

## Public Records Request #4327

The following materials have been gathered in response to public records request #4327. These materials include:

- Emails

This information was provided as a response to a public records request on 10/26/20 and is current to that date. There is a possibility of more current information and/or documents related to the stated subject matter.

### Further Information

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For further information about this request or the Citywide Records Program, please contact:

Cheyenne Flotree  
Citywide Records Program Manager  
City of Charlotte/City Clerk's Office  
600 East 4<sup>th</sup> Street, 7<sup>th</sup> Floor  
Charlotte, NC 28202  
Cheyenne.Flotree@charlottenc.gov

Amelia Knight  
Public Records Specialist  
City of Charlotte/City Clerk's Office  
600 East 4<sup>th</sup> Street, 7<sup>th</sup> Floor  
Charlotte, NC 28202  
Amelia.Knight@charlottenc.gov

**From:** [Beau Mills](#)  
**To:** [nancy.vaughan@greensboro-nc.gov](mailto:nancy.vaughan@greensboro-nc.gov); [Lyles, Viola](#); [Esther Manheimer \(emanheimer@vwlawfirm.com\)](mailto:Esther.Manheimer@vwlawfirm.com); [llavelle@townofcarrboro.org](mailto:llavelle@townofcarrboro.org); [Pam Hemminger](#); [bill.saffo@wilmingtonnc.gov](mailto:bill.saffo@wilmingtonnc.gov); [steve.schewel@durhamnc.gov](mailto:steve.schewel@durhamnc.gov); [Allen Joines](#); [Mary-Ann Baldwin](#); [BoD - Ian Baltutis](#)  
**Cc:** [Baker, Patrick](#)  
**Subject:** [EXT] Ad Hoc Group of Mayors (you should invite City Attorney to listen in)

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EXTERNAL EMAIL: This email originated from the Internet. Do not click any images, links or open any attachments unless you recognize and trust the sender and know the content is safe. Please click the Phish Alert button to forward the email to Bad.Mail.

Beau Mills is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/85697566794?pwd=YmQxbWxXN05SL1pudSt6Mk8yZFZZUT09>

Meeting ID: 856 9756 6794

Passcode: 036459

One tap mobile

+13017158592,,85697566794#,,,,,0#,,036459# US (Germantown)

+13126266799,,85697566794#,,,,,0#,,036459# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

877 853 5247 US Toll-free

888 788 0099 US Toll-free

833 548 0276 US Toll-free

833 548 0282 US Toll-free

Meeting ID: 856 9756 6794

Passcode: 036459

Find your local number: <https://us02web.zoom.us/j/85697566794>

**From:** [Beau Mills](#)  
**To:** [nancy.vaughan@greensboro-nc.gov](mailto:nancy.vaughan@greensboro-nc.gov); [Mary-Ann Baldwin](mailto:Mary-Ann Baldwin); [Lyles, Viola](mailto:Lyles, Viola); [steve.schewel@durhamnc.gov](mailto:steve.schewel@durhamnc.gov); [BoD - Ian Baltutis](#); [llavelle@townofcarrboro.org](mailto:llavelle@townofcarrboro.org); [phemminger@townofchapelhill.org](mailto:phemminger@townofchapelhill.org); [allen.joines@wsalliance.org](mailto:allen.joines@wsalliance.org); [emanheimer@vwlawfirm.com](mailto:emanheimer@vwlawfirm.com); [bill.saffo@wilmingtonnc.gov](mailto:bill.saffo@wilmingtonnc.gov)  
**Cc:** [Beau Mills](#); [Baker, Patrick](#); [Tatum, Robin](#); [Watts, Chuck](#); [Rehberg, Kimberly](#); [Brad Branham](#); [john.joye@wilmingtonnc.gov](mailto:john.joye@wilmingtonnc.gov); [David Huffman](#); [Angela Carmon](#); [Nick Herman](#); [aanderson@townofchapelhill.org](mailto:aanderson@townofchapelhill.org); [BoD - Tony McEwen](#); [Levine, Mindy](#); [Dawn.Grants@wilmingtonnc.gov](mailto:Dawn.Grants@wilmingtonnc.gov); [Mayors Office](#); [Sharon.bell@greensboro-nc.gov](mailto:Sharon.bell@greensboro-nc.gov); [Jeanne Brown](#)  
**Subject:** [EXT] Ad Hoc Group of Mayors and City Attorneys

