breaks my heart. They have water damage, mold. Contracts are not being renewed; rent is not being accepted. People are being targeted. They needed to hear the plan directly from the table, and they didn't, so that is why we are asking whose side are you on.

**Councilmember Mayfield** said as Chair of Housing but also as the Rep of the community, one I want to make sure we have accurate information and not misinformation. Council was not a part of the meeting that was held, and yes, I did repeatedly ask, and I worked with staff to say that the residents need to be represented, because we cannot have a one-sided conversation where there are attorneys, but we did not sit in the meeting when the attorneys came up with what their plan is.

Also, I have spoken to a number of the residents and given them additional information to help find other housing, because the only way to change this is honestly is for you not to even be there paying rent, because by law this is a private business. We do not have nearly as much authority as we would like to have, so what did I do? I have spoken with our DA, Spencer Merriweather to find out legally what do we have the ability to do. I have spoken to our judges. Well, you know what, we have this piece of legislation right here, in Charlotte Mecklenburg, that says as an owner of a property you have one or two options. You can pay a \$300 fine or maybe have up to 20-days in jail. That is why you keep getting a continuance and why the courts keep giving a continuance to try to get the work done. We have minimum code standards. Who create that? -the General Assembly Who are on the ballot right now? So, I get the frustration. I hear the frustration, and no, everyone around this dais is not living in some 5,000 plus square foot home. Everyone around this dais is not making six plus figures. A number of us are working class, working poor and still trying to do this job, so I need you to understand that it is truly not falling on deaf ears, and we are fighting as well, but we have policy and procedure that tells us what we can and can't do. I am not going to tell you what I think you want to hear just to appease you. I am working with the attorneys. I am working with our state representatives. I just had a meeting with Chad Beasley, because it is on the General Assembly side that we have the ability to address anything when it comes to a private business, but you know again, the real answer is for as many people that are paying \$800 to \$900 a month to move to a better unit that has access to \$800 or \$900, because we have housing that is for rent that is out there, not as much as we used to, and I have given some residents information. I have directly connected them to a real estate agent. I am working with that real estate agent, and to be perfectly honest, two that I have already connected with have not called the real estate agent.

We are fighting as much as we can, and I get what you are saying, but the reality is we do not have the legal ability to go in and say eminent domain, we are going to take this building. We do not have the legal ability to mandate, not only do you do the very minimum, which looks ugly as I don't know what, and yes that presentation was very one sided, and we addressed that with staff, because the presentation was very one sided. We do not have the ability to say okay, here is what the design has to look like. Minimum code standards, according to the General Assembly, is what we have to abide by. So, there are people out

here trying to fight but there are a lot of legal limitations that have been put in place to insure, because we are a pro-market state, so that private business owner and that is what that complex is, it is a private business. It is not like Southside or one of our other developments that is through the Housing Authority. We have a lot of authority and control over what they do, because we help fund it. It is not like Renaissance where we have some authority, because we help fund it. This is a private business, so we are trying the best we can, but we are also trying to get people moved out.

Now, staff has been working on that. Should there be more than eight people? Yes, it should, but we also have to look at multiple reality. One, what is in your financial background? Two, what does your credit score look like, because again we do not have the legal ability to mandate any homeowner to say you have to rent to a certain person, but there are ways for us to help people to move to other housing and to assist with that and we have been trying to do just that, so I need there to not continually be misinformation that was shared. We weren't in the meeting. I did not sit in the meeting with the attorneys, but I did let staff know that the expectation was that immediately we were supposed to be going out to have conversation, because the community is supposed to have representation, because I'd had three different people come up to me saying they are an attorney representing residents in the neighborhood. All I'm saying is there are conversations happening. Those attorneys should be in those rooms, but I need there not to be misinformation either in the media or by individuals giving you wrong information about what this is City is supposed to do and what the City legally has the ability to do. We do not have nearly as much authority as people seem to think, so it is great to say we are going to protest, and we are going to do these things, I get that, but the market sets the rate. As long as people are willing to pay that rent opposed to moving out that private business, we do not have authority over.

Mayor Lyles said I hear a lot of this, and I just wonder how we are going to get this conversation going; if it is lawyer to lawyer or if we can do something with Community Relations. There has got to be some way to get people informed about what is going on, versus just letting the rumors fly and all of that could be said, but it is very difficult.

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## LAKE ARBOR APARTMENTS UPDATE

**Pam Wideman, Director of Housing and Neighborhood Services** said thank you for another opportunity to update you on Lake Arbor. Thank you for everything that has been said here on the side of the dais and out in the audience as well. You will hear an update from Mr. Krise, and in that update, he will be detailing some of the things that are iterated in the corrective action plan. We are also happy to work through Community Relations as well to relay some of that information to the community. At this time, I would like to introduce Mr. Krise our Code Enforcement Manager.

**Ben Krise, Code Enforcement** said I want to quickly go through some updates as it relates to our progress and/or our activity as City Enforcement, a portion of Housing and Neighborhood Services. First let me start by saying, we are out there every single day. I myself have been out there every single day for the last two weeks as the Division Manager of Code Enforcement. Our staff is also out there; that means that at least one of the inspectors is out there every, single day trying to as expeditiously as possible resolve the issues that have been presented to us.

Talking today of the 296 units that we've inspected out there, and I have some updated information even from 5:00 this afternoon; these numbers have changed. We have 71 housing units that have been brought into minimum, housing code compliance. We are monitoring 252 open cases; 34 of 39 units that have been identified as having some type of infestation whether it be insects, bugs of what have you; 34 of 39 have been treated by a license professional with five additional scheduled to be treated today. I don't have confirmation that that treatment occurred, but we do have the documentation of that servicing. All of that has occurred since September 10, 2018. We've referred nine households to emergency housing program, [inaudible] by one of our local non-profits and again the 11 cases are scheduled for environmental court on November 6, 2018.

One of the things I want to talk about is the engagement; what is going on, the Corrective Action Plan. We received a written Corrective Action Plan this past Friday. We did meet with the legal representatives of the ownership the General Contractor and staff on October 9, but we received that written plan this past Friday. They have outlined that they want to have, and have proposed to have, all tenant occupied units code compliant by the end of 2018 and all vacant units to be code compliant by April 30th of 2019. Also outlined in their Corrective Action Plan is that all HVAC units to be inspected by October 31, 2018 and that includes the ductwork. It is by a licensed professional, we've had multiple questions about ductwork and unsanitary conditions that is part of the entire system, so that will be evaluated by a licensed professional. The heating in all units is to be serviced and completely functional by November 30, 2018. The air conditioning in all units is to be serviced and functional by April 30, 2019. These are the targets that were proposed and gain it does include ductwork. We've also outlined here in the PowerPoint, I've introduced our community engagement staff as part of Housing and Neighborhood Services to the property management to attempt to follow up with the residents in order to identify the needs and connect residents with the very resources that some of you have mentioned that is a need and citizens have clamored for. They met today; I introduced them, and we will be following up to identify those needs and follow up with services.

We've also partnered with and referred to one of our partners the Charlotte Mecklenburg Police Department and many of you have probably heard of the nuisance abatement program. The nuisance abatement program strategically identifies locations that have behavioral issues and what we've done is we've made that referral to attempt to see if there are additional services or leverage that can be created to better that community for the residents, property owners, property managers, and so on, the City as a whole. Lastly, some of the good pictures of good work that has been done that brings property into standard conditions that are safe and sanitary are depicted in the PowerPoint.

Mayor Lyles said Mr. Krise, the question I have is you have this plan, what are the consequences if the plan is not met by those dates or those actions are not taken? What would be the next step? Are there fines or court actions?

Mr. Krise said our enforcement process is very prescriptive and it has deadlines that are prescribed by the ordinance itself. We will continue to make sure that we have the leverage to take the remedial action that is afforded to us by the ordinance, making sure that we have that in place if we need to. That can mean environmental court; that can mean the implementation of potential civil penalties and the issuance of such.

Mayor Lyles said you mentioned HVAC by November 30, 2018. I just want to make sure that – it was pretty cold last night, and it is October and not to have heat would be a disastrous thing.

