

The City Council of the City of Charlotte, North Carolina convened for a Strategy Session on Monday, February 3, 2020 at 5:03 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, Malcolm Graham, Renee Johnson, James Mitchell, Matt Newton, Victoria Watlington and Braxton Winston II.

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**Mayor Lyles** said we have had a few things that we've had to change on our agenda, and I just wanted to make note of that and make sure that we understand. Our agenda has very short topical line items or topic description. Dog Tethering is the first item on our agenda, and we will get a report from staff, and then we are going to have a discussion around Circus Animals Regulations. We are not going to hear from the Brookhill Proposed Development developer, because this is just an error on procedure and process. We did not hear from all of the developers submitting a request to the Housing Trust Fund until the staff has reviewed those Trust Fund applications, so that was an error jumping ahead of the game. We will not hear from the Brookhill people until after they submit their proposal for review.

Last week we had the City Clerk's report on Board and Commissions, but we ran out of time, and the Clerk will present that, and comments will be there. We have an item for rule clarification around the Citizen's Review Board By-Laws, and the City Attorney is going to help us with that. The City Manager is going to update us with our Annual Strategy Meeting Summary and the next steps Committee Reports will follow in the order that they are listed generally. Later on, I will have an announcement about our Governance Committee that is going to look at Council's rules and regulations as well as redistricting after the 2020 Census. With that, I will ask the Manager to introduce the first item of Dog Tethering and see where we are going next with that.

#### **ITEM NO. 1: DOG TETHERING PROVISIONS**

**Marcus Jones, City Manager** said tonight we have Marie Harris, who provided you with a staff report on both Dog Tethering Provisions and Circus Animals Regulation at the end of last year. We had the opportunity to provide that to you at the last Strategy Session but no deep discussion. So, Marie will do two things tonight. One is go over the report, but also there has been a series of questions since that report. I believe some of those questions have been answered and passed back to you, but the goal of this presentation is to bring you up to speed with some of the findings, as well as level setting with some of the questions that have been asked. So, we will turn it over to Marie.

**Marie Harris, Shared Services Deputy Director** said as the Manager said, this is based on follow-up information from your November Strategy Session and first off, at your November Strategy Session, there was some discussion around what types of provisions overall for animals and the care for animals, and we wanted to make sure in the report we attached the full Chapter 3 of our City Code – Animals, and within that, if you want to reference your packet in front you, the Tethering Report, if you reference page 23 it goes over some of our provisions in place to prevent animal abuse. Now, this is for overall, and we called out a few of those here for you on the slide. You must have adequate food and water, adequate shelter, protect animals from extreme weather, heat, cold and rain, sufficient shade; the shelter must allow them to remain dry and comfortable during inclement weather. That is just a few of them that are pulled out, and those are overall animal provisions and protections. We have in the current ordinance.

Specific to tethering, in September of 2010 Council updated the Animal Ordinance provisions around tethering to put specific criteria in place, and those were voted on in September and implemented March 1, 2011. The current provisions include adequate food, shelter and water; the tether must be a minimum of 10-feet long. It must have a swivel on both ends; it must be made of a metal chain or coated steel cable. It must provide the animal unobstructed range of motion without the possibility of being entangled or insured. The dog has to be at least four-months old to be tethered, and the tether may weigh no more than 10% of the dog's boy weight, and it must be attached to the dog with

either a buckle style harness or collar and never used with a choke or pinch collar. You only attached one dog to a single tether, and the tether must maintain that the dog does not go within five-feet of any property line. Those are the current ordinance pieces in place.

Part of our review of the current ordinance, we were benchmarking with some of our peer cities, and just as a reminder, our peer cities are selected based on socio-economic and demographic criteria similar to the City of Charlotte. We have the City Engineer, Dr. Tazifor, who ran statistical analysis and how they clustered most closely to us, and that is how we have these 20 peer cities that you are familiar with that we typically benchmark service with. Of our national peer cities, is tethering allowed? Seven do not allow tethering at all; 13 allow it with certain criteria in place, and we also benchmark some of our North Carolina cities, and of those, three do not allow it at all and two have specific regulations in place around its use.

Just more detail around our peer cities, again, there are seven that do not allow unattended tethering at all, and two of those are due to a state law and California's statewide ban on tethering. Within the 13 that do, we tried to help you by calling out some of the specific criteria that must be in place for tethering as far as the length of the tether, the time tethering is allowed, the weight of the tether, how the tether is worn or attached to the animal if the dog must be spayed or neutered to be tethered if there is a provision that an adult must be at home, any weather criteria and other accommodations, and when we say accommodations, that is like food, shelter, and water that are required. It is specifically in some of the ordinances.

Based on our review, we are recommending that we keep the current ordinance with the safety provisions in place. We don't recommend at this time banning tethering based on equity concerns or unintended consequences, such as additional dogs being surrendered to shelters or less home available for dogs or potential unintended consequences of financial impact to citizens. Again, for your consideration tonight, you can maintain the existing ordinance and educate the public on existing regulations and criteria. Another option could be look at hours of the day a dog is allowed to be tethered, and for this one we want to be really clear, when we say hours of the day we mean, like some say you can't between 11:00 p.m. and 6:00 a.m., those hours of the day versus amount of time. When we talked to other animal care professionals across the nation, they say it is really not feasible if you say it can only be five hours or a certain amount of time. It is really not feasible to enforce. Last, consider a ban on tethering and establish parameters around specific incidences where tethering is allowable. What we mean there is some places where it is banned; they say it banned, but you can tether your dog if you are working or if it is hunting or if you are camping or for temporary relief, those types of criteria.

**Councilmember Newton** said I would be interested in starting a discussion on this. So, Marie, thank you so much for your hard work here. I sent an e-mail about three-weeks ago in response to the report and asking for some additional clarification. The reason I did that is because I think it is important that we really drill down on the issue being presented by stakeholders here and certainly, there are jurisdictions throughout the country, peer cities that ban dog tethering altogether and everyone else has restrictions upon tethering. I think what we are overlooking, and I'm glad that we have that chart that I think was created after some questions were raised by Council, but what we are really talking about here, and I think the issue presented by stakeholders, is whether or not there will be unattended dog tethering for an indefinite period of time. Let me just break that down, so that is a restriction in its own right, but it is a restriction that we don't have and others certainly do. So, to the extent, there is banning, to the extent there is dog tethering that is allowable, so long as there is someone attending to the animal. That is something that we are an exception to the general rule. In that last chart, and I think this is what is important to note, when you kind of break it down and we have sifted through all this information over the past three weeks, and what you will see is that the greater majority of our peer cities, 13 and arguably 14 including Minneapolis. The greater majority at the very least, they say that if you are going to tether a dog you have to supervise that animal, and that is because there are scientifically empirical data that shows that when you don't do that certainly, it is inhumane to the animal, but it poses a public safety risk

at the same time. Just further underscoring the point here, we have received information that I don't think is within our presentation tonight, but we'd received information whereby four of the five benchmark cities in the State of North Carolina, three of them have a ban, and the other one also places a time restriction on unattended dog tethering. So, that would be four out of five. I think given those numbers, we are certainly behind the curve. I know that we've had a conversation about the equity aspect of this, and I would submit to my colleagues the consideration so, outside the context of a complete ban, at least the consideration of us saying that it is important, and we are going to insist that animals and dogs in particular, on tether be attended to or supervised. I think that under the circumstances from the equity standpoint that doesn't eliminate the ability to dog tether at all. What it says is if you are going to do it, you need to be responsible and you need to be responsible certainly to the health, welfare, humanness of the animal but also to the community at large.

We had a young lady, not too long ago, that was attacked by a dog that got off his tether. This is not uncommon; we've seen this in other counties, and the injuries are horrific, and we have the opportunity to not address this on the back end through the extent of ordinance we may have in case a dog is no longer on leash but to address this on the front end and make sure that it is prevented from happening altogether. I think we can also drill down on the ideal of punishment as well and what constitutes adequate punishment from an equity standpoint, but I don't think that should prevent us from making sure that we do the right thing and put the language in place to prevent indefinite unattended dog tethering altogether. We can also have the conversation too, as to whether we are talking about an extended period of time here. So, it is my understanding that there are many jurisdictions that impose three-hour period of time where you have to at least supervise the animal every three-hours. I understand that is something that might be a little difficult to keep track of, but we do it in a number of other ordinances that we institute, and we don't say that simply because it is difficult that we shouldn't make sure that we are doing our jobs and ensure that the owners of whatever instrumentality may be responsible.

One of the things that come to my mind is the idea of no parking. There are areas where we say you are not allowed to park here over an extended periods of time, and we still enforce that. So, I think under these circumstances it is enforceable but to the extent, that we have concerns there. I think we can always look at blocks of time and say these are the period of time where the hazards presented to the animal and to the community are greater. If we can do that, at the very least, I think we are moving in the right direction and ensuring that we are doing our jobs. Having said all that, I would ask that we move forward on this. I think part of the question is how we do that. I hope tonight, we can get some direction to our staff whereby they can draft a proposed ordinance for us to consider at a future business meeting, certainly a business meeting to where we can get input from stakeholders in the community before we take a final vote, with a public hearing, but under the circumstances, we should move forward given all the information here that we have and ask for that ordinance draft to be worked on.

Motion was made by Councilmember Newton, to direct staff to draft a proposed ordinance to be on a future agenda with a public hearing. There was no second to the motion.

**Councilmember Ajmera** said for clarification, Mr. Newton if you could help me understand, are you suggesting putting this as part of a public forum and get feedback?

Mr. Newton said I suggest we do this like we would any other item that we would be voting on; the question here is whether it would come back to us beforehand or it would go straight to the business agenda, but certainly, we would have a draft that we could discuss and then after public comment on that draft, a public hearing, this could all happen. I think it is not uncommon for us to do this all at one time the same evening but we have public comment on that before a final vote is taken.

Mayor Lyles said let me make sure that I've clarified; the ordinary thing would be on our policy agenda; it would be a numbered agenda item and people could sign up to speak and dependent upon the number of speakers we have we would either allow two minutes or three minutes.

Ms. Ajmera said just to follow-up on that, are you proposing a change for ban or one of the other options where there is a restricting on the hours or regulating the hours of the day? There are three options that have been provided by the staff. I just want to be clear, as we are giving clear instructions to our City Manager. I want to make sure if I am supporting the motion which one of those options we are moving forward with.

Mr. Newton said the clear trend is a ban, once again, for humane and public safety purposes. Having said that, I don't know if that is something that we as a Council would support, but short of that, a time restriction that exists in the greater majority, certainly the vast majority of our benchmark cities in the State of North Carolina, the greater majority of cities throughout the United States some time restriction within our ordinance. The next question of course is, what type of time restriction? Is that going to be one from the standpoint of scope which is like every three-hours, or is one where we are going to be looking at a block restriction? Once again, a question I think for us as a Council to consider, assuming we move forward.

Mayor Lyles said would you propose that your motion was to direct staff to draft a proposed ordinance, and would you like to see a ban and a time restriction and the Council discuss both and choose? Is that what you are proposing?

Mr. Newton said yes ma'am, I think that would be fantastic and maybe what we do and subject to insight from all of us on Council that maybe we consider with the time restriction whether or not a three-hour period, or it is better to have a block where we are talking maybe peak hours something like 9:00 p.m. to 5:00 or 6:00 a.m. or something like that where we can identify the period where the humane aspect as well as the public safety aspect is tight.

Motion was made by Councilmember Newton, seconded by Councilmember Ajmera, to direct staff to draft a proposed ordinance that with either an option of a ban or a time restriction with a span of time of three hours.
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Mayor Lyles said I'm going to restate your motion; direct staff to draft a proposed ordinance with either an option of a ban or a time restriction with a span of time of three hours. I just want us to make sure because the Manager has made a recommendation, so if we are going to have something on the agenda, it is clear what is on the agenda.

Mr. Newton said I think there are two options available; what I've seen when I've looked at ordinances across the United States, I keep seeing that three-hour period. That is something that I would be most supportive of, but I've also seen block periods, and I know that is a question that has been raised.

Mayor Lyles said you've seen a lot of information, so let's make sure. First was a ban or an option of time restriction of three-hour period.

Ms. Ajmera said so, say either/or either the ban or the regulation of hours, is that correct Mr. Newton, either/or?

Mr. Newton said time restriction.

Ms. Ajmera said I'm comfortable with that motion. Complete ban, I struggle with that a little bit even though I'm a big believer in animal care and protection, but we have heard there are residents that will have a financial impact as a result of the ban; however, we all know that something needs to be done to protect animals, so I would be in favor of looking at regulating the hours, and I don't know what that looks like, whether it could be

three-hours, or it could be some sliding scale, but I second the motion of looking at it from looking at it from regulating the hours.

Mayor Lyles said he made a motion that says first a ban and then the regulation of a time restriction hours with a three-hour period. Are you seconding that motion? I think the Manager can present two options on an agenda item. He is not recommending this, because he has already made a recommendation; this would be from the Councilmember saying propose an ordinance that includes a ban and then a time restriction as a choice. I'm just trying to figure out if Ms. Ajmera is seconding the motion that is what I'm really looking at.

Ms. Ajmera said I think we are saying the same thing here, so there will be an agenda item with two options. The first one would be the ban, and the second one would be the regulating of hours. I'm seconding the motion because I think we've got to look at regulating the hours to ensure that we are addressing the animal care and protection, but at the same time, we are not putting too much burden on families where they can't afford to build a fence.

A substitute motion was made by Councilmember Graham, seconded by Councilmember Mitchell to make no changes to the dog tethering ordinance in Charlotte and empower City staff to use communication channels: Animal Control and Neighborhood Service teams, to create capabilities for our community to report tethering issues, connecting with existing non-profit solutions, and gather data on tethering and monitor the ongoing effectiveness of our current ordinance.

**Councilmember Graham** said I want to thank everyone for coming out this afternoon. I clearly understand the passion and the emotion you bring to this particular issue. Our job as a City Council, and certainly my job as a member of this Council, is to look at the broader picture as well. I'm really concerned about the unattended consequences that the ordinance will bring to our community, especially those living in inner City communities in which I represent. I'm very concerned that thus far there has been no public hearing to hear from the other side; there are those who think differently from you do, not saying that they are right, and they are wrong, and you are wrong, and they are right, but it has been a one-sided debate thus far. So, I'm really concerned that the other side hasn't had an opportunity to voice their opinion.

