

The City Council of the City of Charlotte, North Carolina convened for a Regular Meeting on Monday June 27, 2022, at 4:19 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Malcolm Graham, Renee Johnson, Matt Newton, Gregg Phipps, Victoria Watlington, and Braxton Winston, II.

ABSENT UNTIL NOTED: Councilmember Dimple Ajmera

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Mayor Lyles said thank you for joining us for a special meeting, a continuation of last Monday to carry through on zoning petitions that we have. So, I'm going to dive right into the rezoning petitions. Can I have the clerk's information? We can do our introductions and our pledge and then we'll start with our first item on the zoning agenda. We may have others joining us as we continue because we are having this meeting earlier. This meeting is being held virtual in accordance with all of the laws that we have to follow regarding electronic meetings. The requirements also include notices and access that are being met electronically as well. You can view this on our Government Channel, the City's Facebook Page, or the City's YouTube Page.

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PUBLIC HEARING

ITEM NO. 1: HEARING ON PETITION NO. 2021-258 BY RD UNIVERSITY OAKS, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 64.05 ACRES LOCATED ALONG THE NORTH SIDE OF UNIVERSITY CITY BOULEVARD, EAST SIDE OF NEAL ROAD, WEST SIDE OF INTERSTATE 85, SOUTH TO IBM DRIVE FROM RE-2 (RESEARCH) TO R-12 MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL).

Mayor Lyles said declared the hearing open.

David Pettine, Planning, Design & Development, said as mentioned just over 64 acres as measured on University City Boulevard, currently zoned Research 2. The proposed zoning is for R-12 MF (Multi-family) Conditional, adopted future land use. Currently the University Research Park Area Plan does recommend residential office and retail. The site is shown as a community activity center on the 2040 Policy Map which goes into effect on July 1st. The proposal is for up to 450 multi-family apartments on one part of the project and then the other portion of the project will be up to 150 townhome units. Those will be divided in to two development areas. They do have an 8-foot-wide planting strip and 12-foot multi-use path along Neal Road. They do have some road improvements for an additional southbound left turn lane on Neal Road with 190 feet of storage. Also, northbound and southbound left turn signal would be phased to run concurrently along with some of the signalization that's out there currently. Access A on University City Boulevard would be median divided, Access B on Neal Road would be full movement and Access C on University City Boulevard would be right in, right out. It does also construct a westbound turn lane on University City Boulevard and an eastbound turn lane as well on University City Boulevard and then a westbound U-turn Lane as well on University City Boulevard. They do also commit to convey to Mecklenburg County for future greenway. Part of the 100-foot post construction buffer that's on the site, that's running right through the middle there. That would be for future Doby Creek Greenway and also provides an access easement to a future greenway trail and installs ADA (American with Disabilities Act) compliant bus waiting pad on Neal Road. Staff does recommend approval of this petition.

We do have outstanding issues related to transportation that still need to be resolved. Again, the petition is consistent overall with the University Research Park Area Plan for those mix of uses, but overall just inconsistent with that office and retail. In the grand scheme of what's going on in the Research Park Area, it does provide that residential

component of what's an otherwise mixed-use area that's been ongoingly developed. So, with that, we'll take any questions following the petitioners. Thank you.

John Carmichael, 101 North Tryon Street, Suite 1900 said I represent the petitioner RD University Oaks, LLC. RD University Oaks is affiliated with Related Development Company with the United Charles Humphreys and Barry McDonald the petitioner, Eddie Moore McAdams and Michael Wickline of Design Resource Group.

The site's about 64 acres located on the northwest quadrant of the University City Boulevard, I-85 Interchange. There's an aerial. This site is currently zoned RE-2 which is a research zoning district. The petitioner is requesting that the site be rezoned to R-12 MF (CD) to allow the 450 multi-family dwelling units up to 150 townhome units. The overall density would be 9.4 dwelling units per acre. Related Development is an experienced development company that develops quality and aesthetically appealing projects. These are some examples of its urban and suburban developments. A unique component of its development is that Related Development includes museum quality art in every project. They are active currently in North Carolina in the Charlotte, Raleigh, Durham and in the Wilmington area.