Mr. Krise said yes ma'am, you point is noted.

**Councilmember Driggs** said I just wanted to remind you. I need to be excused; for the benefit of those here on behalf of Eastland. I want to tell you I voted for the proposal in Committee. You are not losing a vote because I need to go.

Motion was made by Councilmember Mayfield, seconded by Councilmember Ajmera, and carried unanimously to excuse Councilmember Driggs from the remainder of the meeting.

**Councilmember Phipps** said in this presentation I'm prominently quoted by one of the speakers with a question I asked in regards to any evidence of any rodent infestation. In your presentation here a few minutes ago, you said that 34 of 39 units were treated for infestation. Did that include rodent infestation?

Mr. Krise said Mr. Phipps, you had asked the question in a previous Council Meeting directly to me that was very pointed in whether or not I was aware of any rodent infestation, and I made a very direct response based on the information I had personally witnessed, there was

no rodent infestation. Upon further review of all the case files and all the case notes and verbal conversations, the information was not in any of the case files, it was based on verbal conversations. There were six units that had evidence of rodent droppings. I made my statement; it was an erroneous statement. There was evidence of rodent droppings in six units. I was not aware of that when I made that statement, and when I included in my statement earlier that 34 of 39 units have been treated by a license professional, all six of the units where we had verbal statements from my staff that had evidence of rodent droppings, all six of those units have been treated.

**Councilmember Winston** said it is true that the current owner recently purchased this from somebody else that owned this? Were these conditions still persisting during that sale? Do we have any information about when these conditions started? Did they start under the current owner, or did they start under a previous owner?

Mr. Krise said I'm not aware of when the ownership changed. I am aware that the current owner, I've heard it third party hear-say, that it is relatively new, but I can't speak to the exact timeframe Mr. Winston. Our inspections are current and all of our actions are based on the current conditions.

Mr. Winston said the direction of my question is if these conditions did persist under a previous owner and this property was transacted, do we have any process in place where we are inspecting and are saying these conditions are not suitable, they need to be corrected before property transacts in a situation like this?

Mayor Lyles said I think we have to ask our attorney. Mr. Hagemann, if there is a property transfer or sale, is there any requirement to disclose the code violations that are underway?

**Bob Hagemann, City Attorney** said I do not know the answer to that question, but I will get you an answer.

Mr. Winston said my second question in those deadlines for repairs, were the outside lighting, the hallway lightings, were those included in the deadlines, or what is the progress we are having?

Mr. Krise said the lighting would be included in the overall repairs, yes sir.

Mr. Winston said what is the deadline on that particular –

Mr. Krise said they don't commit to the exact time, and that is an interesting question because where does the lighting fall? Is it falling on an occupied or an unoccupied unit? So, we would have to revisit that as a staff per our policy in order how we are going to enforce that. We want to encourage that; I do know that the general contractor has been reaching out to Duke Power for lighting issues and actively, as you saw in the picture that was depicted, actively making repairs on lighting fixtures in the breezeway.

Mr. Winston said I went by Lake Arbor last week before Council meeting, and I was able to walk through some of those alcoves and stairways and was talking to a property manager, and they are talking to Duke Power, but they are moving slow and the property manager themselves have authorization to buy new units, but they only have so many they can buy per week, so it is moving along slow. I encouraged the manager and actually the Chief of Police that I think these are the areas, where we do have purview as a Council, as a City over community safety. I think if you have people walking into pitch black hallways, pitch black stairways, that this is an issue of community safety. I think if we have emergency service personnel that are responding to call where it is pitch black, it is an issue of community safety. I would like for us and I've asked already, so I would like some follow up. How can we be nimble and flexible with our community safety budget to say hey, this is a priority, this is an extraordinary situation? We can go in there right now and spend some money, because it is a community safety issue, to improve the neighborhood to improve to get rid of this, and I think we should really look at other ways outside of just determining whether it is indoors or outdoors whose purview of it. I think there are some things especially



in extraordinary situations we need to own in the aspects that that is directly under our purview, and I think this is one of them.

**Councilmember Newton** said I have actually been to Lake Arbor as well; I've seen the conditions. I've seen the mold and the pitch-black hallways and staircases. I've seen all the safety concerns, the pest control concerns, and I don't believe that the concerns of the residents are an exaggeration. I've got three questions; the first one is taking a more kind of broad perspective here. I don't think this is the first time we've seen something like this. I would imagine it is probably not the last time. I'm an attorney by trade and when I hear minimum code, I research this, and I saw that the code is within our ordinances, and I hear the word minimum so I large this question to our City Attorney. I hear the word minimum, and my assumption is it means that maybe from the standpoint of the State Legislature, we can't be more lenient than the minimum standard. I'm wondering can we be a little bit stricter in our code that is under our purview unless- So, this is my question unless we are otherwise prevented from including additional criteria in our own code by the State Legislature. Is that the case?

Mr. Hagemann said you are correct in your description of what a minimum housing code is. It is the minimum standards that a residential unit must meet in order to be compliance with the code. We have not set down and done an internal review of our current code to look for opportunities to strengthen those minimums. We would be happy to do that.

Mr. Newton said I think that would be a good idea. I'm not quite sure what Committee would review that, but I would lodge that to our City staff to maybe consider, so from a more specific standpoint, I had a couple of question. In our HAND Committee last week, we talked about the targeted neighborhood revitalization program, and I understand that isn't something that targets apartment or apartment complexes. We've had a lot of conversation regarding NOAH projects, the potential within our comprehensive housing policy to work with non-profits to preserve, maintain, up-date a NOAH development. I don't know if there is space here to maybe partner in a community safety standpoint or capacity like Mr. Winston has suggested, but is there any way where we can kind of work through a program like that Pam? Maybe if you could describe more on kind of what we were discussing and talking about in HAND Committee.

Ms. Wideman said thank you Mr. Newton; what you are talking about is in your Comprehensive Housing Framework there is a preservation section, and we made the case for NOAH where when the new housing bond is passed, we want to have funding that would allow for profit or non-profit developers to acquire properties like these that are for sale to be rehabbed long-term deed restrictions placed on them in exchange for any housing trust fund dollars that you would invest. That is what we mean from a NOAH perspective and a preservation perspective. The key is that it would have to be for sale. At this time, this apartment complex is not for sale.

Ms. Newton said to Ms. Mayfield's point, to be clear, I don't think we should be in the business of subsidizing absentee landlords, and at the same time, I think maybe this is something we can look into a little bit further to consider. My final question is for Mr. Krise; I don't think it is unreasonable the concern or the request being made by residents regarding being at the table in this strategizing context for solutions to the problems that they are facing first hand. Working in conjunction with the CRC is something we put on the table when it came to the Heritage Park Apartments in my District, and I'm wondering is there an opportunity to maybe have an additional meeting where yourself, landlords and residents can come to the table together. Actually a two part question and the second question if we get to that stage where civil penalties are assessed against the landlord, what happens if the landlord doesn't pay those civil penalties?

Mayor Lyles said let's ask the lawyer what happens if they don't pay the penalty and I've already suggested that we have CRC get involved and have a meeting. So, with that if you want to give us a follow up and give us what happens with civil penalties when not paid to the person.

Mr. Hagemann said you file a lawsuit and get a judgement ordering that they be paid and then execute on the judgement if necessary.

Mr. Newton said would an execution on that judgement be maybe a lis pendens or some sort of a claim or lien against the property?

Mr. Hagemann said it would be like any other judgement lien collectible through all the legal means available to exercise a judgement.

Mayor Lyles said I would like to ask Mr. Jones to give his comments on how we are going to go forward with this. I think we've had this discussion, and I understand a lot of people have such passion around it, and I think at this point we need to get this conversation between the property manager and the tenants. We are enforcing a code that we have, but the dialogue is about disowner, and as many times as I've called or e-mailed I get no reply so we are in the situation where people are talking about what ought to be done with someone's private property that refuses to answer the call, and so it is a very difficult situation. Ms. Mayfield has outlined every part of this that makes it hard for us to step in.