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Meeting ID: 868 9848 3843

Passcode: 157927

One tap mobile

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+13126266799,,86898483843#,,,,,0#,,157927# US (Chicago)

Dial by your location

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+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

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833 548 0282 US Toll-free

877 853 5247 US Toll-free

888 788 0099 US Toll-free

833 548 0276 US Toll-free

Meeting ID: 868 9848 3843

Passcode: 157927

Find your local number: <https://us02web.zoom.us/j/86898483843?pwd=MXIBQjE4c3JLMVF2d0pZVGZVczN3dz09>

---

**From:** Cuccaro, Crista <Crista.Cuccaro@durhamnc.gov>  
**Sent:** Thursday, October 22, 2020 11:29 AM  
**To:** Baker, Patrick  
**Subject:** [EXT] Charlotte Non-Discrimination Ordinance

**EXTERNAL EMAIL:** This email originated from the Internet. Do not click any images, links or open any attachments unless you recognize and trust the sender and know the content is safe. Please click the Phish Alert button to forward the email to Bad.Mail.

Hey Patrick,

I will be working with Kim on Durham's potential efforts to pass non-discrimination legislation after the sunset of HB 142. She mentioned that you might have handy a copy of Charlotte's non-discrimination ordinance. If you have a chance, could you please send it my way?

Thanks so much!

**Crista M. Cuccaro**  
**Senior Assistant City Attorney**  
**(she/her/hers)**

*Due to increasing risks posed by COVID-19, I am telecommuting from 8:30 to 4:30. During that time, I am responding to emails.*



**City Attorney's Office, City of Durham**  
101 City Hall Plaza, Durham, NC 27701  
PHONE (919) 560-4158 | FAX (919) 560-4660

*E-mail correspondence to and from this sender may be subject to the North Carolina Public Records Law and can be disclosed to third parties.*

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**From:** Beau Mills <beau.mills@Metromayors.com>  
**Sent:** Friday, October 16, 2020 3:12 PM  
**To:** nancy.vaughan@greensboro-nc.gov; Mary-Ann Baldwin; Lyles, Viola; steve.schewel@durhamnc.gov; BoD - Ian Baltutis; llavelle@townofcarrboro.org; phemming@townofchapelhill.org; allen.joines@wsalliance.org; emanheimer@vwlawfirm.com; bill.saffo@wilmingtonnc.gov  
**Cc:** Beau Mills; Baker, Patrick; Tatum, Robin; Watts, Chuck; Rehberg, Kimberly; Brad Branham; john.joye@wilmingtonnc.gov; David Huffman; Angela Carmon; Nick Herman; aanderson@townofchapelhill.org; BoD - Tony McEwen  
**Subject:** [EXT] Mayors Ad Hoc group  
**Attachments:** 2020-10-16 Equality NC - Metro Mayors.pdf

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Mayors:

Attached are the slides from our discussion this morning.

We will check in again on Friday, Nov. 6 at 10am. I will send an OUTLOOK calendar invitation for that under separate cover.

I have included city attorneys in this email as well. Patrick Baker and Nick Herman have agreed to help with organizing the city attorneys...

Beau Mills, Director of Urban Affairs  
NC League of Municipalities  
Staff to the NC Metropolitan Mayors Coalition  
Mobile Phone: 919.637.0873  
Twitter: @MetroMayors  
[www.ncmetromayors.com](http://www.ncmetromayors.com)

# NC Non-Discrimination

Ames Simmons (he/him)  
Policy Director  
October 16, 2020

# HB2 & HB142

- ▶ HB2 is commonly known as “the bathroom bill” but contained broad labor and employment preemptions
  - ▶ Supersedes and preempts any ordinance, etc., that regulates or imposes any requirement pertaining to regulation of **discriminatory practices in employment or in places of public accommodation**
- ▶ HB142 is the successor to HB2
  - ▶ Maintained **private employment and public accommodations non-discrimination** preemption
  - ▶ Expires on December 1, 2020
  - ▶ Separate preemption of regulation of restrooms that does not expire

# Workers still need protection after Bostock

- ▶ The Supreme Court decision in June holding that discrimination on the basis of sexual orientation or gender identity in employment is illegal sex discrimination is very important for LGBTQ workers.
- ▶ However, the decision does not reach:
  - ▶ Small businesses (less than 15 employees)
  - ▶ Informal economy workers / gig workers
  - ▶ Independent contractors
- ▶ All workers need to be able to work free of discrimination.