So, the site once again does contain about 64 acres. The multi-family units will be located on the eastern portion of the site next to I-85, the townhome units will be located on the western portion of the site. The main access point will be located on University City Boulevard, and it would be a median divided access point. Architectural standards are a part of the petitioner's rezoning plan. We think there's a lot of benefits to this plan. First it would provide a mixture of housing types. The development has an abundance of open space and amenities. The developer will dedicate and convey to the county a portion of the site for the greenway. A petitioner would actually construct the greenway trail on the site. Petitioner is also committing to install a pedestrian crossing and traffic signal on University City Boulevard at the main access point into the site that will allow pedestrians to safely cross University City Boulevard when utilizing the greenway trail.

These greenway improvements and the signal are significant public benefits. We've had numerous conversations with Tobe Holmes and the University Partners about the proposed development and UCP is supportive, and they're excited about the commitment to construct the greenway trail and the commitment to install the pedestrian traffic signal at UCB (University City Boulevard). We appreciate the planning staff's recommendation for approval, and we'll address the remaining issues this week. Thank you for consideration. Happy to answer any questions.

Councilmember Phipps said Mr. Carmichael, this site is a pretty large site. I know at the last zoning meeting or at one of the public hearings, we had a constituent to come up that lives in that corridor complaining over the fact that there was limited transportation options to get to places like this new site plus the entertainment district, so my question is will there be any kind of bus service along this stretch of University City Boulevard?

Mr. Carmichael said well CATS (Charlotte Area Transit System) has asked the petitioner to put a bus stop on the site so there presumably will be a bus service Mr. Phipps.

Mr. Phipps said I thought that bus pad was on Neal Road, but you're saying there's a bus pad set up within the site?

Mr. Carmichael said oh no, It's on Neal Road.

Mr. Phipps said right, it's on Neal Road.

Mr. Carmichael said they'll be no bus service within the site if that's what you're asking.

Mr. Phipps said I'm asking will there be bus service along University City Boulevard to perhaps connect to the light rail on Tryon?

Mr. Carmichael said I don't know the answer to that question, but we can find out and follow up with you.

Mr. Phipps said I don't know if anybody from CATS is here or not.

Mayor Lyles said I don't believe anyone from CATS is here. We'll have to get that in the follow up report.

Mr. Pettine said yes, there's a route on University City Boulevard but there's not a stop on University City Boulevard. It's on Neal Road and they're going to upgrade that facility in front of their site on Neal Road, but there's no existing stops on University City Boulevard on either side of 85 there.

Mr. Phipps said thank you. Seems to me that one would be warranted.

Mayor Lyles said so Mr. Pettine, I think Mr. Phipps is asking CATS to look at this and see what is warranted and how that works.

Councilmember Winston said my questions and concerns are along the lines with Mr. Phipps. Part of this, I think, relies on that staff need to address, a part of this is also with the petitioner. I have concerns that these types of developments that are happening across this University City Boulevard are again relying on car centric living situations, and we have made significant investments in multi-modal. From a petitioner's standpoint I appreciate the greenway access and the one crossing, but if you look at this layout, one safe crossing would not be sufficient for our future residents if they need to get across University City Boulevard which is going to be a fast-moving thoroughfare to get a bus to make that first or last mile connection to the light rail.

So, I would like to see multiple crossings. For instance, if you're in the northern or western portion of that multi-family development, it's going to be a far walk from what I can tell to get to a safe crossing. It's not going to be time feasible for that to happen, so I would like to see multiple crossings. From a staff standpoint, this shouldn't be a condition that we have to deal with when we get to the public hearing. We have to have some type of standard for that to come automatic for our billions of dollars of investments to be served by developments like this. So, my question for staff is how do we look at corridors like this corridor specifically to ensure that those types of connections are being made by right?

So, I guess that's a two-part question. I guess I'll ask for Mr. Carmichael's response first about additional safe crossings across University City Boulevard.

Mr. Carmichael said well, we could certainly look at striping crossings and maybe I'm speaking too quickly, but they've actually installed a traffic signal here Councilmember Winston, at the main entrance. You see the arrow that says pedestrian crossing signal to be installed by petitioner?

Mr. Winston said yes.