Lastly, I'm concerned about whether or not we could even enforce it, and I'm also concerned about the selective enforcement when we do. For those reasons, I believe it is really important that we support the Manager's decision, which is essentially bullet point number one, to maintain what we are currently doing, but take a look at stats and figures and data and educate the community. I want to make sure that we are not trying to put together a solution looking for a problem. I think giving the Council some time, and the staff time to really do some due diligence, data collecting, some grunt work. So, the Council can make an informed decision at the appropriate time.

**Councilmember Winston** said if we were to create an ordinance that said ban tethering would there be an automatic prescribed penalty for that or would we have to describe what that penalty is?

**Patrick Baker, City Attorney** said likely a default penalty and I don't know [inaudible] normally we would ascribe a civil penalty side.

Mr. Winston said Council would ascribe a specific penalty. So, could we face the situation if we were to consider an outright ban with no penalty?

Mr. Baker said I don't know why you couldn't do that.

Mr. Winston said I think I agree with much of what Mr. Graham said; I think there is a way once we get more information and more data on what is happening where. Where this issue can fit into some of our stated Council priority areas. I think when we talk about

tethered dogs, backyards, and people's homes where people live and play, we are talking about building better neighborhoods. When we are talking about the effect that tethering and chains can have on the overall community safety, this is an issue of community safety.

As we look at different approaches, as we ascribed to looking at ways that we can strengthen families in our City to prevent things from happening in the future, there is no doubt that pets are a part of families, family units, and family structures. Anyway, if there is an opportunity to work with our community to strengthen families and hit all those buckets, I think that is a good thing, but I don't think we know exactly what that means right now. So, I think we should direct staff, whether that be Animal Care and Control or Housing and Neighborhood Services, to work with our community members who are energetic and moved to find community-wide solutions and these other organizations to really identify and form prescriptive solutions to identify problem properties or places where this is happening. I don't think any of the solutions that we have up here are going to get the results that I think many in the community want if we do not have that type of continued collaboration, and I think staff and our citizens when working together can and will find some solutions that will give us the success that we want.

Mr. Newton said in responding to the substitute motion, I think we need something with teeth here, and unfortunately, I feel like this is a very well intention substitute motion, and you make a very great point, but you mentioned continuing the conversation. I think the motion would effectively end the conversation. We are not talking about additional information to come back; we are talking about a game plan that would codify absolutely nothing, nothing in ordinance, nothing that is otherwise enforceable or would prevent the issue that has been brought to our attention. At the same time, I think in every instance that we take a vote, we do the best we can to hear from everyone, but we need everyone to show up. The people who have shown up certainly have told us, frankly, they would like to see a ban. I think we are actually considering something short of that, but it has never stopped us before from taking something to a public hearing and a vote, at which point everyone can show up, both sides of the issue can show up and speak before any final decision is made. Once again, that is what we routinely do, and it sounds like we are taking a departure under the substitute motion here if that is what is agreed to.

I think that we can, given the substance of the substitute motion, given the substance of the original motion, we can actually do both. Councilmember Winston just alluded to it; if we are very cautious about moving forward because we feel like the penalty would be too severe or inequitable we could still codify violations or our intent into our ordinance, and the penalty could be one whereby, particularly under the first or even second instance of a violation whereby there isn't any monetary consequence, but we work with the individual, and we do that to prevent the harm from happening, once again with teeth, in our ordinance and thereafter. If it continues then maybe there is something that is monetarily involved, but we do both is what I'm saying, and there are agencies. So, to the Councilman's point, there are agencies that will build free fencing, and that will help in that regard from the equitable standpoint, but I do think that the substitute motion would end the debate in the conversation moving forward and absolutely accomplish nothing with teeth within our ordinances to address the issue that has clearly been brought to our attention.

Mr. Winston said I definitely hear your concerns, Mr. Newton, about this not coming back, and that is exactly why I suggest bundling it within these priority areas that we have ongoing work. If we say, for instance, building better neighborhoods, if we can identify that we are looking for ways to improve our neighborhood so if there are families out there that would rather not tether their animals but they know without that tether while they are at work they would jump that fence. We have a community that creates other potential dangers and potential negative impacts. Perhaps this is not something that we have looked at in the past, but this is something that we can collaborate with neighborhoods, collaborate with service providers to work on fencing in homes like this, and by default improve the overall quality of the neighborhood. That falls into line as we take a more evidenced approach to dealing with community safety issues, we are saying that strengthening families and other things that we haven't even thought about yet, perhaps

like tethering of animals and dealing with animals in a community, can affect the overall community safety. If we put it in these buckets that we are already working on and tell staff we expect you to consider this as we are thinking about these overall things that are already coming back to us, I think that is going to ensure that we will have to deal with this in the future, as we are coming up with the overall plans again to build better neighborhoods, deal with community safety, and strengthen families overall.

Ms. Ajmera said I wanted to address some of the concerns that Mr. Graham had raised. I agree with you in terms we've only heard from one side so far throughout this discussion, but I think public hearing will give us an opportunity to hear from the other side. In terms of enforcement, I would like to hear from our City Manager; if we were to go with the second option in terms of regulating the hours, have we looked at how that would work from our enforcement perspective, what kind of additional resources we might need? Is that something we are already in position to doing?

Ms. Harris said the proposal of the three hours would be very problematic. We wouldn't have resources necessarily to sit at someone's house for three-hours or four-hours; that is why we are saying it is really not enforceable. When we talk to other people, if I go out there and your dog is tethered, and I wait a while and come back, and they say I brought it for three-hours. So, there is a lot of problematic issues with trying, not saying it is too hard, but legally you can't hardly enforce it if it is a chunk of specific hours, whereas if you are not supposed to do it between 10:00 p.m. and 6:00 a.m. or whatever the hours are, if I go there and the dog is tethered then you are in violation, and we can actually enforce that. So, we continue to deal with complaints as they come, as we do now.

Ms. Ajmera said I understand that regulating three-hours or two-hours could be a challenge when it comes to enforcement, but maybe having specific hours would address Mr. Graham's concern around enforcement and how that could potentially be enforced. I'm open to that option as well. From our 311 Department, has there been data collected and how many calls we get on this, and can it be shared with Council before our next meeting?

Mr. Jones said yes, I do believe in the report we gave the number of calls per year.

Ms. Harris said if you look at the tethering report in front of you, on page 7, it is not quite three years' worth, because when we pulled it in 2019 it was on December 3<sup>rd</sup>. So, that one wasn't a full year.

Ms. Ajmera said I see that in Table 3, I see the number of complaints when it comes to cruelty has gone up significantly from 30 to 49 to 60 in three-years. That is a concern to me. What kind of City do we want to be when it comes to animal care? I think this information is sufficient enough for me to move forward. At least we've got to do something. Doing nothing is no longer an option; clearly, from the data, it shows we are getting more complaints, especially cruelty related. I think that addresses some of the concerns that Mr. Graham had raised around public hearing, enforcement, how the data has been collected, so this is pretty comprehensive.

Mayor Lyles said Mr. Jones could you respond to the complaint, and how they are resolved for cruelty, as well as for the type of restraint?

Mr. Jones said in the report there is also the important note that a clarification of guard dogs versus dogs, and the other thing as we go through this and specifically for Ms. Ajmera, we look at this as it is being reported, and I think the question is really the second box, table 4, that while the complaints are being logged, whether they are citations or warnings, and I think that is what I'm hearing tonight a bit. How can we use data to better inform decisions moving forward? It is being captured, and I'll leave it at that.

**Councilmember Driggs** said this is a matter of interest; do we have any idea as to how many dogs there are in Charlotte?

Ms. Harris said we don't.

Mr. Driggs said I just wanted to say, I'm coming down on the side that Mr. Graham recommended, and I wanted to point out here. For one, your energy and passion about this has definitely raised the profile of this issue for us, and I think as we move forward there will be a much greater awareness that this is something for which we are accountable, but the concern I have right now is if there 100 of these complaints, there are many, many dog owners out there, who knows how many dog, 50,000 or 100,000. I think just the matter of numbers, it is very easily possible, that the adverse consequences for a lot of people who own dogs and care for them and care about them would be out of proportion to the actual instance of at least the complaints that are filed with us. So, I think what I would like us to do is for one, be more intentional about the data that we are looking at as we consider this. We have other planning things that we are doing in our Comprehensive Plan. It would be interesting, for example, to see comparisons between the cities that have tethering ordinances and those that don't as to the incidents of dogs getting violent, because that was one of the suggestions and get a better understanding. The point we are trying to make is there are actually two sides to this; it isn't as completely open and shut, so whereas none of us here wants to see an animal suffer, and I want to emphasize that, there is nobody here that is indifferent to the suffering of an animal. We have to try to look at it in a broader context. So, I will support Mr. Graham's substitute motion.

Mr. Newton said I looked at page 7, and it looks to me that over the past three years you've had 331 complaints where restraints were needed, and you've only had two of those result in any sort of action. I look at that, and I see clearly that there is a need for some sort of mechanism here which [inaudible] these complaints. I hope you got that in the minutes. I had my mic off. I think assuming we look at that and we appreciate the risk much like we appreciate other risks whereby enforcement isn't straight forward or easy, I think we need to act. I appreciate the comments of my colleagues; I appreciate your comments and substitute motion Mr. Graham, but I would make a substitute motion to the substitute motion.

Mayor Lyles said you can't do that; you have to vote on the substitute motion before.

Mr. Newton said just to conclude quickly, I think nothing prevents us from instituting the mechanism that we clearly know we should do given the data, once again, 331 complaints, only two have resulted in any action taken.

Ms. Harris said may I make a clarification, to your point, yes, not a fine, but yes, we always go out there and educate them, and usually once they find out how- Not everybody knows exactly what is required, and that is why we try to educate people and bring them into compliance versus fining them. So, we do actually take action, just not fines.

Mr. Newton said I don't see that clarified in the data, and at the same time, I think what we have seen is a very heightened number of restraint-related complaints. I don't know how many of those are repeat complaints either, and I can only assume that this is going to continue to happen, and this is where we actually codify something within the ordinance to address the problem, and I would ask, and I think under the circumstances we can certainly do that in an effective manner, and at the same time, we can incorporate the substitute motion within the penalties to ensure that it is done equitably on the back end where we have that process in place to work with the animal owner and then also hold them accountable, because I don't know if we have any of that if they were to continue to engage in what is considered inhumane, public-safety, risk actions. I think was also brought up, the type of things that are specifically addressed in our Charter, and fall within our purview and responsibility as Councilmembers.

Mayor Lyles said to make sure that we are clear, because we've taken two charts and tried to make sure that they are related somehow, but I want to read the words in between the two charts that say all complaints are investigated. Over the three-year period, 11 tethering warnings and two citations were issued. The continuous goal of Animal Control is to first seek compliance of ordinance through education and communication, which is something we seek in every effort instead of penalizing people we try to say how can we



get this to a place that actually you are being a good dog owner. When targeted education and communication efforts are not successful then enforcement measures, so, to me I want to compliment Animal Control for 171 education opportunities. All but seven resulted in compliance, and that means that we have really worked with our community leaders and dog owners to ensure that they understand what is important, which is the welfare and safety of the animals. I want to make sure that when we look at those two charts that we connect it in a way that is a result of what you folks do, and I want to say thank you for what you do.

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

YEAS: Councilmembers Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Watlington, and Winston.

NAYS: Councilmembers Ajmera and Newton

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## **ITEM NO. 2: CIRCUS ANIMAL REGULATIONS**

**Marie Harris, Shared Services Deputy Director** said this is another topic that was brought forward in the Public Forum, and you discussed back in your November Strategy Session and received a report January 3rd, and tonight we would like to go over some of that information for you and give you discussion points for next steps. In November, you had some conversation around what may qualify as exotic animals, and currently again, this is in our City Code Chapter 3, Animals. We currently have specific definition in place. Exotic animals are typically ones you would find confined in a zoo, in the wilderness, that aren't native to North America, that could be seen to cause fear of bodily harm or significant damage to property. Our definition currently specifically calls out that while the exotic does not include household pets, farm animals, fish contained in aquariums, insects, and birds. So, we do have a specific definition already in place to cover that.

As far as current regulations in place, the most predominant one is at the federal level through the Animal Welfare Act, and that is governed by the United States Department of Agriculture, and this is the Circus Report Packet. If you look at Page 11, it lists their standards, and that is the minimum standards, but we pulled out a couple on the slides just specific to some of the concerns we've been discussing. One, handling of all animals shall not cause harm or stress, physical abuse, shall not be used to work the animal or train the animal or otherwise handle the animal, and again, that is just a few of the provisions, but if you reference Page 11, the Circus Report section has more detail.

At the State level, the state has provisions in place to prevent animal cruelty. They define cruelty as every act, omission, or neglect whereby unjustifiable physical pain, suffering, or death is caused or permitted. The state further grants authority to cities to put further regulations in place to further prevent inhumane treatment of animals. It also grants the City authority to regulate dangerous animals.

The City level, as we kind of discussed in the tethering, we have certain provisions overall for animal abuse to prevent animal abuse within our existing ordinance, but specific to wild and exotic animals, we have the definition, we have specific restraint requirements in our ordinance for wild and exotic animals, and we have provisions on who can actually keep and maintain these animals, but other than that, we don't currently have any specific provisions in place specific to the wild and exotic animals.

Again, I won't go over this but we used the same peer cities. So, when we looked at our peer cities to see what kind of regulations they had in place for circus animal's performances, 13 didn't have any; four had some regulations and three put bans on wild or exotic animal performances. Then we looked at some of our North Carolina cities, one had no provisions. Two had regulations in place, and two had a ban on them. One aspect that several of our peer cities had and then other cities across the nation are looking at

doing is the use of bullhooks, and a bullhook is usually a wooden staff with a metal point and a hook on the end.

The recommendation, based on the fact that after our review we don't really, as a City, have a big financial impact or administrative burden, it is more so a policy decision for us to get direction from Council on. Some options for your considerations: continue with protections as provided with the Animal Welfare Act; consider the provision banning the use of bullhooks; consider provision banning the use of wild and exotic animals in circuses.

Motion was made by Councilmember Mitchell, seconded by Councilmember Egleston, to continue current protection of the Animal Welfare Act and follow Texas and consider banning the use of bull hooks.