**Councilmember Ajmera** said this been frustrating where we have seen this for over a month now, were there are residents that are having to live in this condition. In our code, what is the timeline that we have to have landlords mandate that they have to address certain issues that are sanitary, that could affect someone's health in a certain timeframe, especially when you are having some of these issues that it is going to have health impact on its residents? What is the role that the City can play in addressing this and maybe billing the landlord after that has been addressed? Because the way I've been seeing it, I'm frustrated that we are not responding in an expedited manner.

Mayor Lyles said I think Ms. Wideman said we have moved 11 people or offered them voluntary and someone that did not want to move, so we do emergency relocation. The difficulty is I think very hard to start this conversation with well what do we do and when we are trying to figure out what can we do.

Ms. Ajmera said I would like to understand from our Code Enforcement if there are issues that are specifically related to sanitary rates, not a habitable unit where it is going to have long-term impact on resident's health, can we go ahead and get those addressed if they are not being addressed by the landlord within a certain timeframe?

Mr. Krise said our ordinance has a list of violations referred to as a dirty dozen, that can trigger an emergency housing relocation referral. Every owner has a prescribed amount of time to respond if one of those violations exists. If they don't respond or it is deemed to be unsafe or unsanitary as one of those types of violations, then we will refer a resident to the emergency housing program. At that point in time, they will have to be deemed eligible by the non-profit and be able to go through that process, but it is very prescriptive. You also asked about timelines for the entire process; those are very prescriptive as well, and inspections conducted our ordinance, and legislatively, we have to go through the notification process. People have to be served with documents. Sometimes it has to be advertised, sometimes it has to be posted; it is a very tedious but legal prescriptive process and it is on 30-day increments. You have a hearing where they are afforded the opportunity to present evidence, go through violations, and then we issue an order which has a compliance date. It is a very lengthy process that is outlined by our ordinance. I'd be happy to go through it.

Mayor Lyles said would it be appropriate to send a flow chart of the process out?

Ms. Ajmera said I'm interested in understanding; I know it is a very lengthy process. What is the City's role, and can we have jurisdiction over expediting some of this unsanitary condition? Yes, I understand that we have offered relocation option to some of the residents where they have to work with non-profit to see if they would qualify. I guess that is an option we have presented, but in terms of our jurisdiction, can the City go ahead and address some of this violation by hiring a contractor?

Ms. Wideman said Ms. Ajmera, let me see if I can tie a bow on some of the things that have been said. I think if I harken back to the City Attorney perhaps this is a time to look at our City's minimum housing code. I do want you all to be assured that any housing unit that has been declared unsafe for human habitation, we have referred those people; they have been relocated. I think a lot of your questions could be answered where we take a look at our City's minimum housing code, but the City is doing everything in our power to address the residents. As the Mayor said, unfortunately we have not received that same courtesy, and the tenants have not received that same courtesy from the property owner. So, in the absence of the property owner, we are trying to do everything that we can in our power by using Housing and Neighborhood Services, Community Relations; we have been out there bring community resources and also working with CMPD to address this issue.

Ms. Ajmera said thank you Ms. Wideman for your efforts and being on the site every day and inspecting these units. In terms of the relocation, are we providing some kind of relocation assistance to these residents where they are getting the housing for the same amount that they are currently paying?

Ms. Wideman said that is critical. We work with Community Link to provide them relocation services so that they are within that 30% of their income. We don't want to put people in a worse condition than they are in.

Ms. Ajmera said is it safe to say than that it is the same rent that they are paying currently?

Ms. Wideman said in some cases Ms. Ajmera, it may be less rent. Again, we are looking at their income.

**Marcus Jones, City Manager** said I understand how this is frustrating for everybody in the Chamber tonight and one of the things I want to start off by saying is that I appreciate everyone who has come down tonight to express the concern, as well as what Ms. Wideman and Mr. Krise have been doing in terms of trying to address the issue. One of the things that I believe leads to the frustration is bits and pieces of information as opposed to really having a strategy. What I have asked the team to do is to look at what is occurring in terms of best practices; what can we do to improve our processes and are there some opportunities for us to engage early and often, but more importantly how we also tap into the partners who actually have roles in here that I will say are more aggressive than what the City has at this time? I think we've been pretty good when you've given us an opportunity to do research based on data to understand what else is out there in terms of some of these complications, and if it is fine with the Council, if we are able to give you a bit of an update at the Strategy Session, which is two weeks from now in terms of opportunities to move forward and data.

Mayor Lyles said and you can go ahead and see what we can do with getting Community Relations out to mediate some of this that would be very helpful. Thank you everyone for bringing this to our attention and keeping the work moving forward on it.

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## CONSENT AGENDA

Motion was made by Councilmember Egleston and seconded by Councilmember Mayfield, to approve the Consent Agenda as presented with the exception of Item Nos. 39, 40, 41, 43 and 44 which have been pulled by staff.
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**Mayor Lyles** said you should have at your seat at the dais a new Infrastructure Reimbursement Agreement with a rewritten action. I don't know if you've had a chance to read that but that is to make sure that as we proceed it includes the minority sub-contracting in the execution of the infrastructure agreement, and it has been reviewed by the lawyers and the staff to make sure that happens. The question that I have now that that has been included, do we need a separate vote on Item No. 20 now that it has been adjusted to address the concern expressed during our earlier meeting?

**Councilmember Winston** said regarding Item No. 16: Fiscal year 2018 Law Enforcement-Based Direct Victim Services Grant, this is for federal law enforcement dollars for direct victim services grant, and this goes to CMPD to support for individuals and families and neighborhoods who are victims of crime. I just wanted to comment on this, because I think we all need to look at the more comprehensive approach in how we deal with victims of crime, especially when we are dealing with homicides. These are events that leave open traumas, not just in individual's lives, not just in families lives but in neighborhoods lives, and we have to find ways to better support those that are affected by these traumas, because they might manifest the week after, but they might not manifest themselves until years and decades later. As we are looking at best use for dollars like this, I don't think we should just leave it to CMPD to figure out. We have to have a Housing and Neighborhood Services response to this; we have to find other ways to make sure that faith communities are always playing in these areas and with these people and with these neighborhoods that are being affected by this trauma. It is something that I have talked with the Chief of CMPD about since I have taken this job, and it is something that I hope we can all continue to think creatively about how to care for our communities in a better way.

**Councilmember Newton** said regarding Item No. 21: Charlotte-Mecklenburg Police Department Independence Division Station Design Services, I this is investment in architectural design for a new Police Station at the corner of Independence Boulevard and Idlewild Road. I wanted to thank my Council colleagues for your support of this and having this included in this past year's budget. It is in response to a lot of the public safety concerns I've heard in my community and addresses the lack of resources and the inadequate response times that we've experienced. I'm very thankful for my colleague's support of this and on behalf of the community, I'm just very happy that this station is underway, and I think under Item No. 39 we are obtaining the land as well, so we are doing it all here tonight and getting the ball rolling on making sure that we have this new fantastic beautiful station in District 5.

**Councilmember Ajmera** said to add to what Mr. Newton said, this will be the first CMPD Station where it is going to have sustainable design. Back in July, Council had approved a resolution which was sustainable and resilient Charlotte Resolution, and as you can see, we are implementing it right away where we are going to have the design that will consider how we meet the intent of our resolution that was approved in June and achieve this sustainable design with some energy efficiency, so I wanted to highlight that as well.

**Councilmember Phipps** said we recently approved the plans for the University City Division, and I think that would be the first one.

**Councilmember Mayfield** said regarding Item No. 32: Airport Architectural Consultation Services and Item No. 33: Airport Marketing Agency Services, I just wanted to take a moment to acknowledge the Airport Architectural Consultation Services, because here was an opportunity where we actually identify a small business enterprise to be the architectural firm. I had reached out to Marie Harris, because we had a number of bids and I wanted to know out of those number of bids how many of them were minority. To insure that as we have conversations on this Council about race and equity and moving forward our selection of contracts using a racial equity lens, that we have an opportunity to not always just look at a minority business as a sub but to give real opportunities, because I know that there are black owned architectural firms in the City, so I wanted to acknowledge the Airport on the fact that this is an SBE, but I was specifically asking for how many minority owned, not just small business enterprises actually submitted a proposal so that we can start doing a better job of tracking through economic development and the minority businesses are not getting the opportunity, what we need to do additionally in order to help them be successful?