Mr. Carmichael said that's actually a traffic signal that would be installed. That was an ask of CDOT and the petitioner was happy to do it, but that would be a signal improvement that would actually stop the traffic to allow pedestrians to cross UCB so it would be a really safe crossing and it will allow people who are using the greenway to the south to walk north, cross UCB and then continue up the greenway trail that the petitioner will construct on the site to the north. So, that would be the signal, then of course you could cross it at Neal and UCB.

Charles Humphreys, 101 South Tryon Street, Suite 2700 said John, if I may jump in and Councilperson Winston, this is Charles Humphreys with RD University Oaks. One of the reasons why the entrance and the crosswalk is where it is that's not necessarily conveyed in this two-dimensional site plan is that there is significant topography and grade and the site falls off below the level of University City Boulevard further

easternmost site. So, there's not opportunity to have safe pedestrian access further east. That's why CDOT and NCDOT (North Carolina Department of Transportation) preferred crossing at that entryway there that's further west along the site and why we've oriented both our vehicular entrances and the pedestrian crossing there.

Mr. Winston said well maybe we can talk about this and I can get a better view of what we're dealing with, but if they're not opportunities to create multiple safe pedestrian crossing in new development, then I would question the wisdom of putting dense residential development in places like that.

Mr. Humphreys said happy to follow up with you. Thank you.

Mr. Winston said I don't know if staff has any response to the concerns that I've expressed?

Mr. Pettine said I would refer to CDOT or CATS which I don't think we have anyone from CATS in the room. So, I don't know Brandon if you have anything to add to that or if you want to follow up with CATS and we can get something to Councilmember Winston in a follow up report.

Brandon Brezeale, Transportation Engineering Project Manager said sure. We do have a Pedestrian Crossing Committee with NCDOT that's led by our CDOT Safety Section and whenever they get pedestrian crossing requests from the general public, they evaluate those to see if that's something that we would allow and if it is it goes onto a master list and it gets implemented whenever funding comes but we have that list within the CDOT Land Development Section as well and we try to partner with developers when possible on both by right and rezoning petitions like this one. UCB is a little unique in that it's a control of access for NCDOT. So, any crossing that would be allowed would have to go through the Controlled Access Committee. Our CDOT staff and NCDOT staff have worked closely to identify this crossing and with it be signalized, it's something that we were able to get comfort from NCDOT to allow.

Mr. Carmichael said may I add too that Neale Road and University City Boulevard is a signalized intersection and it has crosswalks as well.

Mr. Winston said again, crosswalks and signalized crossings don't necessarily make it safe for pedestrians to cross on roads like this and that's what my concern is. Safe crossings for dense residential places that are close and close vicinity to transit for people that might need or want to live there that don't have access to vehicular transportation. So, I don't think we're going to necessarily solve this right now and this is back and forth. Maybe this is something that we should touch base with offline.

Mr. Carmichael said sounds good. Thank you.

Councilmember Johnson said thank you Mayor. I just have a question about the townhomes. I wanted to know if those were for sale or for rent, if that's been determined? Also, if all of these are market rate or if there is any plan for affordable workforce housing?

Mr. Humphreys said so, Councilperson Johnson, we're still working to determine whether the townhomes will be for sale or for rent. If they are the latter we intend to develop them in a way that they can be converted later to for sale product and set up where utilities are on, etc., in that manner. As you likely are aware, the market is somewhat bushwacked currently with interest rate changes. So, we're still working through what the optimal scenario would be there. We are planning for all of the rental units to be market rate, but I will add we plan to have a significant portion of the units be one bedroom, probably 200 or more, and our market rate for those one bedrooms would be very close to what the affordable limits would be. So, we think this is a scenario where we're very close to what would be deemed comparable by statute and focusing on providing additional other public benefits like the greenway and the pedestrian crossing.

Ms. Johnson said thank you for that information and I really appreciate the public improvements and the traffic improvements and the attention to the benefits for the community. So, thank you. I also have a comment to piggyback off Mr. Winston's concern and it's for CDOT. There was talk, and I believe there's a plan for the University City Boulevard to be expanded and to be designed as a superhighway. Do you have any information on that Brandon and if you do, I think that's even further justification that we would have more pedestrian crosswalks near this area.