**Mayor Lyles** said we have a motion and a second, so I'm going to restate that, that on a future Council Agenda, the Manager would have a recommendation that working under current provisions, the Council would like an ordinance developed that would ban the use of bull hooks.

**Councilmember Newton** said that motion is something that my understanding would place this inconsistency or in line with a majority of jurisdictions, particularly the State of North Carolina and then also across the United States. My concern here and certainly I think it is something too that addresses the concerns and the issues that we've heard from stakeholders, particularly as they pertain to humanness, and I think we also know too it is something that is not going to affect the right of circuses to exist or zoos of any sort of other types of entertainment that we might otherwise might be interested in like dog shows. Having said that, my concern is whether or not it incorporates or is extensive enough to incorporate the wide range types of instrumentalities used for inhumane purposes, such as electric shock treatment and others, simply shovels and rakes poking at animals and creating the types of harm that we want to prevent the aggressiveness and the potential for health and safety risks.

A substitute motion was made by Councilmember Newton, seconded by Councilmember Egleston, to expand the ordinance, to anything that causes inhumane treatment, beyond just bull hooks, to include any other type of instrumentality that could be used in a cruel, unusual fashion to the animals, included but not limited to electric shock, etc.

**Councilmember Egleston** said I'm in support of banning bullhooks. I think expanding it could be merited too; I would just ask our Legal Department and Marie or whoever else if that is something, and I know Mr. Newton did give a couple of examples, but I think if we could see if there are other cities that have language expanding the uses of certain instruments beyond bullhooks, that we could get those examples or that explicit list of what those things are in advance of the public hearing that would be held before the vote. I think the more clarity we can provide in advance of the vote of what the vote is exactly on the better people are going to be able to speak directly to the motion.

**Mayor Lyles** said I think that is an excellent point because the state regulation says the terms cruelty of cruel treatment include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted. So, it seems to me like electric shock would fall under state regulations, but I don't know that and so the question would be to find out what the State defines as those things because I don't know if there are parameters already in place there.

Mr. Newton said the substitute motion was to expand it beyond bullhooks.

Mayor Lyles said the substitute motion was? Please state it again.

Mr. Newton said the substitution motion was to expand the original motion beyond just bullhooks to include any other type of instrumentality that could be used in a cruel unusual fashion to the animals.

Mayor Lyles said would you accept that to the original motion or would you have it as a separate motion?

Mr. Mitchell said keep it as a separate motion because my interruption is that it is covered under the state, so if we could use it as a separate motion.

Mr. Newton said I would say included but not limited to electrical shock, etc.

Mr. Egleston said this is going to be brought back to us at a future business meeting for discussion in a public hearing and a vote, so we are essentially asking staff to bring back language. So, what if the language as we are asking them to bring back a provision banning the use of harmful instruments including, but not limited to, bullhooks? They can come back with the exact language of what that is or isn't and what is covered by the State laws and what is not and then we leave it at that and let them come back with more information.

Mr. Newton said I second that.

Mayor Lyles said we have a substitute motion that expands anything that causes inhumane treatment and bullhooks.

**Councilmember Driggs** said could I ask for clarification? Is the substitute motion just to instruct the Legal Department and staff to come back to us with a proposal?

Mr. Egleston said centered around the use of certain tools or instruments.

Mr. Driggs said but we are now voting on having a follow-up where we get more information and clearer text and clear definition so not an ordinance.

Mayor Lyles said we are not deciding the issue, but it would be on your agenda February 24th; we would have citizens come down and speak, and it would be the expanded definition of inhumane instruments.

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

Yeas: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Johnson, Newton, Watlington, and Winston.

NAYS: Councilmembers Graham and Mitchell

Mayor Lyles said February 24th on the agenda, we will have the Circus Animal Regulations, and we will get that information out in advance so that we know what we are talking about.

**Councilmember Bokhari** said I voted for it, but if we could also get staff to bring back- I have heard anecdotally that when you ban things like the bullhook, in essence, what you are doing is banning the ability for them to be here. So, I don't know if that is true or not, but the whole point is, if that is true, one, I would like to know, because it maybe we are just banning circuses, and I don't think we should do so via the bullhook and not actually do it if that is what our intent is.

Mayor Lyles said we've got a great team of people listening to this tonight from Animal Control; I think they will be able to tell us what the result and impact of bullhooks are for circus animals in their next report. Ms. Harris, fabulous work; thank you very much.

\* \* \* \* \*

### **ITEM NO. 3: BOARDS AND COMMISSIONS UPDATE**

**Mayor Lyles** said I want to say one thing before we listen to the Clerk's report. I have just run out of time and energy today; we were focused a lot on this agenda, and my plan was in working with Julie, to have the Mayor Pro Tem, to have the assignment of the Boards and Commissions to the Council Committees. It is just I don't want to do something in haste. I want to do it so we are not having to redo it. So, not getting to it today; we will get it to you this week. You still will have 11-months to get those reports in and out to the Committee. This is the Clerk's Annual Report to the Council on our 2020 Boards and Commissions.

**Stephanie Kelly, City Clerk** said thank you for the opportunity to provide you with a brief update on Boards and Commissions. Tonight, I just want to briefly touch on these three items, some new changes that have been implemented for Boards and Commissions. I want to give a brief overview of the application and nomination process, particularly in light of the fact that we have three freshmen Councilmembers, and this will be coming up next week actually. This presentation was prepared in January, so it says a look ahead to February, but it is actually a look ahead to next week's Council meeting.

At your Retreat, you received the first compilation of the annual report, and one of the things implemented new in 2020 is the use of the annual report of template, and so all of the Boards and Commission were asked to complete this template, so it will allow Council to get a snapshot, a picture view, one page or two, of what the various Boards and Commissions were doing, and the use of the templates were successful in that 85% of all the Boards and Commissions submitted and used this template.

Another thing that will be new for you this year will be the use of demographic information that will be provided to you when you receive your nomination ballots; you will be able to see the breakdown of each individual Board, and it will show the ethnicity of each Board and also one other thing you will see this year is the members who did not meet attendance requirements for 2019 will be prohibited from participating or serving on additional Boards and Commissions over the next 12-months.

This is a list of the 37 Boards and Commissions, and inadvertently the Charlotte Water Advisory Committee was left of this, but Charlotte Water Advisory Committee is one of the 37, and it was inadvertently omitted from this slide.

Mayor Lyles said in the yellow, I see Airport Advisory; what is the second column?

Ms. Kelly said the Development Review Board, that was a Board that was created by Council in 2010, and it has never met. It was created as a part of the planning process, and I think it was supposed to review petitions of some sort. I did print that information.

Mayor Lyles said the next one is Housing Authority Board of Charlotte-Mecklenburg.

Ms. Kelly said that is the Housing Advisory Board; it is actually in transition.

Mayor Lyles said to the county?

Ms. Kelly said yes.

Mayor Lyles said that is the 10-year plan in Homelessness Committee.

Ms. Kelly said right, and you will get additional information about that Board at a later update from Ms. Wideman.

**Councilmember Winston** said the Airport Advisory?

Mayor Lyles said it is still in the statutes; we got it through the Senate, and we are waiting on action by the House. I don't know if we will get in the short session or not, but we have

gotten the Senate approval, and it did get moved over to the House, and we are waiting to see if they will act in the short session.

Ms. Kelly said coming up at your meeting next week will be nominations, and so the process is that the vacancy announcement has been advertised for four weeks. Applications from anyone that was interested in being appointed or being reappointed, those applications were due on January 26th. We have gone through the process of screening those applications, and you will receive those that are qualified, based on staff review, that are qualified to be considered for those vacancy. Also, this template which you have seen and we used in 2019 as a part of the Manager's recommendation for improvements to this process, this template is being used by many of the Boards so the Chairpersons can make recommendations on person they would like you to consider for appointment. Nominations will take place next Monday with appointments at the subsequent meeting on February 24th.

This is the application, and applicants can apply or reapply online through our Granicus system. All Board Members that are appointed are required to meet at least 65% of all the regular meetings throughout the calendar year or else they are removed at the end of the year. Members who seek a second term must have attended at least 75% of all regular, special, and sub-committee meetings. Board Members may not serve on more than two Boards, and also, they cannot serve more than two consecutive terms; however, I will point out, if an individual is appointed to a partial term, if they are appointed to fill a vacancy created by someone's resignation or because someone failed attendance, they can continue to fill that partial terms and then two terms of their very own. It is possible that they may serve a little more than six-years if they meet attendance. Certain of your Boards require candidates to have background checks to also take oaths and/or submit Statements of Economic Interest.

This is the applicant ballot that you will receive in your nominations packet. So, the process is that City Council is informed of all vacancies. You review the position requirements and also the recommendations made by various Chairpersons for those persons that they wish to recommend. On the ballot, incumbents are identified on the ballot and also out to the right of their name, and you will also find on there their District is also included. As I mentioned earlier, Board demographics will also be provided for each individual Board so that you can see the breakdown of the Boards.

At the meeting on February 10th, you will get your ballots on Thursday in your packets and at the Action Review Meeting you will be asked to submit your ballot to the Clerk, and we will tally those during the remainder of the meeting. So, when go to the Chamber, that is where the nominations will actually either- if someone has received more than six nominations, you can appoint them by acclamation, and it requires a motion, a second, and a vote by Council. If there are two nominations for any one person, they will be on the ballot for appointment at the subsequent meeting. We do not read out the names of nominees at the meeting, so you will get that information from the Clerk's Office in an e-mail on Tuesday morning. You will receive an e-mail that list all of the nominees that were not appointed by acclamation the previous night.

That is basically the process in a nutshell, and I'm happy to answer any questions, and also, I think provided to you in the yellow folder, especially for our newbies, are the copy of the ballot, so you will know what you will get in your packet next week. As always, we are available to answer any questions. You can give me a call or e-mail me, and I'll be happy to walk you through the process or answer any questions you may have.

**Councilmember Newton** said thank you so for this information. Do we have any exceptions to the rule [inaudible] for missing a meeting? [inaudible] missed a couple of meetings, because he had cancer, and there wasn't any sort of exception in place to excuse that. Is that accurate, or do we have any circumstances where those types of exceptions exist?

Ms. Kelly said Mr. Newton, we don't have any rule that allows staff to make exceptions to attendance, but what has happened previously in several instances where persons have had illness or extenuating circumstances, they just need to let the staff advisor know,

preferably in writing, and we convey that information either to the City Council or to the Mayor or whoever is the appointing entity, and there have been exceptions made under such circumstances. What we tell people is, if they have a work conflict, that is not extenuating circumstance, but illness, major, you know life happens and the Mayor and Council are well aware of that, and we just ask that they provide us that information so that we can provide it to who needs to know, and we have many instances where the Council has reinstated someone.

Mayor Lyles said I have a couple of things I would like to ask the Council to think about. There are a few Boards that are really focused on personnel related issues; the three that I think about are kind of quasi-judicial Boards perhaps: Citizens' Review Board, the Civil Service Board, and Community Relations Board. Right now, we advertise every quarter for those vacancies and I wanted to just bring up on the Citizens' Review Board, you have to go to the Citizens' Academy before you can even be considered for that Board. I don't know the thinking between Citizens' Academy and creating the quarterly announcement, so I was wondering if you could give us some ideas about how that works, like are we getting enough applications so that we have a pool of people consistently available for that Board? What I'm really saying is how do we manage the calendaring so that the Citizens' Academy, which is a very intense and a very long process, and I think they've done some things to make it more webinar based and things like that-

Ms. Kelly said Mayor I have an answer to that; we actually maintain a database of all of the graduates, as the class graduates, whoever is administering that program sends us a list of those persons that completed the academy that have met all of the requirements. So, we have a list of about, currently it might be about 300 names of people that have completed the academy. It might be a little more than that, but that have completed the academy since it began. We do have a data base of names and contact information from persons that have completed it, and when they finish, they are encouraged to go ahead and submit an application to us. So, we have applications on file from some people that are interested.

Mayor Lyles said of the 300, how many applications do we have on file?

Ms. Kelly said now that question I can't answer right off the top of my head.

Mayor Lyles said I don't know why; somehow, I feel like it is like around 30 or maybe less.

Ms. Kelly said I think it is a little more than that.

Mayor Lyles said with applications on file?

Ms. Kelly said yes.

Mayor Lyles said how long does their application stay on file?

Ms. Kelly said they are good for 12-months.

Mayor Lyles said so if you've been doing the Citizens' Academy three-years ago, you have to reapply or redo your application.

Ms. Kelly said right.

Mayor Lyles said I think we need to figure something out there. I think to be eligible, to be on that list your application come in, you have to renew it, but those people are very valuable to us, to create a diverse pool of applicants. I wonder if there might be some exception, if you've been to the Citizens' academy and you apply, you stay on the list 24-months. I just really feel like we get more people on board through that process. They've really invested, and 12-months may not be efficient amount of time to take advantage of that talent pool that we would have. I would just like to understand it a little bit more because when I've seen the list of eligible candidates, they don't usually number 300, and so it is a certain pool out of the 300 willing to apply, and if they don't apply in 12-months

then we don't get the benefit, and I just wonder if we should look at it perhaps longer. I would like to see some ideas and suggestions from that from the Citizens' Review Board to the Committee that they will be working with and their annual meeting with the Committee.

**Councilmember Driggs** said I would mention the people that we are able to appoint from the applications that we get is actually a pretty small percentage. My sense is we get 30 to 50 applications, and we are asked to name two or whatever. It is already a highly selective process, but the other thing I would just comment on is if we did keep those over a longer-term I think we would need to at least communicate with the applicant and get them to reaffirm their desire to be in the pool for a year because they could have moved away. We don't know. So, it could be a simplified thing if we just say to them if you wish to remain in the applicant pool, there should be some acknowledgment from them that they are in it and want to stay in it.

**Councilmember Egleston** said similar, and I might have misheard what you said, but they don't necessarily have to apply within 12-months. I think Ms. Watlington has been through the Academy as well. We both have, and that is good in perpetuity as you are prerequisite for being on that Board and then it is just a matter of the applications are good for 12-months. So, to Mr. Driggs' point, it is as simple as reapplying. Maybe if there is an automated way, if it were automated we could apply it across all Boards or if it is manual maybe we target it to specific Boards like CRB, but if we could essentially just ask people if they want to renew their application or if the application is now dormant, would you want to review it, and if so would you like to make any changes to the Board you are interested in or any other prerequisites you might have met in that timeframe to make it easier for them and to prompt them to even realize that their application has gone dormant? The bar is fairly low for someone to re-up if they know they need to.