# Columbia, SC - Public Accommodations

- ▶ In the municipal code under Licenses, Permits, and Miscellaneous Business Regulations
- ▶ Includes “sexual orientation” in non-discrimination policy
- ▶ Defines “sexual orientation” to include “gender identity or expression”

## Sec. 11-502. - Policy.



It is the policy of the City of Columbia, South Carolina, that no person shall be discriminated against in the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation on the basis of race, color, religion, sex, age, national origin, familial status, handicap, disability or **sexual orientation**.

(Ord. No. 2008-024, 3-5-08)

## Sec. 11-503. - Definitions.



Except where the context clearly indicates otherwise, the following terms as used in this article shall have the following meanings:

*Disability* means a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of such an impairment or being regarded as having such an impairment.

*Discrimination* means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons because of race, color, religion, national origin, age, sex, familial status, handicap, disability or **sexual orientation** in the aiding, abetting, inciting, coercing or compelling thereof.

*Place of public accommodation* means any place which serves the public and requires a license or permit issued by the State of South Carolina, its agencies or the City of Columbia to operate, including, but not limited to:

- (1) Any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence;
- (2) Any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of any retail establishment, or any gasoline station;
- (3) Any hospital, clinic, or other medical facility which provides overnight accommodations;
- (4) Any retail or wholesale establishment;
- (5) Any motion picture house, theater, concert hall, billiard parlor, saloon, barroom, golf course, sports arena, stadium, or other place of amusement, exhibition, recreation, or entertainment; and,
- (6) Any establishment which is physically located within the premises of any establishment otherwise covered by this subsection, or within the premises of which is physically located any such covered establishment, and which holds itself out as serving patrons of such covered establishment.

*Sexual orientation* means a person's real or perceived heterosexuality, homosexuality or bisexuality or gender identity or expression.

# Charleston, SC - Public Accommodations

- ▶ In the municipal code under Human Relations
- ▶ Includes “sexual orientation” in non-discrimination policy
- ▶ Defines “sexual orientation” to include “gender identity or expression”

## Sec. 16-29. - Declaration of policy.



It is the policy of the City of Charleston, South Carolina, that no person shall be discriminated against in the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation on the basis of race, color, religion, sex, age, national origin, familial status, disability or **sexual orientation**.

(Ord. No. 2009-240, § 3, 11-24-09)

## Sec. 16-30. - Definitions.



Except where the context clearly indicates otherwise, the following terms as used in this article shall have the following meanings:

*Disability* means a physical or mental impairment that substantially limits one (1) or more of the major life activities of the individual, a record of such an impairment or being regarded as having such an impairment.

*Discrimination* means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons because of race, color, religion, national origin, age, sex, familial status, disability or **sexual orientation** in the aiding, abetting, inciting, coercing or compelling thereof.

*Person* means any individual or corporation, firm, partnership, association, organization, any other group acting as a unit.

*Place of public accommodation* means any place which serves the public and requires a license or permit issued by the State of South Carolina, its agencies or the City of Charleston to operate, including, but not limited to:

- (1) Any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than three (3) bed and breakfast units and which is actually occupied by the proprietor of such establishment as his residence;
  - (2) Any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of any retail establishment, or any gasoline station;
  - (3) Any hospital, clinic, or other medical facility which provides overnight accommodations;
  - (4) Any retail or wholesale establishment;
  - (5) Any motion picture house, theater, concert hall, billiard parlor, saloon, barroom, golf course, sports arena, stadium, or other place of amusement, exhibition, recreation, or entertainment; and
  - (6) Any establishment which is physically located within the premises of any establishment otherwise covered by this subsection, or within the premises of which is physically located any such covered establishment, and which holds itself out as serving patrons of such covered establishment.
- (e) *Sexual orientation* means a person's real or perceived heterosexuality, homosexuality or bisexuality or gender identity or expression.