Mr. Brezeale said yes, thank you for that. We can follow up with you on the specifics of that project. I don't have all of it in front of me. I know there was a plan to widen it and it's been going through the capital project process for quite a while, but we can follow up with you on that.

Ms. Johnson said okay, thank you. With that I'd like to make a motion to close the public hearing.

Mayor Lyles said just a minute. Mayor Pro Tem?

Councilmember Eiselt said thank you Madam Mayor. Actually Ms. Johnson asked my question about the super street so I'm good. I would like to know what the status is of that and if this area would include the super street, then I would have more concerns. So, yes, I would like to know more as well. Thank you.

Motion was made by Councilmember Johnson, seconded by Councilmember Driggs and carried unanimously to close the public hearing.

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ITEM NO. 2: HEARING ON PETITION NO. 2021-259 BY INTEGRA LAND COMPANY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 3.57 ACRES BOUND BY THE NORTH SIDE OF NORTH TRYON STREET, EAST SIDE OF WEST 26TH STREET, WEST SIDE OF WEST 27TH STREET, AND SOUTH SIDE OF NORTH CHURCH STREET FROM I-2 (GENERAL INDUSTRIAL) TO MUDD (CD) (MIXED-USE DEVELOPMENT, CONDITIONAL).

Mayor Lyles said declared the hearing open.

David Pettine, Planning, Design & Development, said 2021-259 is 3.57 acres on North Tryon. It's the block with West 27th, North Church and West 26th Street, so that entire block there along North Tryon, currently zoned to I-2. Proposed zoning is MUDD (Mixed-use development) Conditional, no options being proposed in this one. The North Tryon area plan from 2010 does recommend mixed office retail and residential use for the site and the site shows as a neighborhood activity center on the 2040 Policy Map which again is in effect on July 1.

The proposal is for up to 350 multi-family units and 2500 square feet of nonresidential uses faces North Tryon Street. The building will be capped at 75 feet. It does prohibit uses like adult establishments, auction sales, automotive service stations, boarding houses, bed and breakfast, building material sales, bus passenger stations, car washes, group homes, outdoor seasonal sales and warehousing within an enclosed building. The vehicular access will be from West 27th Street, eight-foot sidewalks and eight-foot planting strips would be provided along all public street frontages. About 3,000 square feet of open space would be provided along North Church Street with hardscape and landscape.

All principal and accessory buildings abutting a network public or private street would have a minimum of 20 percent of the building façade facing that network street and that would use brick, natural stone or stucco. All ground floor entrances would include direct pedestrian connections. Buildings exceeding 820 feet in length would include modulations of the massing and façade to break that up. Modulations would be a

minimum of 10 feet wide and shall project or recess a minimum of six feet throughout the building. Building elevations would also be designed with vertical bays or articulated architectural facades which may include but not limited to a combination of exterior wall, offsets, projections, recesses, pilasters, and banding and changed in materials or colors again to break up the massing of the building.

As mentioned, staff does recommend approval of this petition upon resolution of outstanding issues related to transportation as well as site design that's consistent with the North Tryon recommendation for residential land uses, although it isn't consistent with the 22 DUA (Dwelling Units per Acre) recommendation, but again overall consistent with the area plan. We'll be happy to take any questions following the petitioner's presentation. Thank you.

Ty Shaffer, 101 North Tryon Street, Suite 3300 said I'm pleased to represent Integra Land Company which is a petitioner. Austin McDaniel is joining us virtually. He is with Integra. Eddie Moore with McAdams is also joining virtually. They're happy to answer any questions about the project and Eddie can answer any questions about the plan or other technical matters. Thanks to Dave for his presentation. I think that gave a great overview of the request. We're pleased that staff recommends approval of the petition. We agree that the project is appropriate for the site. The two outstanding issues will be addressed in the resubmittal tomorrow and we're happy to answer any questions.

Councilmember Winston said how old is the North Tryon area plan staff?

Mr. Shaffer said it was adopted in 2010.