Mr. Winston said there are no sub-contracting goals established because there was no reason to use a sub-contractor here, not because there were not enough minority businesses that put bids in, correct?

**Marie Harris, Budget and Strategy** said that is correct based on the type of work, also based on the type of the work Airport did say they are committed with the vendor to look at



work order types, because they don't know what is coming up until they do the task orders, and there is still opportunities that the vendors amenable to get participation.

Mr. Winston said so there may be future sub-contracting?

Ms. Harris said they did say that there are task orders involved and that they could use vendors in those areas.

**Haley Gentry, Aviation** said the second firm that is being recommended, Chernoff Newman is the first one on the list, and they have done business with the City before and they have agreed to enlist SBEs; they have already identified a few already based on the type of work that is forthcoming. The task has not been selected that these groups will do, and we will strive to have an SBE participation when we select the projects.

Ms. Mayfield said a follow up will go for our City Manager and Mr. Cagle; again, as we are in the middle of our assessment and looking at upward mobility and what we as the City as an employer of over 8,000 employees can do moving forward, we really need to look at opportunities for minority business to lead a number of these projects and not just looking at sub opportunities, because again when we are looking at architecture we are looking at design even when we are looking at Fintech and what is happening, there are a number of new opportunities of businesses coming in and every business was new until they got that first contract from the City, whether it is the Airport or the City of Charlotte. We have an opportunity to look at things very differently moving forward.

**Councilmember Bokhari** said regarding Item No. 35: Firewall Consolidation Services, I support this, and I think the goal standards and assets that we are going through the company to procure these, and staff is doing a good job with the firewalls and virtually consolidating, but every time I have an opportunity to point an example of this I will, especially now that we are looking at leadership opportunities in the CIO organization. We are making a decision, multi-million dollars that hard codes us in to physical presence to our physical data centers, and what we really need, and I've been saying this for the last year, is I would love to see a well thought out data center/cloud strategy plan that shows where we are going, because we are now signing on for assets that will lock us up and we will have to own them until the end of life in 2025. Every decision we made extends down the ability for us to do that.

**Councilmember Harlow** said Item No. 36: Applicant Tracking System is an action to approve a contract of a software company that helps provide and implement applicant tracking system and an on-boarding system. This is really about our HR; a lot of people forget that the City, while we do a lot of things up here on the dais, but we function as an employer with 8,000 City employees. I know that the Manager and his Executive Team of Deputy City Manager and Assistant Managers and Department Heads have tried to change the culture of our departments doing things in a vacuum a lot of constituents are telling me that they have applied for jobs, they don't hear anything back. We haven't had a good interaction with the City from an applicant employer standpoint. So, I just wanted to give kudos to the staff; I know they have worked hard on trying to consolidate efforts around how we do procurement, how we do HR. I think this contract will help in centralizing some of that with tracking, recruitment increasing that customer satisfaction, automate some work [inaudible] between how citizens who are looking for jobs are interacting with us. I look forward to approving this tonight.

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

The following items were approved:

**Item No. 16: Fiscal Year 2018 Law Enforcement-Based Direct Victim Services Grant**  
Authorize the City Manager to accept a three-year, Law Enforcement-Based Direct Victim Service Grant in the amount of \$236,695 from the U. S. Department of Justice.

**Item No. 17: U. S. Department of Justice FY 2018 Edward Byrne Memorial Justice Assistance Grant**

Authorize the City Manager to accept a four-year, Edward Byrne Memorial Justice Assistance Grant in the amount of \$507,734 from the U. S. Department of Justice.

**Item No. 18: Resolution of Intent to Abandon a Portion of Sam Neely Road**

(A) Adopt a Resolution of Intent to Abandon a portion of Sam Neely Road, and (B) set a Public Hearing for November 26, 2018.

The resolution is recorded in full in Resolution Book 49, at Page(s) 257.

**Item No. 19: Resolution of Intent to Abandon an Unopened Alleyway Off of Spencer Street**

(A) Adopt a resolution of Intent to Abandon an unopened alleyway off of Spencer Street, and (B) Set public hearing for November 26, 2018.

The resolution is recorded in full in Resolution Book 49, at Page(s) 258.

**Item No. 20: infrastructure Reimbursement Agreement**

Authorize the City Manager to negotiate and execute an Infrastructure Reimbursement Agreement with White Point Pace Partners, LLC in an amount not to exceed \$5,000,000 for the design and construction of portions of two City projects, which agreement includes 20% MWSBE subcontracting goal on the infrastructure improvements.

**Item No. 21: Charlotte-Mecklenburg Police Department Independence Division Station Design Services**

Approve a contract in the amount of \$900,000 with Moseley Architects, PC for architectural design services for Charlotte-Mecklenburg Police Department (CMPD) Independence Station facility.

**Item No. 22: Storm Water Services Media Buying and Creative Services**

(A) Approve a contract in the amount of \$437,700 with The Agency Marketing Group for media buying services for a three-year term, and (B) Approve a contract in the amount of \$237,300 with Saturday Brand Communications, Inc. for creative services for a three-year term.

**Item No. 23: McAlpine Creek Relief Sewer Construction Phase 4**

Approve a contract in the amount of \$11,294,728.28 to the lowest responsive bidder State utility Contractors, Inc. for the McAlpine Creek Relief Sewer Phase 4 project.

**Summary of Bids**

State Utility Contractors, Inc.	\$11,294,728.28
English Construction Company	\$11,981,971.50
Thalle Construction Company	\$11,987,681.25
Hall Contractors	\$12,493,683.50
Dellinger, Inc.	\$13,179,582.50

**Item No. 24: Laboratory Information Management System Upgrade and Software Maintenance**

(A) Approve a one-year contract with Labworks, LLC to implement a software upgrade and provide software support maintenance for the Laboratory Information Management System, (B) Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to purchase such additional software license, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.

**Item No. 25: Regional Bio-solids Transfer Preliminary Engineering**

Approve a contract for up to \$594,200 with CDM Smith, Inc. for Regional Bio-solids Transfer Project Preliminary Engineering.

**Item No. 26: Irvin Creek Tributary Sanitary Sewer Design-Build Construction Phase Services**

Approve a Guaranteed Maximum Price of \$3,920,396 to Garney Companies, Inc. for Design-Build Phase 2 Construction Services for the Irvin Creek Tributary Sanitary Sewer project.

**Item No. 27: Electronic Auction for Disposal of Surplus Dewatering Centrifuges**

(A) Adopt a resolution declaring specific equipment as surplus, (B) Authorize said items for sale by electronic auction beginning November 5, 2018 and ending December 10, 2018, and (C) Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.

The resolution is recorded in full in Resolution Book 49, at Page(s) 259.

**Item No. 28: Airport Uninterruptable Power Supplies**

Approve a unit price contract with Vertiv Services Inc. for preventative maintenance, parts and services for uninterruptable power supplies and battery systems for a term of five years.

**Item No. 29: Airport Runway 18C/36C Joint Seal Replacement**

Approve a contract for the amount of \$151,015 to RS&H Architects, Engineers, Planners, Inc. for design services for the Runway 18C/36C Joint Sealant Replacement.

**Item No. 30: Airport Fire Control Systems Contract Extension and Amendment**

(A) Approve a one-year extension and amendment of the Fire Protection Equipment Maintenance Services contract with Fire Control Systems of Charlotte, and (B) Authorize the City Manager to approve up to one, one-year renewal with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 31: Airport Facilities Engineering Design Services**

(A) Approve a unit price contract for facilities engineering design services with the following vendors for a contract term of two years: RDK Engineers NC, Inc., AME Consulting Engineers PC, and (B) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 32: Airport Architectural Consultation Services**

Approve contracts for architectural consultation services with the following vendors for a three-year term: RS&H Architects Engineers Planners, Inc., The Wilson Group Architects, PA, GS&P/NC PC, and C Design, Inc.