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**From:** Rehberg, Kimberly <Kimberly.Rehberg@durhamnc.gov>  
**Sent:** Friday, October 16, 2020 11:15 AM  
**To:** Baker, Patrick  
**Subject:** [EXT] Notes from Metro Mayors Meeting 10/17/20

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Just sharing in the event it might be helpful to you...

Kendra Johnson, Exec Dir of Equality NC and Ames Simmons, Policy Director from Equality NC

Greensboro (Chuck Watts)

Carrboro (Nick Herman)

Asheville (Brad Branham)

Charlotte (Patrick Baker)

Burlington (Dave Huffman)

Raleigh (Robin Tatum)

Wilmington (John Joye)

Chapel Hill (Ann Anderson)

Passing Nondiscrimination  
ordinances with a goal towards  
passing comprehensive  
nondiscrimination legislation in the  
State

Remove the blight of HB 2 and HB  
142 (sun setting on Dec 31, 2020)

Grassroots and grassroots to have  
the broadest coalition and possibility  
for success



Propose to engage NC State Chamber of Commerce, which is favorable to this initiative

Want to bring in community groups at some point to mitigate political pressure

Currently pulling together some polling that will drop after the election to gauge public sentiment and community support currently. Once Chamber is engaged, propose polling of business community, as well.

Also, collaborate with the Governor.

All of this is contingent upon the outcome of the elections.

Ames's power point presentation  
(sent to Beau Mills)

Supreme Ct decision—Bostock

Ordinances:

—Broad public accommodations language (with no specific reference to restrooms)

—Include a severability clause

—Include nonpreemption language (ordinance can only be enforced to the extent allowed by state and federal law)

Look at local city charter for general authority to enact a nondiscrimination ordinance

\*Make sure there's no limitation in the charter that would prevent city from imposing fines or seeking injunctions for enforcement of such an ordinance

Need slow and measured approach.  
Only take action after a new NCGA is seated.

Lydia Lavelle, Carrboro Mayor

Timeline to move in February

Carrboro local chamber is on board

In not specifically taking on the bathroom aspects of the bill, we're going to have to address feelings from the trans community that they have been compromised out, or

we're not extending protections to them

Action item—when do we broaden the circle of municipalities taking this action?

Reach out to CAs to gauge where Councils are.

Beau will reach out to local governments government relations divisions and the Governors office

Durham, Chapel Hill, Carrboro move together after January?

In addition to business community,  
consider reaching out to tourism  
boards

Attorneys:

PB will go through his current file.  
Will send the CLT ordinance that  
started the firestorm

Check Greensboro nondiscrimination  
ordinances

ames@equalitync.org  
770-713-0513

kendra@equalitync.org  
501-551-7346

Bmills@nclm.org

Kimberly M. Rehberg  
Durham City Attorney

Please pardon typographical errors  
Sent from my iPhone

---

**From:** Baker, Patrick  
**Sent:** Thursday, October 22, 2020 1:09 PM  
**To:** Rehberg, Kimberly (Kimberly.Rehberg@durhamnc.gov); Cuccaro, Crista  
**Cc:** Beau Mills  
**Subject:** FW: [EXT] Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting  
**Attachments:** PRR\_Charlotte\_NonDiscrimination.pdf

**Importance:** High

FYI Only

---

**From:** Nick Ochsner <nick.ochsner@wbtv.com>  
**Sent:** Thursday, October 22, 2020 10:43 AM  
**To:** Lyles, Viola <vlyles@ci.charlotte.nc.us>; Mills, Jeremy <Jeremy.Mills@ci.charlotte.nc.us>; Baker, Patrick <Patrick.Baker@ci.charlotte.nc.us>  
**Subject:** [EXT] Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting  
**Importance:** High

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Hi Patrick, Jeremy and Mayor Lyles:

Please see the attached public records request related to your renewed efforts to draft and coordinate a nondiscrimination ordinance with other mayors across the state.

Given the extreme public interest in this topic and the limited scope of this request, I request you produce responsive records as promptly as possible, as required by law.

Please let me know if you have any questions or need clarification regarding this request.