Mr. Winston said okay, so this is not specifically to the petitioner, but this is an area that seems to be rapidly changing. I think everybody who has frequented this area over the past few years could see that something was coming. It seems to be happening in the past few rezoning meetings, not to say that it's negative, not to say that it's necessarily positive, but market forces are acting and I don't know if we are necessarily aware about where this whole strip around North Tryon is going. I want us to be cognizant of that because we don't want to continue to be in a situation where we say we wish we had thought of something and wish we could've done it over again. So, I don't know if we need to take a deeper dive of what's happening along North Tryon from a certain end-to-end, but staff and council, I think this is something that we need to pay closer attention to. Thank you.

Motion was made by Councilmember Winston, Seconded by Councilmember Driggs and carried unanimously to close the public hearing.

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ITEM NO. 3: HEARING ON PETITION NO. 2021-260 BY PROMENADE SHOPPING CENTER, INC. AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 27.6 ACRES LOCATED ON THE SOUTHWESTERN CORNER OF THE INTERSECTION OF PROVIDENCE ROAD AND BALLANTYNE COMMONS PARKWAY FROM CC (COMMERCIAL CENTER) TO CC SPA (COMMERCIAL CENTER, SITE PLAN AMENDMENT)

Mayor Lyles said declared the hearing open.

David Pettine, Planning, Design & Development, said go ahead John Kinley. Thank you.

John Kinley, Planning, Design & Development, said this is 27.6 acres located on the southwestern corner of the intersection of Providence Road and Ballantyne Commons Parkway. Specifically, we're talking about the building that's got the red star on it. The rest of this site is not really going to be changed as part of this rezoning. Its current zoning is commercial centered, site plan amendment and proposed zoning is

commercial centered, site plan amendment. The Providence Road I-45 area plan update recommends retail land uses for the site and the site is shown as a community activity center on the 2040 Policy Map effective July 1st.

So, the proposal will demolish that existing building and it proposes to revise the plan to allow one restaurant with a drive through. It would basically redevelop the parking area around that building to accommodate that drive through circulation. All the existing prior square footage entitlements would remain the same as under the previous zoning. Staff recommends approval of the petition upon resolution of the outstanding issue related to transportation and land use. It is consistent with the retail land use recommendation for the Providence Road I-45 area plan. I'll take any questions after petitioner's presentation.

Bridget Grant, North Tryon Street, Suite 3300 said good afternoon, Mayor Lyles, members of council, members of the zoning committee. Bridget Grant, Land Use Consultant with Moore and Van Allen. Pleased to be here today with David Haggart with Childress Klein, Jenna Kennedy with Land Design and Michael Wickline with Design Resource Group. John's already done a good job of letting you know where the site is and he mentioned it's a 27.6 acre site. It is already zoned CUC and we're looking at a very limited site plan amendment. The promenade is part of the community activity center. It's a well-established retail node that was approved back in 1999. The site plan amendment is limited to this one red circle off the first roundabout near Ballantyne Commons Parkway.

I think it's important to note that this area sits well below Ballantyne Commons Parkway and Providence Road. It isn't visible from either of those public streets. It's well within the center. Once you're in the shopping center, you will see that we have a great view in relationship with the village square. We are proposing to allow a single drive through use in the area that was highlighted in red. The drive through provides substantial stacking to eliminate any overflow traffic into the roundabout or on to any of the adjacent public streets. This is completely and totally contained within the site. It maintains a patio at the front of the building that has a direct relationship to the village green maintaining the pedestrian flow between the use and the outdoor open space. I think it's fair to say we have spent a lot of time talking about drive throughs and not being a car centric community, we also recognize that there's a time and a place where drive throughs make sense.

When we look at this specific location, it's located at a major interchange at 485 and Providence Road. It's going to reduce some of the pressure on existing drive throughs that are helping to energize the sites south of 485. Again, it's going to provide some synergy for the center drawing some customers into the site that has relatively low visibility from the public streets and letting them see all of the other opportunities that are within the center. The internal functionality of the drive through does not deter from the walkable nature of the center or what's happening throughout the entire community. The petitioner conducted one of the first TTMs for drive through sites to demonstrate that we are providing sufficient staffing in this location. With that, we are happy to answer any questions.