**Item No. 33: Airport Marketing Agency Services**

(A) Approve contracts with the following companies for marketing agency services for an initial term of three years: Chernoff Newman, LLC., Eric Mower and Associates Charlotte, Inc. and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 34: Airport State Grant Acceptance**

(A) Authorize the City Manager to execute grant agreement with the North Carolina Department of Transportation in the amount of \$500,000 for West Ramp Expansion Phase I, and (B) Adopt a resolution accepting a grant in the amount of \$500,000 from the North Carolina Department of Transportation Division of Aviation for West Ramp Expansion Phase I.

The resolution is recorded in full in Resolution Book 49, at Page(s) 260.

**Item No. 35: Firewall Consolidation Services**

(A) Approve the purchase of Check Point internet security firewall equipment, software and support from a federal contract as authorized by G.S. 143-129(e)(9a), (B) Approve unit price contracts with EC America, Inc., immixGroup, Inc., and Rove, LLC for the purchase of Check Point internet security firewall equipment, software and support for a term of three years under General Services Administration (GSA) Schedule No. GS-35F-0511T, effective June 27, 2007, and (C) Authorize the City Manager to extend the contract for one-year terms as

long as the federal contract is in effect, at prices and terms that are the same or more favorable than those offered under the federal contract.

**Item No. 36: Applicant Tracking System**

(A) Approve a three-year contract with JobAps, Inc. to provide and implement an Applicant Tracking System and On-Boarding System. (B) Authorize the City Manager to approve price adjustments and amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to purchase such additional software license, services, hardware, maintenance and support as required to maintain the system for as long as the City uses the system.

**Item No. 37: Refund of Property Taxes**

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$1,659.31.

The resolution is recorded in full in Resolution Book 49, at Page(s) 261-262.

**Item No. 38: Meeting Minutes**

Approve the titles, motions and votes reflected in the Clerk's record as the minutes of September 24, 2018 Special Meeting and September 24, 2018 Business/Zoning Meeting.

**PROPERTY TRANSACTIONS**

**Item No. 42: Property Transactions – Hinsdale-Tinkerbell Drainage Improvement, Parcel #67**

Acquisition of 1,101.87 square feet (.025 acre) in Storm Drainage Easement, plus 166.28 square feet (.004 acre) in Sanitary Sewer Easement, plus 75.43 square feet (.002 acre) in Temporary Construction Easement, plus 1,208.74 square feet (.028 acre) in Utility Easement, plus 566.96 square feet (.013 acre) in Storm Drainage Easement and Utility Easement, plus 67.94 square feet (.002 acre) in Sanitary Sewer Easement and Storm Drainage Easement at 5608 Bellechasse Street from Tiffany G. Martin and David F. Martin for \$45,250 for Hinsdale-Tinkerbell Drainage Improvements, Parcel #67.

**Item No. 45: Property Transactions – Yellowstone Zebulon Street Connectivity, Parcel #5**

Resolution of Condemnation of 457 square feet (.01 acre) in Storm Drainage Easement, plus 457 square feet (.01 acre) in Waterline Easement, plus 4,190 square feet (.096 acre) in Temporary Construction Easement at 2700 Coronet Way from Kay Frances Fox Taylor for an amount to be determined for Yellowstone Zebulon Street Connectivity, Parcel #5.

The resolution is recorded in full in Resolution Book 48, at Page(s) 263.

\* \* \* \* \*

**PUBLIC HEARING**

**ITEM NO. 8: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF AN ALLEYWAY OFF OF WEST WORTHINGTON AVENUE**

**Mayor Lyles** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Mayfield, seconded by Councilmember Newton, and carried unanimously to close the public hearing and adopt a resolution to close a portion of an alleyway off of West Worthington Avenue.

The resolution is recorded in full in Resolution Book 49, at Page(s) 251-253.

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## POLICY

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

**Marcus Jones, City Manager** said the only thing I have is just the 30-day outlook, which is at your places.

**Mayor Lyles** said if everyone will take a look at that, so we will know what is coming up on November 5, 2018 at our next meeting.

\* \* \* \* \*

### ITEM NO. 10: EASTLAND MALL REDEVELOPMENT

**Reverend John Bremer, 4000 North Sharon Amity Road** said thank you for allowing me a few minutes to speak on the proposal regarding the development of the former Eastland Mall site. I would like to express my thanks to Councilmember Matt Newton for his tireless energy and support of District 5 in advocating for this project and keeping the community informed. I would also like to thank Councilmember Dimple Ajmera, who initiated these conversations some time ago. I am the Pastor of the Calvary Church of the Nazarene, which is located only one block north of the Eastland Mall site. We have been hosting community meetings, town hall meetings and advocating for the East Charlotte Community regarding this issue. I'm speaking to you on behalf of the Wilora Lake/Verndale Glen Community Association, which borders the northern edge of the mall property. Since we are the community most effected by the decisions regarding the development of this site we appreciate the opportunity to have our voice heard regarding the plans for Eastland. The proposal unanimously recommended to you by the Economic Development Committee has the overwhelming support of the citizens and the residents who attended the meetings. Only this one which has become the Odell/Crosland Proposal offers the realistic and attractive economic drivers needed to elevate the East Charlotte area. As you know East Charlotte has endured many years of economic hardship as grocery stores, retail, entertainment and other businesses have fled largely in the wake of the closing of the Mall. This proposal will be a great help to bring businesses, such as these back to East Charlotte. We are excited about this possibility that will not only positively impact the immediate neighbors of Eastland, but it will help the entire City of Charlotte be an attractive destination place, bringing visitors, income and opportunities to all of our neighborhoods. Those who come for the purposes of participating in any of the amateur sports offerings will support our local economy; certainly, this proposal is good for all of Charlotte. Please note that we are not looking at this as our golden ticket for prosperity. We certainly understand that this is a process that will take much investment, effort and hard work. I am confident, having interacted with our neighbors and friends that, you have many committed people who are willing to do whatever it takes for success. With a little help, encouragement and opportunities such as these, I am confident that the entire City of Charlotte will take pride in the determination, resilience and drive of our East Charlotte family. We know that this step requires an investment on the part of the City of Charlotte. We are asking; we are encouraging you to invest in this process. We are asking you to make this initial investment as we are confident of the great returns for our City for years to come.

**Glenn Wingate, 4007 Belshire Lane** said I am an Eastside resident; I am also Vice President of the Windsor Park Neighborhood Association, officially known as Windsor Park Neighbors, Inc. Windsor Park encompasses nearly 2,500 homes located directly across Sharon Amity at Central Avenue. I would like to say thank you for letting me speak to night. As a representative of our Association, which has approximately 300 members, I am authorized according to our by-laws to speak on behalf of our Association and its members. In discussions during our meetings, I have heard no decent in moving forward with a positive vote on the Eastland project as laid out by Crosland Southeast Eastland Community Development. In fact, all are encouraged by this plan. One resident humorously said she lived in her home when Eastland was built and hoped to see the project finished before she died. We encourage the vote to move forward on this project tonight. As for myself, an original Charlotte citizen for 67 years as of two days ago. I believe it is time to look at Citywide benefits beyond tax revenue there is tourism revenue, certain growth for jobs created and

in the least a City blight being overhauled to a vibrant destination location that will not only draw from other parts of the City and near surrounding area but potentially nationwide and beyond. This is needed in our area. Again, thank you for allowing me to speak.