Thanks-  
Nick

**Nick Ochsner | Chief Investigative Reporter**

[nochsner@wbtv.com](mailto:nochsner@wbtv.com)

W: 704.374.3941 | C: 704.641.7538

NEWSROOM: 704.374.3691







October 22, 2020

Mayor Vi Lyles  
City of Charlotte  
600 East 4th Street  
Charlotte, NC 28202

*Via Email*

Re: Public records request

Dear Mayor Lyles:

I request copies of the following public records pursuant to the North Carolina Public Records Act, G.S. §132-1, et seq.:

- 1) Any draft non-discrimination ordinance or similar ordinance prepared since June 1, 2020.**
- 2) Any communication—including but not limited to emails, text messages, instant messages, letters, and memos—sent and/or received by Vi Lyles and/or Patrick Baker regarding a non-discrimination ordinance since September 1, 2020.**
- 3) Any communication—including but not limited to emails, text messages, instant messages, letters, and memos—sent and/or received by Vi Lyles and/or Patrick Baker with the following individuals since September 1, 2020: Lydia Lavelle and/or Beau Mills.**
- 4) Any communication—including but not limited to emails, text messages, instant messages, letters, and memos—sent and/or received by Vi Lyles and/or Patrick Baker regarding a telephone call on Friday, October 16, 2020 to discuss a non-discrimination ordinance with mayors across North Carolina**

Please treat each numbered item above as a separate request and produce records on a rolling basis, as they are available. Do not wait until all responsive records are available to make a first production.

The law, specifically G.S. 132-6(c), requires non-public information contained in an otherwise public document to be redacted; the presence of non-public information does not exempt an entire document from disclosure. If you do redact any information or deny this request, in whole or in part, please cite each specific exemption you feel justifies the refusal to release the information.

If possible, please provide the request records in the most practical electronic format (by e-mail, thumb drive, CD, etc.) on a rolling basis, as documents responsive to this request become available for production. I would like to request a waiver of all fees since the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of an important topic in our community. This information is not being sought for commercial purposes. In the event there will be fees associated with fulfilling my request, please notify me in advance.

The law requires that you respond to and fulfill this request "as promptly as possible." G.S. 132-6(a). Given the limited scope of this request, I request production of responsive records begin no later than Monday, October 26, 2020.



Thank you for considering my request.

Sincerely,

Nick Ochsner

---

**From:** Rehberg, Kimberly <Kimberly.Rehberg@durhamnc.gov>  
**Sent:** Thursday, October 22, 2020 1:32 PM  
**To:** Baker, Patrick; Cuccaro, Crista  
**Cc:** Beau Mills  
**Subject:** RE: [EXT] Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

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Thanks, PB.

Here we go...

**Kimberly M. Rehberg**  
**City Attorney**  
**City of Durham**  
**101 City Hall Plaza**  
**Durham, North Carolina 27701**  
**Phone: 919.560.4158 ext. 13246**  
**Direct Dial: 919.354.2716**  
**Fax: 919.560.4660**  
**[Kimberly.Rehberg@durhamnc.gov](mailto:Kimberly.Rehberg@durhamnc.gov)**

 Please consider the environment before printing

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**From:** Baker, Patrick [mailto:Patrick.Baker@ci.charlotte.nc.us]  
**Sent:** Thursday, October 22, 2020 1:09 PM  
**To:** Rehberg, Kimberly <Kimberly.Rehberg@durhamnc.gov>; Cuccaro, Crista <Crista.Cuccaro@durhamnc.gov>  
**Cc:** Beau Mills <beau.mills@Metromayors.com>  
**Subject:** FW: [EXT] Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting  
**Importance:** High

FYI Only

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**Sent:** Thursday, October 22, 2020 10:43 AM  
**To:** Lyles, Viola <[vlyles@ci.charlotte.nc.us](mailto:vlyles@ci.charlotte.nc.us)>; Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>; Baker, Patrick <[Patrick.Baker@ci.charlotte.nc.us](mailto:Patrick.Baker@ci.charlotte.nc.us)>  
**Subject:** [EXT] Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting  
**Importance:** High

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Please let me know if you have any questions or need clarification regarding this request.

Thanks-  
Nick

**Nick Ochsner | Chief Investigative Reporter**

[nochsner@wbtv.com](mailto:nochsner@wbtv.com)

W: 704.374.3941 | C: 704.641.7538

NEWSROOM: 704.374.3691



---

**From:** Baker, Patrick  
**Sent:** Friday, October 23, 2020 5:17 PM  
**To:** Nick Ochsner; Mills, Jeremy  
**Cc:** Lyles, Viola  
**Subject:** RE: [EXT] RE: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

Thanks Nick. You do the same.