Councilmember Phipps said Ms. Grant. How many drive throughs are currently on the site?

Ms. Grant said at this point, I don't believe we have any drive throughs. There's one associated I believe with the drug store. There's a gas station that's up on Providence Road but there are no other drive throughs within the site.

Mr. Phipps said so we're only talking about this one drive through?

Ms. Grant said one in the entire 27 acres. Correct.

Mr. Phipps said I notated that it proposes to modify two restaurants with a drive through.

Ms. Grant said there's an existing building on this site that currently has two uses in it. We're modifying it to allow one restaurant, one use of the drive through.

Mr. Phipps said thank you.

Motion was made by Councilmember Driggs, seconded by Councilmember Eiselt and carried unanimously to close the public hearing.

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ITEM NO. 4: HEARING ON PETITION NO. 2021-268 BY THR HOLDINGS, LLC AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.25 ACRE LOCATED AT THE SOUTHEAST INTERSECTION OF DRUMMOND AVENUE AND PINCKNEY AVENUE, SOUTH OF MATHESON AVENUE FROM R-5 (SINGLE-FAMILY RESIDENTIAL) TO R-8 (SINGLE-FAMILY RESIDENTIAL).

Mayor Lyles said declared the hearing open.

David Pettine, Planning, Design & Development, said okay, this is 0.25 acres located at the southeast intersection of Drummond Avenue and Pinckney Avenue south of Matheson Avenue. The site is currently zoned to R-5 single family residential. Proposed zoning is R-8 single family residential. The Central District Plan from 1993 recommends single family land uses for the site up to four units to the acre. The site is shown as Neighborhood 1 on the 2040 Policy Map effective July 1. There are no outstanding issues on this petition. It is consistent with the Central District Plan's recommendation for single family land uses but inconsistent with the recommended density of the four units to the acre. Staff is recommending approval of the petition and I'll take any questions after the petitioner's presentation.

David Murray, 1901 Roxborough Road, Suite 120 said David Murray, Attorney, Murray Law Firm here in Charlotte for the petitioner. This is a conventional rezoning we're seeking to subdivide the lot. My client is building several houses in the neighborhood. I'd be happy to answer any questions that council or staff may have. Thank you.

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs and carried unanimously to close the public hearing.

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ITEM NO. 5: HEARING ON PETITION NO. 2021-270 BY THE DRAKEFORD COMPANY AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 4.09 ACRES LOCATED ON THE NORTH SIDE OF ROCKY RIVER ROAD, WEST OF EAST W.T. HARRIS BOULEVARD, AND EAST OF OLD CONCORD ROAD FROM R-3 (SINGLE-FAMILY RESIDENTIAL) TO UR2 (CD) (URBAN RESIDENTIAL, CONDITIONAL).

Mayor Lyles said declared the hearing open.

David Pettine, Planning, Design & Development, said it's just over 4 acres on Rocky River Road, just west of East W.T. Harris Boulevard. Current zoning is R-3. Proposed zoning is for UR-2 (Urban Residential) conditional. The Newall Small Area plan from 2002 does recommend office and industrial uses for this site. The site is shown as a Neighborhood 1 place type on the 2040 Policy Map effective on July 1. The proposal is for up to 48 single family attached townhomes that would come in at a density of about 11.74 units per acre. Building height would be limited to 50 feet. Internal private alleys with 6-foot sidewalks and guest parking served by a private street accessing Rocky River Road would serve the site via a 12-foot-wide multi-use path and 8-foot-wide planting strip along Rocky River Road as well. A left turn into the site off of Rocky River

would create a three-lane section along the site's frontage to improve access. Prohibition on concrete masonry units not architecturally finished as an exterior building material have been written into the conditions. Also building facades that are adjacent to Rocky River Road will either include a front facing façade, be screened with fencing or landscaping, or provide blank wall provisions to limit the maximum blank wall expanse to 10 feet. Limits the number of units per to building to 5 or fewer. Also provides a 15-foot-wide Class C buffer abutting the parcel zoned industrial with a fence, and a minimum of 10-foot-wide Class C buffer. Just to provide a little bit of clarification, that industrial zone piece to the north side I believe has a 100-foot-wide buffer as part of their conditional plan, which wouldn't be able to be changed without going through the rezoning process. So, there is additional 100 feet on that industrial side as well. Also it provides amenitized open space areas within the project and identify a possible water quality location at the front of the site, adjacent Rocky River Road. As mentioned, staff does recommend approval of this petition upon resolution of outstanding issues related to transportation and site building design. We'll be happy to take any questions following the petitioner's presentation. Thank you.