**Martin House, 519 Stilwell Oaks Circle** said I am a resident of the Wilora Lake Neighborhood, the neighborhood directly behind the Eastland Mall property. I love our trees. I don't like the leaves, but I love our trees. We are the neighborhood obviously closest to the Mall site, and I would also like to encourage you to vote for the Odell/Crosland Proposal, the FC Barcelona complex. I hope it is for economic development in our community. We are looking for a rising tide that will lift all boats, so to speak. Our neighborhood is truly international; we are an example of what it means to be an American, a country of immigrants. That is our neighborhood, and we hope that you will invest in the Eastside, because it is a thriving community, but it is one with missing basic amenities. We will in a socioeconomic desert; right now, we have no nearby grocery stores, no nearby shopping. We have waited decades for revitalization of the Eastside while other more affluent communities seemly have been improved. There are no parks, no neighborhood gathering places, no farmers market; we don't even have a coffee house. Everything we need to do requires us to visit another part of town. Everywhere we need to go takes at least 15 to 20 minutes. My wife and I have a joke that everything in Charlotte is 15 minutes, because that is our life. We want our neighborhood to be a destination, not an aberration. Please think of the future of my eight-year old son and the hundreds of other children on the Eastside. Economic investment here is an investment in the future of Charlotte; it is also just the beginning. We need to continue investment in our people, our schools, and we need greater opportunities for our businesses for development. East sides often feel like the forgotten Charlotteans; we often feel like the throw-a-way people. We are asking you with all sincerity and from the bottom of our hearts to take the most important step to begin changing this for all of us.

**Ed Garber, 1401 Tarrington Avenue** said I am a lifelong East Charlotte resident; I currently live in the Eastway/Sheffield Neighborhood. Our neighborhood has been very supportive of this Crosland/Odell Plan, so obviously you know that East Charlotte is very passionate about Eastland Mall, and I would just like to say that some of the investment in the past that some of the Council might consider investment I believe it has made it very challenging in Eastland Mall, and one of those things is the bus station that is there. I don't think that gets enough attention as far as things that developers would be looking forward to develop the property. I just want to put that out there that that has been a serious challenge for developers at Eastland Mall, and moving forward I think it is really important for us to work with this developer, because they clearly have the experience in Charlotte and outside of Charlotte. Working with Crosland is very low risk situation for us, and working with Odell, obviously he has built support zonings in the past, so I would just say that from the perspective of the East Charlotte Community we are looking for something. We said we wanted something that was going to be spectacular for our community, something that was representative of something equivalent of what the Mall was before and currently what we've been dealing with is something like a bus station which is a very big impediment to the kind of development we want. So, working with this specific developer that really helps us overcome that challenge and somewhat work with the transit situation there that we know is not going to change. I just wanted to say that we really hope you will approve this funding for the due diligence, and thank you for your support recently in the Economic Development Committee. We thank you and hope that you vote in favor for it.

**Chris Bakis, 6510 Idlebrook Drive** said I will just start out by saying I'm going to focus on the ask for the \$250,000 as part of the payment for the due diligence report. I will start of by reading from April 12, 2018 from Steve Harrison, Charlotte Observer. "Charlotte has decided how to spend \$10 million in SouthPark. Here are the winners; East Charlotte is not listed. After meeting with the residents Charlotte has unveiled its plans to spend \$10 million to spruce up the SouthPark area with a three-mile cultural loop as one of the winners. The City's idea is to create a loop that connects some of the area's most visited areas: Piedmont Row, Morrison Regional Library, and Phillips Place. The path would be more than a sidewalk or a greenway and will have some parks and plazas as well as distinctive art." We are not asking for \$10 million; we are asking for one-fortieth of that to create economic development in an area that has none. We are asking for actual upward mobility, not the

scudo upward mobility that most of this Council talks about on a regular basis, and you know what I'm talking about. Thank you very much; please vote yes and to hear Mr. Driggs that is encouraging. I'm very encouraged about this.

**Yvonne McJetters, 7306 Lakeside Drive** said I want to thank you for allowing me to speak on behalf of the Eastland Mall redevelopment. I am a 30-year resident of East Charlotte who fondly remembers Eastland Mall, and I have been following the redevelopment process for a while. I have been going to the meetings and coming to these meetings as well. I know how important it is for the site as well as for the neighboring communities. There is a place that would turn things around for East Charlotte and at the same time provide substantial revenue for all of Charlotte. I know that the Odell/Crosland Development Group will be a significant game changer. Their plan and type of development that they are proposing with retail, commercial and entertainment amenities will serve as an economic drive for our region. An athletic facility will bring people to our side of town, and \$250,000 is a small amount to pay for a project the size of Eastland. Particularly when the City routinely pays more for smaller projects elsewhere, and now that the developer has committed to paying half, if not more of the expenses, I request and encourage you to vote in favor of the Odell/Crosland Project and the \$250,000 due diligence amount requested. I thank you for your time and support, and I hope you vote yes.

**Vincent Frisina, 3140 Edsel Place** said back in June we had a meeting and the meeting said we wanted to have a full 30-days of due diligence, so we could have another meeting. Mr. Mitchell, I believe you were going to kick it up to 10 to 12 days, and I said look, we really need 30-days, and we are expecting to have another one. At that point, we had a hurricane, and Matt, you had a meeting. I didn't go. I was without power; other people were without power. I talked to people left and right, and basically, we didn't have a meeting where I could bring back more substantial information. I've been talking about affordable housing; I've been talking about economic development, and we are in the crosshairs of both at the City of Charlotte, especially in Windsor Park. We have a house where we use to live; now, there is \$600,000 worth of property value where there was \$200,000. We are on the upward spiral as far as gentrification. I talked to people left and right, but we've had no real talks about affordable housing. I listened to you Mayor when you were talking to Mike and the Mayor, and I wished we would have had that. What I'm asking if you had a Councilmember, who had a meeting during the hurricane period, is to just defer it, have another meeting at one neutral location where everyone can go, because I've had a complaint, not from me, said look I don't like to go to churches. You can understand if it was at a mosque. This person suggested it at a school, but somebody should be there telling and speaking like you did, because I know a lot of people are voting for this futbol field, not for the sport, but to get rid of any sort of additional affordable housing, yet at the same time not looking for economic development. I'm sorry, I have to say it as I've talked to people, and I talked to a lot of people who were against the affordable housing but if they would have listened to what you had said with Mike and the Mayor, because I've got people still telling me oh, we are not handling Section 8. This is not Section 8 or anything like that. People need to know what is going on; they are not making the right decisions, and that is why I believe that it should be deferred, and we shouldn't have had a meeting during a hurricane. Should you hold it up for one person? No. Should you allow one person to have a meeting when you are speaking at the same time to say hey, stay in place? The answer is no. That is why we give you the big bucks to make these decisions.

Motion was made by Councilmember Mitchell and seconded by Councilmember Newton to authorize the City Manager to negotiate and approve a pre-development agreement with the selected development team and reimburse 50% of the costs associated with the activities described in the agreement, up to a maximum aggregate reimbursement of \$250,000.

**Councilmember Mitchell** said I got speaking notes from the staff, but I think for this one I just need to speak from the heart. It has been a long journey for all of us. I get to thank most of the members on City Council; the Mayor was my Vice-Chair when we first had this conversation. The Mayor Pro Tem was also on the Economic Development Committee when we started this discussion. Ms. Ajmera was the District 5 Rep who kept pushing us we need



to get this done, then the new Council came on with that same competitive spirit and then Mr. Newton kept saying when are we going to get this done; we need to get this done. For the citizens in Eastland Mall area, District 5, thank you for your patience; thank you for believing this Council is going to do the right thing this evening and let me defend my Committee. We had to ask the tough questions to get the answer we needed to feel very comfortable to move forward. I can tell you it was all five of them; it was no one saying we are trying to slow down the process. We don't like this project. We were doing our due diligence, and so I think you will want us to do that as your elected representative. I have the same confidence in the team we selected, Odell/Crosland. I think Crosland has a great reputation here locally; we approved something in District 4 that Crosland is doing for us, and Odell has done some of the great architecture work you see here with the BB&T Ballpark among other things. So, this vote tonight is to say we stand with you. We stand beside you, and we are committed that the sun will rise on the Eastside of Charlotte and thank you for your patience.