Patrick

---

**From:** Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)>  
**Sent:** Friday, October 23, 2020 5:16 PM  
**To:** Baker, Patrick <[Patrick.Baker@ci.charlotte.nc.us](mailto:Patrick.Baker@ci.charlotte.nc.us)>; Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>  
**Cc:** Lyles, Viola <[vlyles@ci.charlotte.nc.us](mailto:vlyles@ci.charlotte.nc.us)>  
**Subject:** RE: [EXT] RE: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

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Thank you, Patrick.

Have a nice weekend!  
Nick

---

**From:** Baker, Patrick <[Patrick.Baker@ci.charlotte.nc.us](mailto:Patrick.Baker@ci.charlotte.nc.us)>  
**Sent:** Friday, October 23, 2020 5:14 PM  
**To:** Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)>; Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>  
**Cc:** Lyles, Viola <[vlyles@ci.charlotte.nc.us](mailto:vlyles@ci.charlotte.nc.us)>  
**Subject:** RE: [EXT] RE: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

Nick:

We are actively in the process of collecting the information. You should have it early next week.

Patrick

Patrick W. Baker  
Charlotte City Attorney  
Office of the City Attorney  
600 East Fourth Street, 15th Floor  
Charlotte, NC 28202  
P: 704.336.2254  
M: 704.995.4225  
F: 704.632.8168  
[patrick.baker@charlottenc.gov](mailto:patrick.baker@charlottenc.gov)

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**From:** Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)>  
**Sent:** Friday, October 23, 2020 5:12 PM  
**To:** Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>  
**Cc:** Lyles, Viola <[vylyes@ci.charlotte.nc.us](mailto:vylyes@ci.charlotte.nc.us)>; Baker, Patrick <[Patrick.Baker@ci.charlotte.nc.us](mailto:Patrick.Baker@ci.charlotte.nc.us)>  
**Subject:** RE: [EXT] RE: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

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So, again, do you have a statute or other authority to justify the continued withholding of the readily available and responsive documents requested in Item 1?

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**From:** Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>  
**Sent:** Friday, October 23, 2020 5:10 PM  
**To:** Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)>  
**Cc:** Lyles, Viola <[vylyes@ci.charlotte.nc.us](mailto:vylyes@ci.charlotte.nc.us)>; Baker, Patrick <[Patrick.Baker@ci.charlotte.nc.us](mailto:Patrick.Baker@ci.charlotte.nc.us)>  
**Subject:** Re: [EXT] RE: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

We will fulfill each of your requests as promptly as possible.

On Oct 23, 2020, at 5:07 PM, Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)> wrote:

**EXTERNAL EMAIL:** This email originated from the Internet. Do not click any images, links or open any attachments unless you recognize and trust the sender and know the content is safe. Please click the Phish Alert button to forward the email to Bad.Mail.

Please note this sentence immediately below the numbered list of requested items:

“Please treat each numbered item above as a separate request and produce records on a rolling basis, as they are available. Do not wait until all responsive records are available to make a first production.”

Based on the plain language of the quotation above, each item should be treated as a separate request and produced pursuant to G.S. 132-6, which would be as promptly as possible.

Accordingly, I do not see any rationale under which the Mayor and Patrick are unable to produce the requested document in Item 1. Again, if you have a different authority under which the document is being withheld, please let me know.

Thanks again-  
Nick

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**From:** Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>  
**Sent:** Friday, October 23, 2020 5:03 PM  
**To:** Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)>  
**Subject:** Re: [EXT] RE: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

We are not working on just that request... we have four requests from you.

On Oct 23, 2020, at 4:58 PM, Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)> wrote:

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Is it the contention of the Mayor and City Attorney that it takes more than two days to locate and produce a specific draft ordinance? The statute requires "as promptly as possible." G.S. 132-6(a).

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**From:** Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>  
**Sent:** Friday, October 23, 2020 4:55 PM  
**To:** Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)>  
**Subject:** Re: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

I can assure you, we will be fulfilling these requests in a timely manner, consistent with the state statute.