Collin Brown, 1420 East 7th Street, Suite 100 said yes, Madam Mayor. Collin Brown on behalf of the petitioner, Drakeford Communities. Bobby Drakeford is online if you have questions. Good overview from Dave. Interesting parcel here. To the north of us, it's zoned industrial but it's a pretty low intensity Duke usage. Just to the east of us, we've got some office, to the south we've got retail and just off this map is a Food Lion shopping center. So, we think good location. You can see here some of the amenities in the area for some of this missing middle housing type. As Dave mentioned, the old plan called for commercial uses, new plan calls for lower density. We think this is a good fit for this especially the proximity, other uses around. Here's a colored up version of our plan which I think illustrates things a little better. Happy to take any questions, but we'll try to keep you moving quickly here.

Motion was made by Councilmember Driggs, seconded by Councilmember Graham and carried unanimously to close the public hearing.

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ITEM NO. 6: HEARING ON PETITION NO. 2021-271 BY 300 EAST 36 DEVELOPMENT HOLDINGS, LLC AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.3 ACRES LOCATED ON THE SOUTH SIDE OF CULLMAN AVENUE, WEST OF EAST 36TH STREET, AND EAST OF MATHESON AVENUE FROM I-1 (LIGHT INDUSTRIAL) TO TOD-UC (TRANSIT-ORIENTED DEVELOPMENT – URBAN CENTER).

Mayor Lyles said declared the hearing open.

John Kinley, Planning, Design & Development, said this is 1.3 acres on the south side of Cullman Avenue, west of East 36th Street, east of Matheson Avenue. Site is currently zoned I-1 light industrial, and they're proposing TOD-UC (Transit Oriented Development, Urban Center). The 36th Street Transit Station Area Plan from 2013 recommends the transit-oriented development-mixed use for a portion of the site and park and open space for the remainder of the site. It is shown as innovation mixed use on the 2040 Policy Map effective July 1. Staff is recommending approval of the conventional petition. It is consistent with the Transit Station Area Plan recommendation for transit-oriented development for the portion that's recommended for that, and then inconsistent with the plan of recommendation for park and open space for the other portion of the site. Any questions?

Collin Brown, 1420 East 7th Street, Suite 100 said Collin Brown again on behalf of the petitioner. Very straightforward petition here, as about as clean as it could be. As John mentioned, or I don't know if you mentioned, literally abutting the 36th Street station. Entire purpose of this rezoning is to align these parcels with the existing zone that the TOD-UC zone is placed on the property and take out some of this older general

industrial zoning. Happy to answer any questions. Tarlton Long is on with me as well from the petition.

Councilmember Egleston said question for the staff. I'm just surprised that when we did the big proactive rezoning around TOD, I guess was there a specific reason that we didn't include these Cullman Avenue parcels because it seems like we would have?

Mr. Kinley said I believe portions of this parcel are in the floodplain and that's why we did not include those.

Mr. Egleston said okay.

Councilmember Winston said so, being that it's a conventional rezoning, we wouldn't be able to put many conditions on it. I'm assuming that staff would not have wanted the responsibility or saw that there was a public interest in not conventionally rezoning these floodplain properties. We know that properties over there have had issues in the past because they exist in a floodplain. They were buildings that existed and entire businesses got destroyed recently because of flooding that occurred there. So, I wonder if staff can go a little deeper into that connection to it being in a floodplain and why they would not have included it in the realignment, rezoning many years ago. Again, from the position that I spoke about earlier, that is in that area where's it's rapidly changing. We don't want to make decisions that we would rather have not made. So, can you go deeper into that correlation between a floodplain and not rezoning things TOD?