**Councilmember Newton** said I have prepared a brief State of the Eastland address here. I just want to say that tonight's vote on this item has been over six-years in the making. I wanted to thank our prior Councils: Councilmember Ajmera; the esteemed Economic Development Committee Chair, Mr. Mitchell; today's Council; and all my colleagues on the Economic Development Committee; Councilmember Driggs, who unfortunately wasn't able to stay with us tonight; Councilmember Mayfield; Councilmember Harlow, who all unanimously voted in favor of this item to bring it to us here today. I would like to thank City staff who worked tirelessly to vet all the Eastland proposals before deciding on tonight's recommendation, including Debra Campbell, who unfortunately will be leaving us to become the new City Manager of Asheville; Kevin Dick; Todd DeLong; and Tracy Dodson. If I have forgotten anybody please forgive me. I want to thank all of the community who is here tonight. You have been very steadfast in your support of us moving forward, and your presence of course has not gone unnoticed from stakeholder committee meetings, and so on. As expressed here tonight, this development is good for us in East Charlotte, but it is also good for Charlotte as a whole. This is exciting stuff; should we approve the item before us tonight, this vote will constitute the most significant step forward in Eastland redevelopment so far. I don't want to belabor all the information and fantastic points made by the community pertaining to why we should all be in support of the Odell/Crosland Team. I wanted to mention that they are putting some skin in the game here. We are talking about an overall proposal, so this is what we heard in Committee, an overall proposal that is going to be upwards of \$500,000 to \$600,000. I think the original plan that was decided by the Council back in 2017 was to cover the due diligence expenditure. We are talking about a development team that is willing to pay more, if not half, than that amount, really showing their commitment and at the same time having the ability to retain the rights to all of the documentation that is a result of the due diligence process.

To address some concerns of an individual who spoke tonight, there will be continued community meetings moving forward, so this isn't the last opportunity for the community or others to be involved in this process. This is only the start of that. Having said all of that, I'm so appreciative of the community being here and appreciative of all my fellow Council colleagues and encourage everyone to vote in favor of this and hopefully look forward to this passing.

**Councilmember Ajmera** said I want to take a moment to share the story with you all. I remember about two-years ago, I met with many of you individually, and many of you in the meeting had mentioned how Eastland used to be one of the destination, not just for Charlotte but for the entire Southeast. I remember when I had met specifically Diane Langevin; she had four books of material for Eastland redevelopment. She had attended every single meeting on Eastland redevelopment. So, this is a testament to your efforts for never giving up on us, and to me to see this come through, it is very rewarding because I know many of you had personally met with me about this project and to get to this point, I'm just touched. So, thank you for not giving up on us and many of you have set through so many meetings and have invested so much time into this process, and many of you are my neighbors. I could not ask for better neighbors, so thank you.

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



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**BUSINESS**

**ITEM NO. 11: PRIVATE DEVELOPER FUNDS APPROPRIATION**

Motion was made by Councilmember Egleston, seconded by Councilmember Winston, and carried unanimously to (A) Approve Developer Agreement with Central Piedmont Community College and RailYard LLC for traffic signal installation and improvements, and (B) Adopt Budget Ordinance No. 9443-X appropriating \$74,800 in private developer funds for traffic signal installations and improvements.

The ordinance is recorded in full in Ordinance Book 91, at Page(s) 670.

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**ITEM NO. 12: CONSULTING SERVICES FOR INTERSTATE 77 CORRIDOR STUDY**

Motion was made by Councilmember Winston, seconded by Councilmember Harlow, to (A) Adopt a resolution approving a Municipal Agreement with the North Carolina Department of Transportation and accept supplemental funding in Fixing America's Surface Transportation Act in the amount of \$2,000,000, (B) Authorize the City Manager to negotiate and approve a contract for up to \$2,000,000 with Atkins North America, Inc. for consulting services for Interstate 77 Corridor Study, and (C) Adopt Budget Ordinance No. 9444-X appropriating \$2,000,000.

**Councilmember Phipps** said we had a good discussion this morning in the Transportation and Planning Committee from the members of CARPO, and I move that we proceed with this proposal.

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

The resolution is recorded in full in Resolution Book 49, at Page(s) 254.  
The ordinance is recorded in full in Ordinance Book 91, at Page(s) 671.

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**ITEM NO. 13: METROPOLITAN PLANNING PROGRAM GRANT MUNICIPAL AGREEMENT**

Motion was made by Councilmember Egleston, seconded by Councilmember Harlow and carried unanimously to adopt a resolution authorizing the City Manager to execute a municipal agreement with the North Carolina Department of Transportation to support transit planning activities for the Charlotte Regional Transportation Planning Organization.

The resolution is recorded in full in Resolution Book 49, at Page(s) 255-255O.

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**ITEM NO. 14: INTERLOCAL AGREEMENT FOR MECKLENBURG COUNTY TO PROVIDE MONITORING AND ANALYSIS SERVICES.**

Motion was made by Councilmember Mayfield, seconded by Councilmember Winston, and carried unanimously to (A) Adopt a resolution ratifying an Interlocal Agreement with Mecklenburg County for Monitoring and Analysis Services for an initial term of five years and six months, and (B) Authorize the City Manager to renew the Agreement for up to two, two-year terms with possible price adjustments and to amend the Agreement consistent with the purpose for which the Agreement was ratified.

The resolution is recorded in full in Resolution Book 49, at Page(s) 256.

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### CITY ATTORNEY COMPENSATION

Motion was made by Councilmember Mitchell and seconded by Councilmember Winston, to increase the City Attorney's base pay by 5% for a new annual salary of \$260,916 retroactive to July 1, 2019.

**Councilmember Mayfield** said Mr. Hagemann and I have plenty of conversations, and I think he has done an amazing job, and I'm not happy that he is retiring, but I do have concern that we move forward with oppose to and exit interview, since he is retiring we move forward with continuing with the discussion of pay raise, at this point since he is retiring, that will be a bonus on the way out. We have a number of staff where the standard pay increase is 3%. Unfortunately, there is a possibility of an article that is getting ready to come out that is looking at a number of our executive level staff that make over \$100,000 a year and looking at our lowest paid employees. Unfortunately, we have a number of employees of the City of Charlotte that live in Lake Arbor and that have come down and shared. I have a challenge with the 5%. If we were going to do anything, for me it would be 3%, which is the standard 3% increase, because it is thinking not to encourage, and I'm also concerned about what that increase would do for any incoming attorney as far as what they salary base is going to be. Although, I recognize that great work has been done, I also recognize the Mr. Hagemann has done his job; he has done his job well, but he has done his job. Even though a number of my colleagues are comfortable with this 5% increase, when we have conversations about our lowest paid City employees, not those employees outside of our realm, but when we look at our lowest paid City employees and we look at our highest paid executives throughout our multiple departments, there is a challenge to say as you are leaving we are going to give an increase of anything beyond 3%, so I will not be voting in support, but it is not a vote of non-support, because I do not think that you serve it. You deserve great work. but I'm concerned about the precedent that it sets moving forward.

**Councilmember Ajmera** said with this vote. I will be following my conscious. and I will not be supporting the increase of 5%; however, this does not reflect his work ethic. In fact, our City Attorney has a very strong work ethic. I have called him over the weekend several times, and he is always available to answer any questions, and I appreciate that, so I want to go on record saying that my no vote does not reflect his work ethic.

**Mayor Lyles** said I appreciate the comments by our Councilmembers who are very concerned about the idea of wages or just think that 3% is sufficient in terms of his work ethic, but I have to remind people the assessment of the City Attorney in on his prior year; that is the way our system works, and so in the last year the Council rated out of a five-point scale anywhere between 4.8% and 5% on his performance. The average appointment that we approved in the budget was 3% for average performance, and I think sometimes we talk about rage in equality, and we look at this and we say well until we get everyone up and I have a great appreciation for that, and we've got to do this but we don't do this at the expense of others. I think we do it at the idea that we ought to be trying instead of a glass half-full that we are trying to fill the glass and that we ought to be looking at this, if we have these kinds of issues and decisions to advocate, and we have done increases that are as a .5% for exceptional performance. While I understand the position and understand the fiscal conservatism and the concerns about wages for a City employee, I think that again with a five point scale a 4.8 to a 5 point scale, I want to say thank you Mr. Hagemann for the work that you did last year that we are recognizing at this point in time, and I also want to say that one of the things as we go forward with the selection of another attorney, we appreciate the guidance that you have provided in your exit interview and also that we appreciate the fact that we will have opportunities to make this decision as a Council together.