Mayor Lyles said yes and in the busy world of life today, I just wondered if we could kind of make sure our applicant pool remains diverse and full. Those are just ideas; I would really like to ask the Citizens' Review Board to give you some ideas about what makes their membership work best.

**Councilmember Watlington** said two things, the first one is in regard to the Citizens' Academy; I know it is a requirement for the Citizens' Review Board, but for the Civil Service Board, I noticed that is not, so I was just curious as to why that is. For all the reasons that you just named, I think it is important that we look to that pool of folks that have graduated from the Citizens' Academy as we think about hiring and performance management.

The second piece is as you think about Citizen's Leadership Academy, I know that part of the draw in the program is the thought as coming out of it that you would be sitting on a Board or something, having made that investment into the community to understand how things work. I'm just curious how we make that linkage as well, and do you already get a list of the graduates?

Ms. Kelly said actually on the application there is a question that says have you completed CLA, and if you indicate that you have then you put down when you finished. Also, as a part of the program, I usually try to go to the class and walk them through the process of applying, answer their questions about Boards and attendance and meetings, and anything that they have to ask about Boards and Commissions. I'm usually one of the last things they do on the last night of their class so that is fresh in their minds, and many of our recent applications are from persons that have completed CLA, but they have an opportunity to note that on the application that they have completed it.

Ms. Watlington said do we see that?

Ms. Kelly said yes you do.

Mayor Lyles said so, on the difference between the Civil Service Board and the Citizens' Review Board, I've ask the attorney to give you that information. One is like really old; it

has been around for a long time, and one is fairly new with new things, but if you will describe the difference and get that to everyone that would be helpful.

Ms. Kelly said Mayor, I just wanted to make one other clarification; you were speaking about the quarterly advertisement for all of the Boards. One of the things that we have implemented is the announcement that was posted in that you were given list all of the upcoming vacancies for the year. So, you will be able to see what vacancies there are throughout the remainder of 2020 on that list.

Mr. Winston said when we do finally get these Boards and Commissions aligned with Committees, do you envision that we on Committees will be able to work with the Clerk's Office, work with those on those specific Boards and Commissions to come up with paradigms that might reach the goals the best if we run into some of these issues that been pointed out around retaining talent, providing continuity, timely reporting? Do you think we will have that autonomy to create practices specifically between those two relationships?

Mayor Lyles said my understanding is that each Board has to submit an annual report; those annual reports would go to the Council Committee, and there would be an opportunity for discussion there. I don't think we have right now any boundary for that. I think let's try and see what happens, and if it gets to be a burdensome process to either group then that is a consideration, but if it turns out to be very productive then we can build on it.

\* \* \* \* \*

#### **ITEM NO. 4: CITIZENS REVIEW BOARD BY-LAWS**

**Mayor Lyles** said Mr. Baker is going to help us understand what we've been asked to think about and then decide which agenda it would go on at our next Council meeting which is the 10th.

**Patrick Baker, City Attorney** said I was contacted by the attorney for the Citizens' Review Board about an issue that they are having and it relates to the topic that we just discussed about membership in a commission and in particular the juxtaposition between the attendance policy and a particular piece of the procedures for the Citizens' Review Board that speaks to their membership. Specifically, the issue is that Board member is charged with a felony, Class A1 misdemeanor or Class 2 misdemeanor during their term of office shall be automatically suspended until disposition of the charge and a quorum shall be established from the remaining membership. That is in part of the ordinance that created your Citizen Review Board, but there is no clarity as to whether that suspension prevented someone from attending a Board meeting should count on their absences for purposes of attendance. So, if you've got a felony and we actually have a live situation here where someone is not allowed to attend any of the meetings because of the felony suspension rule, for want of a better term, and whether or not the attendance policy should be told during this process or whether it should be applied during the process. The specific request of me is to apply the attendance policy to the individual even if they are suspended, and my recommendation will be- First, I wanted to make sure this is where Council wanted to go in that regard, and I think if that is the case then there should be some clarify in that process rather than just make the assumption, we should just go ahead and bridge that gap, which would essentially have me bring back to you at the appropriate time, but I've already essentially gotten it written out if you wanted to go in that direction it would read something to the effect of, a Board member of the Citizen Review Board who fails to attend a regular or special meeting of the Board because he or she is suspended pursuant to Charlotte Code 1656-D, that is the code that I mentioned, will be considered absent from the meeting for purposes of applying the City of Charlotte's attendance policy for City Board members as set forth in Resolution Book 49, Page 327. That includes the three, consecutive-meetings policy. So, it would clearly be applicable, and when you have missed three consecutive meetings you are automatically removed from the Board.



Mayor Lyles said and may be reappointed at the discretion of the Council for any Board. I think that is the question that Mr. Newton asked. If you have cancer and you can't make it then you have the same attendance requirements and then you are eligible for reappointment.

Mr. Baker said correct.

**Councilmember Bokhari** said just for clarification, in this scenario is it a felony charge or a felony conviction?

Mr. Baker said felony charge.

Mr. Bokhari said I don't know which route you are going with it, but if it becomes a felony conviction, I'm assuming given that role that they are no longer able to hold that position.

Mr. Baker said that is a separate piece because individuals of felony convictions are not eligible to be on the Board.

Mr. Bokhari said so, what you are saying here is if somebody is in a felony charge period and they missed their days, but in the end, they are exonerated or whatever and there is no conviction, should we be able to allow them back on?

Mr. Baker said you allow them back on if you wanted to.

Mr. Bokhari said but you are saying automatically change it, so that doesn't trigger allowing them back on it. I'm trying to make sure I understand.

Mr. Baker said I'm sorry, it is exact opposite actually. What I've been asked to do is to bring forth, and this is from the Board itself, a recommendation that if you are suspended from the Board, because you have been charged with a felony, and that suspension prevents you from making three consecutive meetings, then you are automatically removed from the Board due to the attendance policy, not the felony suspension rule. I lost you there at the end, didn't I?

Mr. Bokhari said I was almost with you until the very end.

Mayor Lyles said I think it is being consistent with all of our Boards. If you miss, and as Mr. Newton said, if you have a real issue that you cannot attend then the attendance policy applies, but that means after you come back you can be reappointed. I assume that what Mr. Baker is saying is that if you are found not guilty of something, then you can come back and be reappointed.

Mr. Bokhari said that all made sense; the part I think I got lost was if you are put on suspension by the body.

Mr. Baker said you are automatically put on suspension by the body through the ordinance that you have. It is the ordinance that automatically suspends you, so if you are charged with a felony tomorrow, you are automatically suspended from the Board. The issue has been that independency of dealing with those charges, you then missed three meetings, because you are not allowed to attend, because the ordinance has suspended you from the Board whether the attendance policy should apply.

**Councilmember Egleston** said I know this in response to a civic situation, which I know a little about, and I think we should probably move forward in that direction. I just wonder if in the spirit of having some level of innocence until guilt is proven that if we should maybe have an automatic restoration of someone to a Board upon the next vacancy of something if they were to be found not guilty. If you get suspended for a charge but you haven't been proven guilty, again, it is precluding work from being done on this Board right now, which is why I think we need to take action, but if there is a situation where somebody is found not guilty, then do we want to leave it up to the discretion of the Council whether or not it is reappointed or do we want to say that automatically fill the next

vacancy on that Board? I could probably live with either, but just as a possible slight alternative.

**Councilmember Driggs** said it seems to me that you are innocent until proven guilty, and if you are prohibited from attending meetings by our policy, I don't see how that counts as an absence. So, I have trouble with the logic here. I think maybe we need a special provision for people who are accused of felonies but kind of this mechanism to which their failure to attend meetings because they were allowed to cause them to be excluded doesn't make sense to me. I would rather see us do something that says specifically, if you have a pending felony charge, you may not attend meetings, but that absence doesn't count. I just think that makes a lot more sense, because if you are subsequently found not guilty, then you are innocent, and why there should be any penalty in terms of attendance because of an erroneous or an unsustainable charge was brought against you doesn't make sense to me.

Mr. Baker said just to clarify, that is essentially the position that we are taking right now. We, the City, that has been my interpretation of it that if you wanted the suspension to somehow be trumped by the attendance policy then you should have said that in your ordinance, which is what you didn't do. So, they are asking to take the further step, but that has been our interpretation right now is that the suspension continues on but those absences aren't mounting against this individual.

Mr. Driggs said it is three in a year; is that right?

Mr. Baker said three consecutive.

Mr. Driggs said three consecutive and what is the interval between those meetings? Is it monthly?

Mr. Baker said I think it is monthly.

**Stephanie Kelly, City Clerk** said they meet on an as-needed basis, but they have met regularly in 2019.

Mayor Lyles said I think this ordinance was written by a couple of lawyers on the Council; Tim Sellers wrote this, and this issue was raised, because it was reviewing police matters, and you are under investigation, and that is why the whole thing came up. The issue didn't come up that you shouldn't be able to serve; the issue was how do you get the work done if everybody can't participate? This came from the Board because they would see it as a need to get the work done. It is not about the position, because if they are found not guilty then they can be reappointed. I think Mr. Egleston raised the other part; do you want to automatically go back on, or do you want the Council to appoint you?

**Councilmember Winston** said it is the prerogative of Council to choose people that serve on these Boards and Commission, correct?

Mr. Baker said either the Council or the Manager, the Manager has some appointments or the Mayor.

Mr. Winston said now in terms of removal, is it the same? By vote, are we able to remove people that we have appointed from those Boards and Commissions?

Mr. Baker said yes, there is a provision in your procedures and again, Madam Clerk, correct me if I'm wrong, but they do serve at your pleasure and can be removed by the appointing body, whether it is the Council, the Mayor, or the Manager.

Mr. Winston said just from what I've heard and what I know, I think there is a problem in our ordinance obviously. It seems to me that one, innocent until proven guilty should be the standard that we all abide by, and those that are accused of felonies are still innocent until they are proven guilty. So, they should be able to serve, unless Council has the prerogative that those shouldn't serve for whatever reason. I think we need to go into the

language or out ordinance and remove this suspension that is triggered by this accusation and put the onus back on us as a Council to consider these appointments should the situation arise where we think we should be considering their removal. Do we need a motion; what are we looking to achieve here?

Mayor Lyles said the achievement was that we have a request from a Board under the rules that they have written into our ordinances, and they have requested that we clarify the rule, and that is going to be on the agenda at a future meeting, and I don't know whether it is the next one. It is either the 10th or the 24th.

Mr. Winston said I would ask staff if we are going to consider anything. I would like to consider the ordinance without that language in there and put it back on us to make those decisions to remove our appointees.

Mayor Lyles said Mr. Baker, I think you need to give us some history about whether this ordinance had state approval or just ours. There might be more process than just what we can do. So, give us some background on it, because this was very controversial when it was done, and there were some reasons for it, maybe some information about it. Who has to approve it and how it has to be done? If you can get that information out then I think we have an obligation to that Board to respond if we want to do something differently, and it is not for all Boards so it would be just this specific one. Is that what I'm hearing? The rule doesn't exist for every Board?

Mr. Baker said I don't think it does.

Mr. Egleston said the three absences does.

Mayor Lyles said the three absences but not the felony rule. The felony only applies I think to this one.

Mr. Baker said this is in part because this Board is directly revealing Charlotte Mecklenburg Police Department issues.

Mr. Winston said it could go both ways though.

Mayor Lyles said it can. I don't disagree with you. I'm just saying let's get some information about it and go on and then the other thing as Mr. Egleston suggested, automatically reinstatement or be reappointed.

Mr. Egleston said I think Mr. Winston could be on to something, that we could make the decision; I think in this instance, we would I assume maybe end up at the conclusion that we should remove the person from the Board, but I would wonder too if this was being brought back with more information. One, should the felony rule apply to the other Board that is involved with CMPD, and two, if we were to decide we were going to remove this person there would have to be a presentation from staff as to the circumstances of their arrest and charging and would that be considered something that we would do as a personnel matter in closed session, or would be just airing our citizen volunteer's laundry in open session to decide whether or not they should be removed.

Mr. Baker said I think my review of the ordinance is much simpler than that. It would be simply were you charged with a felony; that is the triggering mechanism here is that you were charged with a felony, which this individual was, then the circumstances, I haven't gotten into because the ordinance just makes clear, that if you are charged with a felony you are automatically suspended.

Mr. Egleston said so, that just means if we are considering Mr. Winston's idea then we would then need to know more about each specific case to make a specific decision, and if that is something that staff brings back as a recommendation, we would need to know how that would be handled.

Mayor Lyles said and the question, is it is universal or is it applicable to this Board? Let's get some information and see where we go.

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#### **ITEM NO. 5: COUNCIL ANNUAL STRATEGY MEETING SUMMARY**

**Marcus Jones, City Manager** said I will attempt to be fast with this; it is really coming back to the Council, lessons learned from the 2018 Annual Strategy Meeting versus the 2019 where in the 2018 Annual Strategy Meeting. We had a series of short, medium, and long-term items to address, and what we would like to do is, right out of the gate, give you information related to where we ended with the Annual Strategy Meeting.

If we start with the summary of items, we had 115 items and 84 of those items were identified through the three breakout sessions: the Great Neighborhoods, the Transportation Planning and Environment, and the Workforce and Business Development. If we go back in time, you may remember. I believe in January of 2018, when there were a number of questions that Council had, I think we called it the 27 questions. Staff went back; I talked with each one of you to make sure that we understood what is the question, and we came back with an issue, background, and next steps. So, because we really didn't have an opportunity to do a closure at the Annual Strategy Meeting, this is close to it.

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This is just step one. So, of the 85 items, we've consolidated them into 57 items, and as you can see, some of these are just one word, like Brookhill. So, your ACM that your liaison will talk to you because each one of you put an initial by these stickies and ask you, what did you mean by that? What we really believe is when it is all said and done, we really won't have 57 items; there will be something that is more consolidated. We are going to come back to you next month with what we will call those white papers that gives a big of an elaboration of the question, as well come back to you in April and try to make sure that those white papers, if you will, are in the right spot. So, what do I mean by the right pot?