Jeremy

On Oct 23, 2020, at 4:51 PM, Nick Ochsner <[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)> wrote:

Thanks, Jeremy. Do you have a statute or other authority upon which the Mayor and Patrick are relying to not produce responsive records as promptly as possible?

Thanks again-

Nick

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**From:** Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>  
**Sent:** Friday, October 23, 2020 4:50 PM  
**To:** Nick Ochsner <[nick.ochsner@wbvtv.com](mailto:nick.ochsner@wbvtv.com)>  
**Cc:** Lyles, Viola <[vlyles@ci.charlotte.nc.us](mailto:vlyles@ci.charlotte.nc.us)>; Baker, Patrick <[Patrick.Baker@ci.charlotte.nc.us](mailto:Patrick.Baker@ci.charlotte.nc.us)>  
**Subject:** Re: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

Nick,

There will be no records released today.

Jeremy

On Oct 23, 2020, at 4:29 PM, Nick Ochsner <[nick.ochsner@wbvtv.com](mailto:nick.ochsner@wbvtv.com)> wrote:

Hi Jeremy-

Following up here to see if the Mayor or Patrick will be producing any responsive records today (a reminder that my letter treats each numbered item as a separate request and some of those items should be readily available for production)?

Thanks again-

Nick

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**From:** Nick Ochsner  
**Sent:** Friday, October 23, 2020 10:09 AM



**To:** Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>  
**Cc:** Lyles, Viola <[vylyes@ci.charlotte.nc.us](mailto:vylyes@ci.charlotte.nc.us)>; Baker, Patrick <[Patrick.Baker@ci.charlotte.nc.us](mailto:Patrick.Baker@ci.charlotte.nc.us)>  
**Subject:** Re: Public Records Request - draft nondiscrimination agreement and Metro Mayors meeting

Hi Jeremy-

There is nothing in the Public Records Act that requires such a step. To the extent Patrick and Mayor Lyles are the custodians of the records I seek, they should be able to make an immediate production.

If they refuse to produce the responsive records as promptly as possible, as required by law, I will engage legal counsel to compel their compliance with the statute.

Thanks-

Nick

Sent from my iPhone

On Oct 23, 2020, at 10:00 AM, Mills, Jeremy <[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)> wrote:

Nick,

I have received your PRR and will fill out a request for you and get it into our system.

In the future, if you'd like to skip a step, you can complete the online application yourself.

Here is the link...

<https://charlottenc.seamlessdocs.com/f/RequestRecords>

But this way works also... if you prefer to email the written request.

**Jeremy C. Mills**

**Senior Communications Specialist –  
Constituent Services**

**Charlotte Communications &  
Marketing**

Mobile: 704-302-5431

City of Charlotte | City Manager's  
Office

[600 E. Fourth Street, 15<sup>th</sup> Floor,  
Charlotte, NC 28202](#)

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**From:** Nick Ochsner  
<[nick.ochsner@wbtv.com](mailto:nick.ochsner@wbtv.com)>  
**Sent:** Thursday, October 22, 2020 10:43  
AM  
**To:** Lyles, Viola  
<[vlyles@ci.charlotte.nc.us](mailto:vlyles@ci.charlotte.nc.us)>; Mills,  
Jeremy  
<[Jeremy.Mills@ci.charlotte.nc.us](mailto:Jeremy.Mills@ci.charlotte.nc.us)>;  
Baker, Patrick  
<[Patrick.Baker@ci.charlotte.nc.us](mailto:Patrick.Baker@ci.charlotte.nc.us)>  
**Subject:** [EXT] Public Records Request -  
draft nondiscrimination agreement and  
Metro Mayors meeting  
**Importance:** High

Hi Patrick, Jeremy and Mayor Lyles:

Please see the attached public records request related to your renewed efforts to draft and coordinate a nondiscrimination ordinance with other mayors across the state.

Given the extreme public interest in this topic and the limited scope of this request, I request you produce responsive records as promptly as possible, as required by law.

Please let me know if you have any questions or need clarification regarding this request.

Thanks-

Nick

**Nick Ochsner | Chief  
Investigative Reporter**

[nochsnr@wbtv.com](mailto:nochsnr@wbtv.com)

W: 704.374.3941 | C: 704.641.7538

NEWSROOM: 704.374.3691

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