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

YEAS: Councilmembers Bokhari, Egleston, Eiselt, Harlow, Mitchell, Newton, Phipps, and Winston.

NAYS: Councilmembers Ajmera and Mayfield.

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## ITEM NO. 15: MAYOR AND CITY COUNCIL TOPICS

**Councilmember Phipps** said I would like to show my appreciation and thanks to Charlotte Department of Transportation and the North Carolina Department of Transportation and the State Highway Patrol for their work in clearing up an obvious truck stop we had at the entrance ramp of Statesville Road and I-85 North. As you can see, now when you go pass there they have the appropriate signs up and that intersection is now safer than it was prior to, so I just wanted to thank everyone that had a hand in clearing that up. Recognizing also that there is a problem around the City of tractor trailer trucks being parked everywhere on medians and on the side of the road but trucks move America, so we are working on a more strategic plan to try to address the parking needs for that particular industry. Lastly, I would like to thank a couple of community leaders in Hidden Valley, Tom and Betty Wilkins of the Hidden Valley Optimist Club were inducted into the Optimist International Hall of Fame this Saturday in Kingsport, Tennessee. They are hardworking, and I just wanted to recognize them and congratulate them on such an honor of being inducted into the Optimist Club Hall of Fame.

**Councilmember Bokhari** said I was just going to say thank you to the community, especially the arts world who worked very hard to get Hamilton here. I got to see it this weekend, and it was indeed incredible. I can't wait; the Mayor told me there is already in the works a day where a bunch of school kids in the region are going to come together and get to see it. What a treat for them! It was really incredible the actors and actresses were great and had I known that I could have mixed my love for history and rap and made some kind of big impact like this show I would have done that by now.

**Councilmember Newton** said thank you Council for your support of Item No. 10, the Eastland item. I had this opportunity this past week-end to attend a naturalization service at Simmons YMCA, and I would like to congratulate all the new American citizens that have joined this great country and that has put all the hard work in becoming a citizen and being a part of all that America has to offer. I just wanted to congratulate them and thank Astrid Chirinos and Todd Tibbits and other members of the YMCA for your support of our immigrant community in District 5 and for the invitation.

**Councilmember Egleston** said I just want to remind everybody that we are in the middle of early voting, and if you need to you can update your registration at early voting. There are 19 locations around our community that are open all of this week including Saturday and Sunday, all of next week including Saturday November 3, 2018. That is the final date to early vote before the Tuesday, November 6, 2018 election, and I would encourage everybody to do so. Even tonight during the meeting we heard about the importance of decisions that are made in Raleigh by our State House and State Senate. Every single one of those people that represents us on those two bodies are on the ballot as well as Congress, as well as our bonds, amendments to the State Constitution, and all of these things are very, very important to the future of our City, our County and our State so I would hope that everybody would get out and exercise their right to vote either in early voting or on election day, Tuesday, November 6, 2018.

**Councilmember Harlow** said we did make a great step on the Eastside for Eastland tonight. We are moving towards similar types of prospects and progress on the Westside. We had a lot of public investment as many people know, two big C-NIP projects at the top end of Beatties Ford Road, the Beatties Ford/Sunset C-NIP investments and also the lower end in the Five Points Community West Trade/Rozzells Ferry Road, and many questions always come up. Well, what about the middle, the Beatties Ford, and LaSalle, the Beatties Ford/Oaklawn Corridor? I'm really happy to not necessarily announce today; it has been announced but to look forward to tomorrow's event as we kick off the City of Charlotte's Partnership and our Economic Development partnership with Urban Main, which is a National Main Street Center program that partners with cities to help historic neighborhoods and also underserved neighborhoods and help improve their commercial districts and improve the quality of life and really help increase economic development in areas and

corridors that need it the most. We will be meeting tomorrow at West Charlotte High School from 6:00 to 8:00 p.m. Thanks to Kevin Dick and Tracy for their work in getting this partnership together. We need the community's involvement; this is just the first step in a lot of other future community engagement sessions to really envision what we want Beatties Ford, LaSalle, and that middle piece of Beatties Ford Road to look like it and how we can help bring jobs to the area. Tomorrow at 6:00 p.m., West Charlotte High School, 2215 Senior Drive. Come on out, and give your thoughts and opinions here about the National Main Street and urban main projects. More to come on that too.

**Councilmember Winston** said I wanted to reiterate what Mr. Egleston said; this is an election year. Every year is an election year and every current election is the most important election in your life and this one is no different, so everybody go ahead and get out there and vote. Secondly, between last week and this meeting, full disclosure, I work there, but we enjoyed the first home game of the Charlotte Hornet's season. So, we want big things from our basketball team but of course we have a lot of big things going on with the MBA this year. This marks the countdown to the All-Star Game and our amp up initiative, but most importantly we get to celebrate the 30th season of the Charlotte Hornets. It was in 1988 when the franchise was received and the first year set the record for attendance. We lost them for a little while but the buzz is definitely back. The other day Kemba Walker scored his 10,000th point, the only Charlotte Hornet to do that on a Hornet's uniform, so I want everybody to make sure you get to a game, make sure the buzz is back. It is really excited, and there really are no fans like Charlotte Hornets fans. Everybody come out, be loud, and let's get ready for All Star 2019.

**Councilmember Eiselt** said I was going to pass but since Mr. Bokhari brought up Hamilton. I want to mention why I feel so strongly that our Council supports the Arts. I have seen Hamilton a couple times, loved the show, but what is really important about this really unique performance is that the Blumenthal Performing Arts Center along, with the Lynn Mandell Foundation, is allowing 2,000 Title-One kids to see this show on November 1, 2018. Not only were they able to see the show, but they are going to have a workshop in the morning that they work with the actors. A lot of these may have never even been uptown before, but they will get the opportunity to do this have lunch and then see what I believe will be a life altering show for many of these kids. I want to thank the Blumenthal Performing Arts for being inclusive and really reaching out to high school kids to help them gain an appreciation for the arts and for history.

**Mayor Lyles** said I want to thank the Council for all the work they do continuously to make the City a better place for everyone to live.

**Councilmember Mitchell** said my Town Hall Meeting is October 30, 2018. I will have a job fair, a panel with developers talking about the good projects in Charlotte, and it is about building relationship with the sub-contractors and prime. The City Manager allowed me to expand the menu so we are having lobster and steak for dinner. Is that right, City Manager? Seriously, 6:00 to 8:00 p.m. on October 30, 2018; please join us.

**Councilmember Mayfield** said I want to thank our Chief and CMPD; last Tuesday we had the kick off of the Bridge the Difference event, hence my cap, which also ties into this morning. The Chief and I did our first Straight Talk. CMPD Chief Kerr Putney has been doing Straight Talk, having real conversations directly in the community. I believe this morning I was the first elected where we were able to have a fireside chat and just have a real conversation about the impact of what is going on in our community, and I definitely appreciated the time for our Chief, and I to have a 30 plus minute conversation. I also want to acknowledge, this past Saturday we had in town Ten Dintersmith, who is the author of What Schools Should Be, and there was a panel discussion with Charlotte leadership, and it was the Charlotte Mobility Forum that was held at Steele Creek Church and what led in large part by the Arrowood/Southwest Alignment Business Association so there was a really interesting video and conversation with CMS leaders around how we do education, and the last piece is for the City Manager. I believe all of us on Council received a letter regarding changes and development happening over at CATS. A number of staff that have left, resigned and/or staff changes, that is causing concern of some of our employees. Mr. Manager we would really appreciate if you can bring an update and working with HR give



us the numbers. If we are having a high turnover and it is mismanagement related, it would be helpful to know that, because people aren't leaving good jobs today with the way the City is going, so if there is something going on, it would be helpful to make sure that we are listening to the concerns of our employees.

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#### ADJOURNMENT

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

The meeting was adjourned at 9:10 p.m.

A handwritten signature in black ink that reads "Emily A. Kunze". The signature is written in a cursive, flowing style.

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Emily A. Kunze, Deputy City Clerk, NCCMC

Length of Meeting: 3 Hours, 43 Minutes  
Minutes Completed: November 9, 2018