The other thing that is important is much like affordable housing back in 2018. The Council took a deep dive into mobility, accessibility, and connectivity, and there were 14 items that were short-term, 10 items medium-term, and seven items that are long-term, and you have those also as a handout. I will tell you that we didn't go with easy to do, hard to do, because I think that was a little bit of the conflict during the Annual Strategy Meeting, but the key is that they are all being reviewed. So, if we go to the next, what we plan to do at the March Strategy Session is to provide you with white papers on each one of these items after speaking to you to make sure that we've captured it. The April Strategy Session, after a discussion, we can see where these 88 follow-up items reside. Some may need to have a potential Council action; some will be just the Manager's responsibility. Some will be existing initiatives or programs, or you may find out that after we've talked with you that you may suggest that sticky number 17 was just a thought, and you didn't expect future action required.

I will tell you this is good for us; it is a lot of work, but it is good for us because it gives us an opportunity to make sure that we are talking with you to get the essence of what you were trying to get out of the Retreat, but also, everybody will get shared information in terms of a quick analysis. You can tell us where you would like to go from there. So, that is where we are in terms of the follow-up from the Retreat.

**Councilmember Watlington** said I was just curious about the parking lot. I know we had one, so I was curious if what was captured in the parking lot was also captured.

Mr. Jones said the parking lot is in here also. Everything is in, yes.

**Councilmember Winston** said just to clarify, we have two different documents here: the short, medium, and long-term goals for mobility, accessibility, and connectivity. These are independent of this list of 57 of these might be a cross-reference?

Mr. Jones said the most is about six that are crossed referenced, but we always will stick to the mobility, accessibility, and connectivity, because that was the driving force behind the Retreat.

Mr. Winston said and so this list of short, medium, and long-term, obviously, Council has not come to any conclusion on whether or not we are going to go about doing this, so how would you express this for people that weren't in the room?

Mr. Jones said great point, so if we start off with short-term six months; item #1 plan to connect all sidewalk gaps. We would go back to the individual who had the question to make sure we've captured the right question; we'd have an issue statement that would be some background information in terms of what we do with sidewalks, the funding, and things of that nature and potential next steps. So, the most important meeting for the team would be actually the April meeting, because you would get feedback in March, and at the April Strategy Session, there is the opportunity to see how much additional information you would need in these areas. So, the last thing we want to do is get to the 2021 Annual Strategy Meeting and nothing has been done. So, this is holding us accountable to keep this in front of Council.

Mr. Winston said so the point of taking this time is to come up with an annual strategy for Council, Mayor, and City Management staff. At the conclusion of this, how are we going to define what our strategy is moving forward?

Mr. Jones said Mr. Winston if I understand you, I think there are two pieces; one is that there will be some metric that would determine what is success, but also there are some things that we may have already initiated that really hasn't risen to this level. A lot of it is going to be the feedback that we get from you, as we talk with you about this in March and April. The goal is by the time we get to July if we have something that is short-term that we have some successes for at least some of these may make their way into the FY21 budget.

Mr. Winston said copy because the strategy would have to correlate to the budget year and we've already set this. So, the goal is to get something around July 1st?

Mr. Jones said exactly.

**Councilmember Bokhari** said just to make sure that we don't burn too much staff time without- because some of this is really valuable. I think some of it is duplicative and things like that, so I'm assuming the first step; if you came to me and said autonomous vehicles in short and long terms, I would tell you exactly what I meant by that and what I thought the workload was. When I look at some of these like connect sidewalks, plan connectivity for job, strategic mobility plan, adopt a policy for community-wide transportation system, my assumption is that a bunch of this is going to consolidate down.

Mr. Jones said absolutely, if we can go back one slide, while the team basically started to consolidate this down to a fraction of this., I said it is not fair to Council because the Council will say well what was on the cutting room floor so, everything is in here; there is no way there are going to be 57 items. It is potentially about half of that because so many of these are related.

Mr. Bokhari said there might be three or four unique topics in short term items. I only make the point, because I think all of us want to know where was the thing we said and we can point to the subpart of plan but again, I'm also going to assume that a lot of these plans already exist and this isn't net new white papers and stuff, right?

Mr. Jones said absolutely.

Mr. Bokhari said selfishly, where is Providence Road in all of this?

Mr. Jones said it was on a post-it it is somewhere in here.

Ms. Watlington said I want to make sure and forgive me for asking another process question, but when we say we are going to come back after we've done this work and have a strategy does that strategy then, I see goals that we worked on specifically from mobility, accessibility and connectivity? Tell me if what I'm thinking is the correct expectation based on what you share. What we are going to see in the next month or so is for each one of our four focus areas, these are the specific action steps that we are going to take, and these are the metric that we know were red or green?

Mr. Jones said yes, so where we were earlier was I was going to provide you with a sheet that consolidated most of this, and again, I think I would have had more questions had I not put everything down there. Again, there will be two phases; one is the short, medium and long-terms and that was around mobility, accessibility, and connectivity, but the other three areas were really breakout groups in terms of great neighborhoods and for instance, we know something that will come out of the great neighborhoods and healthy communities is going to be the violence reduction plan. That is going to capture so many items under that and that is where we feel comfortable that while we will have a bunch of white papers, a lot of that is going to be rolled up to maybe a dozen concepts that we can implement.

Mayor Lyles said I think one of the things that we do is we talk about major initiatives and key initiatives and always we have one about being an effective and good government, but we can roll up great neighborhoods and safe communities, and we can have the transportation, planning and environment and workforce development, so I would assume that when I see this and Marcus, this may be what I'm just kind of dreaming about, is that we have some major goals around how do we change so that we can have great and safe communities and those goals will have metrics and will have initiatives underneath them that are funded for two years, that we wouldn't expect to go on the Council Retreat next year and start on a brand new plan. It would actually be the ideal. We talked a lot, three days about these big buckets, and now how do we drive those big buckets down into initiatives that are funded with metrics and how do they contribute to those large buckets. I think that is where I kind of see the value in this of having everything in here you get to see because at some point it is going to fit within a plan of action that is funded and will guide a lot of the work being done for the budget. So, we should be thinking about our budget, and we have our first Workshop Wednesday. So, when you look at this list, I look and think well what are we talking about in our budget that relates to those major buckets that we want to have? I'm assuming we will see a lot about neighborhoods and safety and we will see a lot about mobility, and so if that makes sense, that is the way I hope it works anyway.

We have a lot of really talented people working here and we want to be innovative; we want to encourage them to be creative and come back to us with the very best of what is cutting edge, so there is we kind of think about these things but I want to see that energy and innovation because they are talking about it every day. I think some of us talk about it every day, not all of us.

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## **ITEM NO. 6: COMMITTEE UPDATES**

**Mayor Lyles** said I thought we would start first with Budget and Effectiveness, and I also wanted to see at your place, I sent a referral to the Budget and Effectiveness Committee on our resolution issue and we've talked about this a good bit and Patrick will be working with us on this but it is kind of like how do we address this issue so that we know what our plan is even if we decide to deviate from the plan we at least know where we start.

**Councilmember Driggs** said I think we all received a document that had some notes from the various committees, so I'm just going to hit some highlights from Budget and Effectiveness. First of all, the members of the Committee are myself, Vice-Chair, Eiselt, Dimple Ajmera, Malcolm Graham, and Renee Johnson. Our purpose is to review and recommend policies to ensure the City has a strong and sustainable financial plan and maintains operational efficiency and effectiveness. We've met twice since the last report

out, once was on January 2nd to give some Councilmembers an opportunity to look at the agenda for our Retreat and provide input. We generally approved the agenda for the Retreat and commented mainly about what sort of discussion should take place during the long period set aside for Council conversation and personal opinion. The Retreat was a success so I think that is good.

On the 21<sup>st</sup>, we met and covered a couple of topics. The Chief Financial Officer presented a plan on the City's expected future borrowing and this is essentially a list of refinancing and other financing related to current activity and not new debt incurrence. You will see some itemized descriptions in the report. We also heard about the financial 2019 audit by Cherry Beckhart; there were five opinions expressed in the audit, financial statements, internal control, [inaudible] financial reporting, federal single audit, state single audit and passenger facility charges collected by the Airport. We received clean opinions on modified opinions for each. There was one item that was highlighted as a material witness which was an error concerning the closeout dates of capital projects and encumber signage of certain contracts. Corrected action is going to be taken about that. We got an update on existing capital projects which basically included a review of 178 projects that are currently on going with a total budget of \$1.1 billion. Of those 19 are completed since the previous update, four projects waiting on partners and there were eight with some budget risks. I think this is the one item that maybe deserves Council attention. So, now there are eight items that have some uncertainty about the budget surrounding them and it looked like from the information we got the magnitude of that could be something like \$10 million to \$20 million in total. So, I think the good news is it doesn't appear that there are any ticking time bombs out there but we will see some fine-tuning on a number of budget items.

We had a discussion about a Workshop plan for our Budget Workshops that will occur in February, March, and April, and essentially the staff provided us with a bunch of topics that came out of the Retreat and said okay, how do we want to approach these during our budget meetings? I think this is a good way to go about it. because it aligns the budget conversation with the discussions we had at the Retreat, and we suggested some priorities for each of the meetings in such a way that we feel that all of the important, most urgent decisions related to the budget will get covered early in those meetings and that we should be able to get through the remaining items that we are required to pay attention to before the meetings are over. That was essentially what happened in those meetings. If there are any questions, I'm happy to take them.

**Councilmember Egleston** said we accept your report.

Mr. Driggs said okay, my report has been accepted; thank you.

Mayor Lyles said now remember this is an opportunity to ask a question about something that you are concerned about as we are moving forward or what you are hearing of some concerns. It is feedback time and it is great they accept your report. I like to say it is always good to know that you review our audit findings, that is really an important part of what we need to do. The next Committee is our Neighborhoods Committee, Great Neighborhoods, Mr. Graham.

**Councilmember Graham** said the Great Neighborhoods Committee is comprised of my Vice-Chairman, Braxton Winston, Tariq, Julie, and Victoria Watlington. We had one meeting thus far this year with a very special guest, Councilmember Johnson joined us as well. You see the purpose and the goals and objectives laid out for you of the Committee.

Our first meeting was really an orientation session that we used to get the new members, including me, Victoria, and Ms. Johnson up to speed on some of the terms, housing policies, local, state, and the federal funding sources. We talked about the Housing Trust Fund allocation process, summary of key housing programs, the [inaudible] from homeless to homeownership, so it was a really, really good meeting orientation session where I told staff and Pam Wideman did a fantastic job in terms of presenting the information, working with Councilmembers collectively as a Committee. I know she has

already met with a number of the Committee members individually to make sure that all the new members were up to speed, ready to go in terms of the housing initiatives. We had a very good meeting because of her assistance and her knowledge base. You should know that the Housing Trust Fund proposal went out on January 17th; the due date is next Monday, February 10th. I think the Mayor read my mind this morning in reference to Brookhill and regarding the possible conflict of interest. A number of developers had called me saying, hey, I want to present too. So, I think it was a very good call to postpone.

Mayor Lyles said actually Pam called me and told me. I didn't read your mind. I heard it from Pam, credit where credit is due.

Mr. Graham said somebody is thinking right.

Mayor Lyles said Malcolm and I had talked about Brookhill and the public relation stuff going on around it, and I just felt like we shouldn't be reading in the newspaper something, but at the same time there is a competitive process, so I appreciate you reminding us of it.

Mr. Graham said the applications are due back on February 10th and then it is game on. Certainly, we've all received information about Brookhill; I took the opportunity to visit with Ms. Wideman and the man ownership should be ashamed, and I will just leave it at that. There are a number of hurdles to be cleared, but obviously, I can't speak for the Committee or the Council but if you haven't seen Brookhill you need to see it for yourself. That being said, there is a process that he as well as others have to clear and so we will be talking about that sooner than later but the deadline for all the applications is February 10th, and on a personal note, I had the opportunity Madam Mayor to meet with every housing agency or organization over the last two months in terms of their willingness to work with the City, their understanding of the affordable housing crisis that we are facing and their willingness to help the City. I took the opportunity to do some self-educating, and so we are just ready to get back to work. Our next meeting is February 19<sup>th</sup>, and we are ready to rock and roll.

Mayor Lyles said I think the Housing Trust Fund application given the funding, I know as much as we have money, it is still a limitation, particularly in the environment that we are in and in looking at the TOD and what we are trying to do in encouraging the ability for housing on the rail line and the transit system, is even more of a challenge, because if we can create opportunities for people not to have to have a car, it contributes to their income. I think we've got a lot of criteria in the existing housing framework but I want to make sure that we continuously update where we need to be related to some of the other initiatives that we are trying for like our TOD work.

Mr. Graham said Madam Mayor if I could say one other thing; I should have mentioned in reference to the Housing Partnership and the new complex that opened up; you saw the long lines. I want to thank Councilmember Johnson for kind of stepping in there as well and working with the Housing Partnership. I also attended a meeting with them that night with the community, and so I was there to kind of help them soften the blow. They admitted publicly that they had a bad day, but that is no reflection on the organization at all.

Mayor Lyles said thank you for saying that and thanks for sending out the note to all of us. My understanding is they are going to refund the application fees that were made and I think that is a very good sign of hearing and reacting quickly.

Mr. Graham said it is just a visual presentation of the problem.

**Councilmember Johnson** said I was just going to say I worked with Ms. Watlington and Mr. Newton on that as well. The team approach and City staff but it was a visual demonstration of the problem.

Mayor Lyles said Safe Communities is up next.



**Councilmember Egleston** said our starting five is myself, Vice-Chair James Mitchell, Councilmembers Ajmera, Johnson, and Watlington. We met on January 22nd for our first meeting which was to start the discussion around the framework that we were charged by the Mayor with creating in terms of identifying what it is we want to measure to achieve the outcomes are that we desire. The outcomes that we are hoping for, if you are looking at that sheet, you will see it at the bottom violence reduction, healthier neighborhoods, increased access and awareness for youth in family programs and services, increase community capacity, increase employment. Obviously, violent reduction is of focus for the community. We think a lot of these other things are the things that will help us achieve that violence reduction so, identifying the things that we want to measure; there are some examples of those in there. Everything from young people's ability to read at grade level, to reduce the behavioral issues that we are seeing in schools, so a lot of this is preventive, proactive measures. We do obviously realize that there will be reactive measures in terms of law enforcement as well, but we are building on four main building blocks, but there was also a clear mandate; I forgot to mention our honorary sixth man on the team, Mr. Winston, and this is something he and others brought up in addition to the four building blocks of community collaborative approach and priority areas, implementing a violence interruption program, invest in community lead efforts and making sure that we are using evidence and data as best possible.

There was also a clear consensus that we want to make sure that we are very explicitly stating our intention and desire to work hand in hand with the other organizations that share in this work and share in this task, and obviously, everyone from the County to the School Board to the State Public Defender's Office, the District Attorney, CMPD, the Sheriff's Department, everyone is going to have to be working together to make sure that we are not being redundant in our efforts, but we are being complimentary in our efforts and that something one person is doing is not in conflict with another organization. There was sort of a steady drumbeat throughout the discussion about how we've got to make sure that this is a partnership, not six or eight organizations operating independently. You can read the rest of it. We want to benchmark against peer cities as we do with a lot of things. We want an assessment of our current programs and we want to identify opportunities where maybe some of those programs can be measured quantitatively or qualitatively in a way that we've not necessarily asked of them before, but we want to make sure that we are measuring the things that we are doing, the dollars that we are spending so that if we are seeing successes we can expand those programs, and if we are not seeing the return on investment that we want, maybe we shift away from things and try other new approaches. I'm not going to read the whole sheet to you but happy to answer any questions, and I would encourage anybody who is interested to either attend or watch tomorrow at noon, we will be down in CH-14 and will have a presentation from Gibbie Harris, the Public Health Director for Mecklenburg County, but will also have a goal in that meeting tomorrow of advancing the framework that we started work on January 22nd, out of Committee tomorrow to send to the full Council. There will be a nutritious and delicious lunch served, so I would encourage you to attend.

**Councilmember Eiselt** said I appreciate that you all are going to work collaboratively, and I think everybody realizes how important that is. Who is setting the strategy; who is convening that group that really needs to work together?

Mr. Egleston said Mr. Jones and I had a bit of that discussion today, I think to some degree that is still in the works. I will defer to you based on the conversation we had earlier today.

**Marcus Jones, City Manager** said I would say that there are three levels; one we participated in last week where we have the Mayor, the Mayor Pro Tem and the Chair of the Board and the Vice Chair and the Manager and I setting down and talking about some things that we should be working on together. Then, from a charge from the Chair and the Mayor, I guess it was in December, Dena and I are meeting with a group of [inaudible], and now we have calendared that to have an ongoing meeting with the Sheriff, the Chief and people at that level to discuss how we can collaborate with this process and then there is a staff to staff component and then there is an elected to elected component.

**Councilmember Winston** said might I suggest, I think I might have said this to the group before; we already have a table where all of those folks are meeting. The CJAG, so instead of perhaps trying to recreate the wheel we should take advantage of forums that already exist, and we just take a different approach to those forums that already exist.

Mr. Jones said I don't disagree; one of the things that I guess was very interesting for the County Manager and I, it was just staff wanting to get the okay from the two of us to work together, and so, we are taking some bigger steps in this collaboration. So, I think it is important that Dena and I be involved at least until we can figure out what does this collaborative framework look like.

Mr. Winston said I was suggesting you and Dena could be more involved in those tables that already exist.

Mr. Graham said just comment and then a question; the comment is in terms of those collaborations or those meetings I don't expect to be at all the meetings but if there could maybe a special one where we bring in grassroots leadership to kind of talk with you guys as well. I don't expect to be at every meeting, but certainly, there may be one month where you want to bring in to sit around the table to kind of hear their perspective from the ground level.

Mr. Egleston said at least in one of those convenings there is some Committee representation.

Mayor Lyles said I do think this is interesting. All of us have great relationships with a number of different types of people, and I have a good friend served a lot of time, and he said I want to be able to help you understand what is going on. I think all of us ought to be seeking that kind of understanding, and sometimes the only way to get it is with people that have experienced the system. I would think it would be work a consideration Mr. Jones if we actually did have some folks that are doing this community work. A while back, we actually had a meeting with a number of people that are active; they come through re-entry and they want to help other people and they were doing all kinds of work. It was a really good meeting, because for the first time, they had the ability to describe what their commitment was to this community and I don't think we can do this work without their understanding and strength. I would agree that it might be worth just having another; you can't talk about this enough, if we could actually work with a group that have gone through the system, come out. They've got re-entry and they are helping bring other people along.

Mr. Egleston said I think their perspective will be valuable in every facet of what we do, but I think they will be particularly critical as we look at this in implementing of a violence interruption program. Those are the exact type of people I think, not solely, but I think those people fit squarely into the folks who have the credibility in the community to be able to be those violence interrupters that a police officer or an elected official or somebody might not always have.

Mayor Lyles said exactly.

Mr. Graham said my question, and don't even answer it tonight, this is for the Public Safety Committee, in terms of when does something become a public nuisance that we can take action on i.e. in Renee's District, the hotels over there? We know it is a hot spot. I'm just using your District as an example because the hotels are there. I was going to give you some time to think about it, but if you have an answer, I'm willing to listen.

**Patrick Baker, City Attorney** said it is not so much that I have an answer, but that data is being collected. It is a very heavily data intensive pursuit, but it is something that is a very powerful tool that has been used here in Charlotte before, and we are looking to potentially do that again if the data supports that.

Mr. Egleston said but also, we've had some of our abilities taken away I think through recent years in terms of the logs that had to be kept of customers and things of that nature. I think some of those have been pulled back from us.

Mr. Graham said I would hope that we can be proactive in pursuing that. I met with the Chief last week and we need to make sure that they've got the tools that they need. We went into the wrap around service for sure but we know there is a problem consistently over and over and over again. At some point the data should be there and then it is time for some proper implementation.

Mr. Egleston said I think too, that part of what we are looking at when we are analyzing the programs that either exist in Charlotte, exist elsewhere or that maybe don't exist, but we are considering would be how can they be targeted at either a geographically specific area where we've identified hot spots, i.e., the one you just referenced or targeted to specific age groups or young men, things like that that are specific demographics that we've identified where there is most need. I think in some instances we might be looking at programs that have an eye towards Sugar Creek Road and I-85, Nations Ford and Arrowood, those places that we've identified as the most challenged areas.

Mayor Lyles said our next Committee Report is from TAPE.

Councilmember Eiselt said TAPE Committee, or whatever we are calling it today; Transportation, Planning, and Environment. The Committee members besides myself as Chair is Larkin Egleston Vice Chair, Ed Driggs, Matt Newton, and Braxton Winston. We got three really good updates when we met on January 27th regarding some really high-level important work that the Planning Department is doing along with C-DOT and others. The first one was the update on the 2040 Comprehensive Vision Plan, which we look at as a shared vision for growth over the next 20-years, and what that Plan is really doing is developing transformative strategies using a lot of the plans that are already out there, sort of pulling those together, updating the ones that are outdated and coming up with Comprehensive Plan. They are currently in the third phase of that Plan, which is policies and strategies phase and along with that the discussion of the Unified Development Ordinance was brought into it which consolidates all of our regulations into a single document. The Unified Development Plan really talks about how we grow and the Comprehensive Plan is about where we grow, so that is how those two go together.

Along with that we got an update on the new apt that hopefully will be introduced, and we will have some funding forthcoming which was really cool, and I really enjoyed seeing the demonstration for what is called Arc Urban 3-D Demo and staff gave us a brief presentation and demonstration of the new technology that has been piloted by the Planning Design and Development Department. It gives the ability to visualize and analyze developments much quicker by overlaying different data points on a particular site, a site by site basis that beforehand would have given us months to do and we really didn't have the visual to see what it would look like. Arc Urban has the ability to look at specific projects and area plans throughout as well as visual future developments and come up with different scenarios for development for an entire area. It compares development scenarios with effective communication for the user and the program is subscription-based as it as GIS capabilities, and it is a one-year financial commitment which costs \$30,000 and the Committee was very excited to see if we could get that going as soon as possible and maybe not even wait until the next budget cycle.

Mr. Driggs said I just want to emphasize, these are 3-D images so it is really cool. They have all different shapes and building types and you can sort of touch buttons and see different scenarios and then there are data layers that provide other information about the area in which the new development, and it enables you to kind of extrapolate into traffic projections and other things. I agree, it is a great planning tool, and I love to see us move ahead with it.

Ms. Eiselt said what is really cool is if you have a development or developments in a certain area; it will tell you how many jobs will be created, how many residential units would be there, and it really gives a cool impression, which is often what we are missing

in our zoning presentations when we get things transactionally, and we are looking at one plan at a time, and we don't really understand the impact it might have on the broader area. So, yes, to Mr. Driggs' point, this gives us that ability, which I think is just fantastic.

The third area that we covered was the Strategic Mobility Plan and Ed McKinney from Transportation gave us an overview and the purpose of the role of the Strategic Mobility Plan, which essentially will update and align mobility plans and policies to prioritize and achieve expected outcomes that were formulated in the 2040 Comprehensive Plan. That would include pedestrian, cycling, Vision Zero, and all the other plans that we have in place for mobility. It will be integrated to identify and take care of the conflicts that come out of pulling all of those plans together, and again, it is informed by the Comprehensive Vision Plan and the UDO. Essentially, it is going to make sure that we are aligning the policies and actions that are designed to connect all of this together.

So, basically that is sort of working on the goals that we have identified to shift the culture of transportation away just from single-occupancy car trips to different public transportation modes which along with that means that we have to reprioritize our investment and our support and where we are spending our money and how we are going to make those tough decisions on that to make it all happen.

The next step is to define the scope, schedule and deliverables in coordination with and integrated into the 2040 Comprehensive Plan and the various ongoing transit planning initiative. The next meeting will be on February 24th.

Mayor Lyles said let's go to our Workforce and Business Development Group.

**Councilmember Mitchell** said the Workforce and Business Development Committee is made up of Vice Chair Tariq Bokhari. Members are Councilmembers Ajmera, Graham and Johnson, and thank you Councilmember Watlington for joining us on our first meeting on January 6th. To keep it brief, we really focused on our four pillars, prospective business, great places, talent development and business innovation. You can see there on the board the kind of bullet points we covered.

Let me make two comments that I think were evident in our Committee discussion; this Committee is ready to move towards implementation and that is about studying and presentation. I think over the last couple of years we have not gotten the output we would like to get from this Committee so, I would give Councilmember Graham a great quote, we need to put a different kind of gasoline in the car in order to move faster. So, City Manager I would say this Committee is very, very focused on implementation. As we talk about items at our Committee meetings, we want to make sure that action items coming out to the Council for recommendation.

Mayor Lyles said I do think that the comment around implementation is important. I think that all of us can admit to the fact that we've got really low unemployment right now, and the idea of developing workforce talent quickly and giving training- but the thing that we haven't had incorporated was the guarantee of a job at the end of the training. Now, we have businesses coming to us saying we've got more jobs; we can't find people in those jobs, and I think we need to be very nimble in terms of what we are doing in creating programs that quickly allow for competency training and job guaranteed at the end of that training.

I hope that the Committee is going to work really hard on a framework that we could use for employers in the area to say if you can come in and tell us this information and tell us how you can get people into those positions, and you will give them a job at the end of the training then we ought to be implementing those as quickly as possible. I think the idea of this window is not going to last forever, so we need to push people that haven't had the opportunity to participate just because of the lack of training because once they get training they get entrance waypoints or pathways as we would say. The other thing that I have heard the most about, and I'm not sure where it is here but, when we talk about small businesses it is actually figuring out how our program expands beyond the inclusion program, all of us know that the City has a \$2 billion-plus budget, but when you

take out the cost of people you don't really have goods and services that could support any small business. It is not in the governmental sector that people make money, and so I'm wondering at the same time how do we actually create more opportunities that will allow businesses to grow? I said this a year ago,, wouldn't it be great if we had a minority contractor with a crane in the center city? I know I didn't reply to the Legislative Group, but all of us know that a number of regulatory boards are created to make sure the inner-circle works and not necessarily to open the doors for other people to come in. So, that can be all the way from the barbershop board to insurance and bonding boards and I wonder if this Committee could actually generate, not for the short-term, but for our job creation, how do we actually open up opportunities that are locked out by regulatory efforts at the state level or even at our own personal level.? What are we doing to lock people out? I always ask the question, what are we doing first, and then where do those obstacles stand for other places? I really believe that opportunity has to challenge the status quo in this situation, insurance, bonding, and then I think we can go to our partners in financing and say, are we really red-lining businesses now instead of housing? I don't see that in here; a lot of this is about what we are doing, but government will never make a strong small business environment. It has to be the market place that does that, and I think we ought to figure out how we connect of take down barriers and create opportunities.

Mr. Winston said I agree with what you said that the markets are going to have to dictate the small business environment, however, I think we can play a role and out of fear of picking the wrong industry to concentrate on in a certain year, I would be more interested if we can perhaps create a bigger umbrella goal that will give us the nimbleness to work within a certain focus area month to month, quarter to quarter, year to year. What if we were able to work on something instead of just saying let's connect these folks to these jobs by a certain time? We say something bold like come up with a so that every 18-year old in Charlotte or everybody who is of graduating age from high school is prepared to go get a job or college or a higher level of education, whether that be a trade school, two-year school or a four-year institution or go into the military. Create those pathways so that again, if it is FinTech this year or versus roofing next year, versus creating relationships with a certain campus or certain school this year it is always overarching and gives our body a clear kind of guidance on what role we do play in creating that workforce and working year to year. Something that staff can always latch onto to say it fits into this bucket and this is what we are doing as opposed to picking and choosing again those specific areas of industry which we are never going to set-up for.

**Councilmember Johnson** said I thought Mr. Winston was going to go back to the CRB, the Community Review, Board because you asked Mayor. How we as a City can take action to remove barriers for people. This is one of those practical examples; we just spoke a half-hour ago, about someone with a felony record not being eligible for a specific Board. So, we consider leading the way and banning the box. On that Board we had a whole discussion about a person with a felony is automatically, even if they are convicted, removed from the Board, and I know that because of the dynamics of that Board, but it is something that this is an opportunity for us to consider case by case basis. This is just one of those practical examples and how we have to think about that and when we really want to remove barriers; we talked about the Barber Board and the other Board, and we have an opportunity to do that ourselves. It is just something to consider how we are being inclusive. We have a great program Project Peace, but also at a very high level, we have an opportunity to make a difference and be more inclusive.

Mayor Lyles said I think that is a great point. If you are a felon, you cannot work in a bank. There are a lot more banking jobs out there; you can't work as a contractor; you can't be the plumber. You can't be the furniture installer; you can't do these things, and there are thousands of jobs in banking and finance, and that is the law. I have made that point to many of the people at the federal level that you have to lead the way. So, when we start talking about jobs and eligibility, and that is written into federal law. We have a lot to do to think about this, but it seems to me that if you are going in to build or construct and you can't do that, but re-entry is a federal issue that I think has got state implications as well as local. I have to credit the Sheriff of Mecklenburg County for doing a lot, and we need to do as much as we can.

Mr. Bokhari said I've said this before, but I think it bears repeating; taking it up a level, if we look back on the last several years of work we have to walk and chew gum at the same time. We need to do a lot of different things, but thematically there have been opportunities for us to cease a moment and make that the theme of the year. In 2018, as a group, we seized the moment, and it was a theme that year of affordable housing. In 2019, we seized the moment and the environment around us, and there was a theme of economic development and workforce recruitment and job recruiting. We have an opportunity right now to cease 2020, as the year of workforce development and be the glue that binds together all those last two-years of things in a broader theme of upward mobility, but to the point that has already been raised, that window is going to close, is going to close very fast on us and back to the Chair's point. It is going to be execution; it is going to be focus, and it is going to be all of us making it a priority whether it figuring out in a pilot mode how our Business Incentive Grants connect to those coming here and utilizing upward mobility job programs to fill their things or it might be looking at programs like Project PIECE and My app and things like that and what the next version of them are. I just want to reiterate; if we are spending extra time on something right now and right now poised before this budget cycle the time to be spending it is on workforce in my opinion.

Mayor Lyles said okay, you've got lots of challenges, but I think we are completely up for it. Now we have Intergovernmental Relations Committee.

Mr. Winston said I guess I will begin, your Intergovernmental Relations Committee members are myself and my Co-chair Tariq Bokhari, as well as Larken Egleston, James Mitchell, and Matt Newton. We are going to split this up between Mr. Bokhari and I, and I will start by just saying that we have met twice since the last Strategy Session on January 21st and January 27th. Before we go into the minutes of those meetings, I just want to give you an update about the approach that Mr. Bokhari and I have been taking towards this Committee. We would like to figure out how to create a strategy that overall looks at putting an intergovernmental approach to all of our decision making on Council, as it often comes up whether it be in zoning or whether it comes to our approaches in dealing with violent crime. There seems to always be the need to reach out to other policies making bodies. We want to talk amongst the Committee, and we invite the input of the rest of Council and the Mayor's Office for us to figure out a strategy of how we do that kind of seamlessly and constantly. In the mean-time, Mr. Bokhari and I have been setting meetings and having meetings with various folks from around decision making bodies, either Mr. Bokhari by himself, me by myself or together and since we've been put on this Committee we have met with the District Attorney, School Board Members, the Chair and Intergovernmental Chair, and we have a forthcoming meeting with the Superintendent as well, several County Commissioners, the Public Defender, the Chief District Court Judge, Legislators. and the local representation of the Governor's Office. We have a meeting with the Sheriff upcoming. Happy to talk to anybody or answer any questions about some very interesting things that we've been learning in those meetings and possible collaboration areas. We also encourage if there is anybody that our colleagues think we should be meeting with or points that you would like for us to bring up to different bodies please feel free to reach out to Mr. Bokhari and I. and we shall do so.

Mr. Bokhari said I am going to give you a quick highlight of where we are in the current Legislative Agenda process, outline what has made it out of Committee, and tell you about the dates to come. You all have hopefully received some of this information, but if not, we can go through it more. February 17th is the next Intergovernmental Relations Committee meeting. That is where we will have any final work referred to that Committee, any discussions leading to February 24th our second and final Business Meeting of this month where we will have a Council vote. This will be the formal vote that locks down this Legislative Agenda for this legislative year. I am going to quickly just run through, and anyone who has questions we can go back and have deeper item. The topic headers, so you all are aware of federal and state legislative agenda items; for the federal one, you have an item on affordable housing and a follow on it we've seen the CDBG and the home items from the federal government that we constantly on an annual basis look at. Comprehensive Immigration Reform, you can see this is really based upon the work that Councilmember Egleston and the Committee and staff that went through this community

in this last year and you see things like H1BV says the Silom Seekers temporary protected status and DACA arrivals so, a lot more specificity there in relation to what we learned in those Committee meetings.

Transportation and infrastructure, we have items on transit, Airport, highway, and passenger rail, modernizes sustainable infrastructure and then the Urban Area and Security Initiative topics there. So, there are four in that space; there are also four for the State Legislative Agenda, affordable housing, local control, minimum housing standards, and North Carolina Search and Rescue Teams. You can read descriptions on there and we can give anyone deeper items. These four on federal and four on state are the ones that made it out of last month's committee meeting and are now being proposed to be brought to us for final vote. What is not included in that list are several things that folks have brought up and either aren't ready or didn't make it out of committee, and I just want to kind of put on the record. One of those items is one of the ones I and several of you have been working on in Comprehensive Criminal Justice Reform. While I would very much like it to be on there, I think I self-recognize that we are not at the point with some of these things we are putting on paper is conducive to the outcome we are looking for. I don't want anyone to think that Criminal Justice Reform is not one of our top priorities; we have a lot of detail in front of me as a current draft of what we've been working on, detailing additional Superior Court Judges, assignment process, penalties for possession of firearm by felon, digital records, particular in the DA's Office and the courts, but these are very complex items that again, haven't been polished enough and detailed enough in the strategies to be placed on this now but things we are going to continue to work on from our parking lot and continue for a fare. So, with that I think we should jot probably open it up for conversation and I'll you close it out.

Mr. Winston said I think we had a pretty lively discussion both times in our Committee about how we use our Legislative Agendas; traditionally we have only put on items that we think are able to be carried over the finish line in the occurring Legislative Session. I have proposed, especially around one item that did make it out of Committee advocating for more local control. I think we have a philosophical question about how do we use our Legislative Agenda. I've proposed that we use it to do any one of three things; introduce a conversation that we know that is going to take a long time, but we want to bring it to the attention of our Legislative Body and start a conversation of how to get that thing passed. Keeping a conversation going, a representation of that in the past has been our desire to get subpoena power for the Citizens' Review Board. Minimum Housing Standards item would also be an occurrence of that, that came out of Committee and more immediate getting things over the finish-line so a short, long, and medium-term approach to our Legislative Agenda. I think that is going to be the conversation that we're going to have to have. For instance, I proposed this local control. I proposed putting legalization of recreational marijuana on the table. Councilmember Ajmera put on this ideal of source of income discrimination on the agenda; we think that might be something that might be better handled in the Great Neighborhoods Committee. Councilmember Watlington requested legislation addressing transportation funding requirements in her District, but again, that might be something we might put in a parking lot or might have longer strategy around, but again, these are discussions. I think we are going to have to have. Councilmember Mitchell suggested putting Veterans under one of those protected groups when we think of disparities within hiring like we do with our MWSBE programs right now that would need enabling legislation to help us do that.

Mr. Driggs said I think we need to look carefully at what exactly the Legislative Agenda represents and having been on that Committee for some time; the people of Charlotte have the opportunity to vote for national representatives who decide national policy questions. They can make their opinions about it known; that is the channel through which they influence national policy. Similarly, at the state level, state-wide policy decisions are made by people who are elected by their constituents to address those. They should be guided by input from those constituents on those issues. Our job in the Legislative Agenda is to communicate Charlotte's interest and therefore advocate for things like funding for transportation, which is something that immediately affects us. In fact, the things I have trouble with from what you just talked about is immigration policy is a national issue. Our situation here is not different from just about any other major city and therefore, we don't

have any special standing on that. We have done a lot of work in our community; we are concerned about it, but that is something that our national legislators have got to decide based on input they get from their constituents at the national level and on the state agenda, the League of Municipalities is working very hard in general on behalf of all municipalities in North Carolina to obtain specific authorities and to generally relax the control that the General Assembly exercises over us, but the fact is that our constitution defines what kind of a state we are, and we act based on authorities we receive. Now, if we go to them and say, for example, we would like to have authority on the source of income, or whatever, and this is a priority for us, then we go in and they think about whether that is a local Bill, whether it is a State Bill, how they respond to that. The difficulty with overstepping and getting too far out of our lane is you under-mine the impact of the things that are really doable. So, they will register; okay, you know you've got your opinion about immigration, great. We are not going to change the policy of the United States of America because Charlotte said these things about immigration, but we may change transportation funding based on input from people like us who look to that funding for very immediate needs that have be met in our community. I just hope that we will not kind of water-down our message and under-mine our effectiveness by coming up with topics on a Legislative Agenda that will be regarded by members of those other bodies as being their business and not ours.

Mr. Winston said one part of your sentence you said it is not our job to advocate for changes to national policy but then in the second part of the sentence you said that is actually our job to advocate for changes to national policy that you are comfortable with.

Mr. Driggs said specific to Charlotte. In other words, we have to identify why Charlotte In particular is approaching them on this topic and not just let our views be known on things that apply equally everywhere. So, if we have a particular situation in Charlotte that we want to bring to their attention, our Airport for example, or whatever it is, we talk about that and they will understand that we have good reason to be approaching them about that. If we just go in and basically tell them how to do their jobs on subjects like immigration, we diminish our credibility with those guys by doing that.

Mr. Winston said I don't think anybody is suggesting that. I think part of this thinking about this new approach comes from last year, specifically around immigration and that there was the fear that you expressed right here was expressed last year around this time, and there were other people on this body felt that. So, we put it in sort of an addendum, specifically around immigration reform when we went up to Washington. Then when we sat in those rooms we approached this and we had that conversation, we had that with Republicans; we had that with Democrats, and we saw that we had a bit of constructive conversation. Those fears that we were putting out there; they were misinformed because they did not exist. It is our job while we do deal with direct policies. We are representatives of the people of Charlotte; we exist in a representative democracy so people do give us the ability and the mandate to advocate on their behalf to different legislative and government entities and bodies. So, that is our responsibility. Again, what we are saying is we should have a conversation as a Council to figure out how we talk about these things in the most constructive way possible so that we can have successes in the short-term but also in the long-term.

Mr. Graham said I'm very excited about the work of the Committee. Braxton and his Co-Chair brings a lot of energy to this Committee, and I'm kind of partial to it Madam Mayor and James because we all knew it was born; I've got the scars to still prove it. The Mayor stopped talking to me for six-months.

Mayor Lyles said oh, not that wasn't me.

Mr. Graham said no, the other Mayor because he didn't want the Committee, true story, we forced it through and we got the Committee passed and the Committee is doing good work. Two comments, one is and we talked about this in the hallway today in reference to strategically working with Mecklenburg County and the DA about funding for the court system. We've got to do that with a collective voice; we can't do it by ourselves, and we've got to beat that drum home over and over again and as I spoke with them individually,



Braxton has already been there. Mr. Bokhari has already been there, and so the Committee members are out there doing the work and I appreciate that. I think anywhere where we can work with Mecklenburg County to speak with one voice is positive. I caution, however, on local control. We've got to make sure we understand the pieces on the chessboard; we've got to make sure we understand the calendar that come November the pieces are going to look differently maybe, and I think Ed is right on this point. I don't want all the good work of the Committee to be lost, because when a legislator picks up our request they are seeing local control. That is just going to scare the hell out of them, and so, I would just caution that they are going to proceed with caution on that because I don't want the baby to get washed out with everything else.

Mr. Bokhari said just as a follow-up there if I may, you are a former Legislator and you literally glanced for the first time at that piece of paper.

Mr. Graham said that is the first thing I looked at. I read the whole paper and stopped at bullet two because I understand the sensitivity of that. The current Mayor, over the last two years has done a great job of cleaning up a whole lot of mess up there and so I think in the current environment it is not urban friendly i.e. Charlotte, Greensboro, Wake, New Hanover County, Wilmington, Asheville; they all have something in common and I'll you guys figure out what they have and what the make-up is and why that is.

Mr. Winston said the three Councilmembers that voted this out of Committee understand was myself, Mr. Newton and Mr. Mitchell. I completely agree that part of this is about how you message this. Are we going to go up there and demand, say hey, we want local control right now? No, I don't think anybody is saying anything like this? Part of the discussion that happened, and I would also like to touch on the Criminal Justice portion that you pointed out there. The reality is that we as a city often run into roadblocks. We have issues, and we have solutions that are needed that are unique to any other part of this state. The State has never had a city approaching a million people; this state has never had the need for a Comprehensive public mass transit system. This state has never dealt with a city that is growing by a net thousand people a week. The continued growth of this City is important, not just for us, but for rest of our state. Nowhere else in the State is there an Airport that is representative of four percent of the total economic impact of this state. So, as we move forward for the health of the State we know that we need to take some of the reins off, so how can we long-term? Again, not coming out of this session, but how do we talk about this? How do we go to these legislators in different parts of the State; how do we engage different parts of the state to say, what can we do here to do the things that work for Charlotte and Mecklenburg County that are also in your interest? Correct me if I'm wrong fellow Committee members; that is the way we talked about it, and that is what we are interesting and is [inaudible] with the rest of our colleagues.

As it pertains to Criminal Justice, I think this is exactly again kind of where we want to go. You've got to sometimes step out of the box where we've been. I'll talk about my interaction with the Public Defender, and I think Mr. Bokhari will talk about our interaction with the District Attorney. One of the things I learned is a Public Defender is a state entity but 33 staff members are paid for by the County. We used to pay for one of their staff members under a past City Council; that was done out of CMPD. When Chief Monroe took over, he eliminated that position. Talking to the Public Defender, he is in dire need of one more social worker which could provide some of the restorative care that three lawyers couldn't do. Maybe this is something that we consider moving forward.

Mr. Graham said I wish everyone in Raleigh were as thoughtful as you are. I wish they were. They all know those stats and figures you recited about Charlotte, and they all know about Greensboro and Wake; it is not about the policy. It is about the politics, and I just want to make sure that we get the policy right but we also get the politics right.

Mr. Winston said we have to determine if we have the political agenda, or we have a Legislative Agenda, because those might be two different things.

Mr. Egleston said just two things and I don't want to belabor this conversation too much more, but two things, one, the immigration was brought up, and I think the litmus test for me is are we being targeted in our approach of what we are asking for? I think last year we weren't with immigration. I think we talked about it just as one topic, but we didn't have any specificity in our ask, and now as Mr. Bokhari has outlined we have some specificity there. I actually, even though it is one of my, and I think should be one of our top priorities, when the judicial system reform was brought up in the Committee meeting I said I think that needs more specificity, and it is now getting that. So, I think too, with the local control, to the point about if we have certain things like source of income, I think would be a great one for us to focus on if we have certain things where we want to go and say we believe we have a unique need for this specific authority for this specific purpose, source of income being a perfect example, then I think we will have a better chance of success, and we won't have the potential of people misinterpreting a broader ask as something that is more antagonistic than we might intend it to be.

I would hope that as we go into these things that we seek that specificity in our ask and not just broadly say things like immigration or judicial reform or local control. The other thing is I will just philosophically disagree, and it can be a conversation for another day. I don't see the Legislative Agenda as the opportunity to start a conversation. I think the opportunity to start a conversation is to have face to face meeting with specific Legislators, starting with our Delegation and extending from there to find the natural allies for specific issues and figure out who our allies are. Who the people are that we are going to be running up against as we pursue those goals and build a coalition before we put something on our Legislative Agenda and kind of announce it as a priority to the world and open ourselves up for an attack in that way? So, for me the start of the conversation leads to something getting on the agenda, again, that can be a philosophical difference. I'm not asking you to agree with me. I just think that there is a different way to approach the beginning of the conversation to get to putting it on the agenda and having a chance at success.

Ms. Watlington said in light of the discussion that we've already had and specifically what Mr. Egleston just said I think that the piece that I do find most interesting, and I think we should spend some time on just tactically is understanding what does that look like before it gets to the Legislative Agenda.

Mayor Lyles said I want to say that I think Mr. Winston and I can have this conversation in many ways in different forums, but there is a part of it when you talk about what is the tactical part of it; it is that it is almost like on the Legislative Agenda, you've already gotten in reach some idea of what you are able to achieve. It may be a little bit of tweaking, but basically you kind of know where you are going to be able to go, and the conversation to get to that point on the Legislative Agenda starts way in advance of knowing who those decision makers are and who you are talking to. For example, your transportation issues out in Steele Creek, there is a process that the State uses to designate and so the question is you don't get on that list as a high priority unless you know the criteria and the criteria drives the list. It is kind like with anything else; the people that you are working with drive the success of whatever the agenda item is going to be. So, there are different ways of approaching it, and the thing about Charlotte that I've always thought was good is that our agenda have been really embraced by the County. We've actually had some ideas; sometimes we disagree. You know we asked for a Study Committee on the tax exemption last year; they didn't go with it, but this year they are working with us. So, it might take some time to get there, but you've got to start somewhere and the question is, do you start at the decision maker's that are at the end or do you start building the coalitions to get you there that you can have influence?

Some of the most influential Legislators on transportation live in Gaston County and if we don't go over to Gaston County and have lunch with them and talk about how this impacts Gaston County and how it impacts the rest of the region then we are not going to be able to get that place. Now, it may be old school, but most of the Legislators have worked under this system and they would consider themselves successful. I think what Mr. Winston brings is a really different look at it in a way that we can do something and at some point, may have real opportunity, but we are here thinking in one area of

methodology, and they are in another method of methodology and so how do you mesh these things together and when do you know that they will work?

Mr. Graham said what I didn't hear in the presentation was you guys speaking with the local Delegation, because once you hand it off, it is their responsibility, and so I would just encourage us to have those meetings as well.

Mr. Winston said I did say that we have met with some Legislators and will continue to do so. One thing I will say again, this is the position of the City of Charlotte, as Mr. Driggs said and the only way to do that is to have a vote by the City Council. Otherwise we are just individuals that are going to have individual meetings and speaking on the behalf of our priorities and that is not again, maybe that is a political agenda of individuals or maybe we want to put a political agenda, but if we are saying we need things, there are things that we want to do. We don't have the tools to do those things, we know we will need enabling legislation at some point in time to do those, then we should say those things. Perhaps it is not beating down the house right now;. I would say most of these things, given the political climate around what is going on up in Raleigh right now, probably not going to get done in the short session, but these are still our priorities. So, we are already doing what I'm proposing, and I would again, think that we should codify this and be a little bold and figure out to get people to change a little bit in their methodology, and don't be afraid to lead. We can use carrots here; I'm not suggesting that all we do is use sticks.

Mr. Bokhari said I think I can kind of close this out. I think what I would say in closing , if you are unsure about any of the items that you've just heard, particularly, the home rule approach, and I think you've seen one versus the other, make sure to reach out, come to our Committee meeting, talk to us before the vote, because deciding at that vote is not going to be helpful and healthy. There are things that my Co-chair and I disagree on; if you want to know his approach and reason for putting home rule there. Go talk to him, if you want to know the opposite, come talk to me on that front or others, but on the same point there are some things that we both agree on, very eminently so. One of which is to Mr. Graham's point, we are going to work a lot with Dana on the process of this to make sure our Delegation is completely armed and understands behind the scenes, informally and then formally so they don't feel surprised, so they feel like they are part of this process with us but then recognizing the current state up there, we've worked and built a lot of relationships with people outside our Delegation that we also want to give respect to in this process to help with some of those lower hanging fruit items.

I think one thing that my Co-chair and I both do agree on and we've talked about several times, even today, when we meet with other folks is, it is still rebuilding of relationship time up there. We've done a lot; everyone has done a lot over the last two years but our work is not done, and particularly looking across the State and saying how can we not be known so much by the moniker of the Great State of Mecklenburg but by the ones who care that all boats rise and whether it is looking at projects like the 74 corridor and showing our partners along there that we care, and we believe autonomous trucking lines or whatever along their benefits everyone or looking and maybe just looking back and maybe Mr. Manager, this is something you can work on with the state when we get a Honeywell the JDIG that come from there, there is a 10% piece of the top that goes for rural projects. Why don't we showcase when Charlotte gets a new headquarters; these are the types of projects that happen in rural areas and then how do we grow that? How do we say let's get creative and find ways to say when we get a new tech company in rural areas we deal with the broadband issues, things we know they care about? I mention that to say if we can do one thing really well it is continuing to repair some of the bridges as we do this and bridging the rural-urban divide and continuing to do that and finding creative ways to do it. We will have disagreements and differences, but I think there are some things that we can all be united on, and I think we have the next month to solve all of that. I appreciate everyone's feedback, join us in the Committee meeting on February 17th, and then in the second Business Meeting of the month where we will decide finally what gets put on that agenda or what we will keep working on in the parking lot.

Mayor Lyles said earlier in December, I announced that we would form two Citizens Committee; one was going to be on governance and the other one was going to be on transportation. Well, transportation at the end of our Retreat turned into mobility, which is an entirely different approach to the way that we look at this. So, we are continuing the work to pull together how we actually work around mobility, and we've gotten some ideas around people that would be willing to serve, but we have not been able to really effectively pull together what I think is a good charge that this Council could believe in and work with based on the feedback we got at the Retreat, we want to make it work. So, what I said we would try to do in January didn't happen; today is February 3rd and I want to say thank you to all that gave me some grace to be out last week with my family. It was truly a remarkable experience. If you haven't seen Gary McFadden do a eulogy, you have missed an opportunity. It is pretty amazing.

However, aside from that we also talked about a Citizens' Advisory Committee on Governance. If you will remember two-years ago at the election there was a discussion about Council terms, salaries and a number of other things, and I made a commitment to several of you that we would have a Committee like that, that would be a Citizens' Committee that would work with that. We are still confirming some membership, but I wanted to tell you that we have confirmed that we would have a Democratic and a Republican Co-chair that Committee. Cyndee Patterson has agreed to serve as a Co-chair along with Amy Peacock, who has also agreed to serve as a Co-chair. The Committee will have 11 members and we will try to get that out to everybody by Friday. Julie and I have been working on that and thank you for those that submitted names. We are working from that list that we got from folks as well as trying to do the balance politically as well as perspective between neighborhoods and corporate.

I did want to share with you that we have a charge and the charge is that the Citizens' Advisory Committee on Governance, an ad hoc Committee charged with detail consideration of and recommendation to the City Council on the following issues: The Mayor and City Council terms of office including length of terms as well as a method of implementation for their recommendation. That the Mayor and City Council should be full or part-time positions and the related compensation for those positions. Then, the final thing that we committed to was that we would update our policy guidelines and principles for City Council redistricting that will be a result from the 2020 Census. Given the level of public interest in this issue, we want to make sure that the Committee should have endeavor to complete its review and publicly release its recommendations at an appropriate time to allow ample opportunity for substantial public engagement and discourse for the potential voter ballot initiative if recommended into 2021.

That is where we are going, an 11-member Committee and the focus around Council terms, status full or part-time, compensation and as well as our redistricting guidelines. Many of you know that we haven't done redistricting in over 10-years for the Council Districts, and the original rule was 10% balance of population between, and we don't know what those rules are going to be now, but we need to figure out in advance instead of doing it in urgent to do it in advance with citizen participation. That is why I think we really have to be prepared for how we are going to do the redistricting even though the Council will do the actual drawing of maps if you choose to do that or you could have a Citizens' Committee just like we've been talking about for other areas in state government. I think this will be a good start for us, and we will get you a list of the Committee members by the end of this week.

Mr. Graham said could you tell me the timeline again?

Mayor Lyles said well, what we want to do is finish when we have the census data and the principles. If it is something that recommends a different method of implementation it could be a lot earlier on the Council. The Council can actually vote to change our own status; that is a timeline that is shorter so we went with the longer timeline so they would have a finish report if their recommendation requires the longer methodology for time. I want to say that my disposition around that has been that if we are going to have a referendum that we have to have public support for it and we have to have people that are stepping out to make it happen if we go in that implementation method.

Mr. Graham said but, the Council can also make that decision.

Mayor Lyles said there could be recommendation for the Council to make that decision.

Mr. Bokhari said that decision being what?

Mr. Lyles said the decision on whether or not to change the Council term.

Mr. Bokhari said but that would be overruled by a petition that could then put it on a referendum?

Mayor Lyles said all of those rules apply.

Ms. Eiselt said but, you are not saying wait until we have the census information? The Committee wouldn't necessarily have to wait until we have information about the census, we just want to do guidelines, because we won't have that information for 18-months. So, guidelines, when that comes out, would be part of the decision.

Mr. Graham said that is what I was getting to.

Mayor Lyles said you were going with the census; I'm sorry, I thought you were talking about who makes the final decision, but the redistricting, yes, we would do guiding principles, not the redistricting until we had the data. I think it better to have a conversation about how you do it without having the data in terms of guiding principles, not necessarily which boundary moves and which boundary changes.

Mr. Winston said I think Mr. Graham's initial question about the timeline still stands because if the Council is to have the full prerogative of deciding about those recommendations, especially when it comes to terms, we know that there is a calendar that we have to keep. So, I think I asked Mr. Baker to inform us of what that calendar is, because if it does go the referendum route those meetings leading up to getting it on a referendum have to follow a certain guideline. What are those dates and when we do we need this Committee to provide that recommendation by in order to give Council the full prerogative of making those choices?

Mayor Lyles said I was suggesting that the further timeline would be 2021. If it is going to be that the Council makes for the referendum. If the Council wants to make the decision differently, if you want to listen to what the Committee says and they come forward and say you can do it 2020, then there would be a different timeline. They will have all of that information from the Attorney who will staff this Committee to do that.

Mr. Winston said I think we need to give them a deadline, because Council should have all the options on the table and if we don't get certain things done by a certain time we won't have all the options on the table.

Ms. Eiselt said if there is a referendum we probably cannot do it this year because we would have to have that work done by April.

Mr. Baker said if you are talking about getting a Committee together, getting them up and running and then start the process; I'm not assuming that they would have their work done in time to where, let's say they wanted to go with a vote [inaudible]

Mr. Winston said so we've already taken part of the Council's prerogative off the table.

Ms. Eiselt said it is the Council's prerogative if we want to put it to a referendum.

Mayor Lyles said it is fine if you want to do that, you can say that and go ahead and do that. I think that one of the questions that we've had is that the Council has taken that kind of idea, and it hasn't been able to work, because we haven't had citizens advocating

and pushing and examining our choices. If the Council wants to take a prerogative and put it on for the 2020 year and do that in April that would be up to you.

Ms. Eiselt said we wouldn't have any data to work with by April.

Mr. Bokhari said my recommendation would be to still have the potential of the best of both worlds. This Committee is not coming together, and I like the approach and I applaud it. All we have to do is lay before them as one of their first orders of business, here is the hard and fast timeline. So, one do you have time to go through and get it into this cycle so, literally they say, alright our first order of business in the month of half of February and March may be to get this information and say can we make a decision by this and if so hand it to them in that cycle and if not, so at least the option is there, but I think putting our own kind of fabricated timelines on them when we want an answer, they have to tell us their timeline.

Mr. Winston said it is not fabricated; we said we were going to do this process so that we can have all the options on the table, and we said this months ago. We said this before this calendar year and now we are here and saying actually we are going to take some options off the table.

Mr. Bokhari said I wouldn't call it taking them off the table as much as saying it is your prerogative Committee to take as long as you need or as short as you need to come to the answer.

Ms. Eiselt said they are not going to take a long time to do it. Nobody has the time so I would imagine it would be a few months, but I don't want to be in a position of saying we are absolutely going to do a referendum, because it is a fact that we could just decide to have our own vote, but if they decide that is the recommendation it is almost impossible to get it done to that point by April. It would push it to the next April.

Mr. Winston said even if we do it by our own vote we have to do it in a certain timeframe that allows the citizens to have that check. We went through this and we know these timelines.

Mr. Bokhari said the challenge is, regardless of how we got here, we are here right now, and so, it is either one of two approaches. You either keep going with the Committee approach and tell them if you are going to go this route time is of the essence. If you are, or just saying the Committee is no longer relevant and having the votes.

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### ADJOURNMENT

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 8:29 p.m.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 3 Hours, 26 Minutes  
Minutes Completed: February 21, 2020