David Pettine, Planning, Design & Development, said I think challenge of it more was that the land use recommendation in the plan that we had to be consistent with wasn't consistent with a TOD outcome, it was consistent with either an open space recommendation or essentially the land use proposed in that area plan didn't align with a TOD UC rezoning. As you can see, we did the piece on the corner. That was consistent with it and also I think still had some floodplain on it. So, it was more because the floodplain in that area I think precipitated a different recommendation for potential open space versus developable land and so that's why it didn't align with that so we couldn't align parcels that weren't matching the land use plan. So, I think part of it was the presence of the floodplain provided different land use recommendation and that's why it wasn't consistent. So, it was more about the consistency between the plans than it was about the actual floodplain because the corner piece was brought in under that alignment and it also had some floodplain on it as well, same as the one next door. So, I think that's more of where the disconnect was, was the adopted policy versus the presence of the floodplain.

Mr. Winston said I'm not quite understanding. I'll take one more shot at this and then maybe we can figure this out offline. It's a floodplain yesterday, it's a floodplain today. It wasn't consistent yesterday, but it can be considered consistent today. I'm not understanding what has changed from yesterday to today.

Mr. Pettine said there's only a portion of this site that's consistent with the recommendation for TOD, and so part of that rationale was not that it was brought into the alignment because overall the presence of open space recommendations there. So, the plan didn't align with the recommended land uses. So, between that and the presence of the floodplain precipitating that, I think that's where the concern came in that it wasn't going to be brought in the alignment. It didn't align necessarily with the proposed land use which the parcel next door like I said, is recommended for open space. This parcel is recommended I think for TOD. So, it's a combination of the two and it wasn't necessarily we didn't want to bring it in. I think there were parcels that didn't align that weren't able to be brought in because they had that opened space designation.

So, there's probably a little more history to it than I know as part of the alignment, but the second piece that's further away from 36th Street is the one that is inconsistent. That wouldn't have been brought in. I think the presence of the floodplain had more to do with the piece that's currently consistent but wasn't brought into the alignment, but again

I'd have to go back and talk to the folks that worked on some of that to get even more detail. There was disconnect between policy, presence of floodplain and that's why it wasn't brought in on the city rezoning, but it's certainly eligible for TOD. It just has to meet floodplain requirements at this point for dry land access and other base flood elevation requirements that would be for development.

Mr. Winston said okay, if you get some more detail, I'd like to get that detail as well. Thank you.

Mr. Kinley said certainly.

Mayor Lyles said okay, we'll include that in the follow up report.

Motion was made by Councilmember Driggs, seconded by Councilmember Eiselt and carried unanimously to close the public hearing.

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ITEM NO. 7: HEARING ON PETITION NO. 2021-272 BY BAY BRIDGE GROUP AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 4.35 ACRES LOCATED ON THE EAST SIDE OF JOHNSTON ROAD AND SOUTH SIDE OF CARMEL CHACE DRIVE, SOUTH OF CARMEL ROAD FROM R-12 (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) TO R1-12 MF (CD) SPA (MULTI-FAMILY RESIDENTIAL, CONDITIONAL, SITE PLAN AMENDMENT).

Mayor Lyles said declared the hearing open.

John Kinley, Planning, Design & Development, said this is 4.35 acres located on the east side of Johnston Road, south side of Carmel Chace Drive, south of Carmel Road. You can see on the site it's currently mostly undeveloped. There's an amenities space and tennis courts on the eastern portion of the site. The current zoning is R-12MF(CD), multi-family residential, conditional. Proposed zoning would be a site plan amendment to that zoning. The South District Plan from 1993 recommends multi-family residential use. This site is shown as a Neighborhood 2 on the 2040 Policy Map effective July 1st.

The petitioner proposes up to 31 single family attached dwelling units on a 4.35-acre portion of the larger area that was previously rezoned to allow 159 units on 31 acres. The density for the proposed zoning would be 7.12 units to acre. It would relocate that amenity open space area to the northwestern corner of the stie. The site plan also contains the following provisions committing to architectural standards related to roof design, blank walls for facades facing public and private streets and garage doors, limiting the building height to 40 ft, landscaping along Johnston Road, a vehicular access via a new private street connection to Johnston Road and a connection to existing private streets within the larger townhome community, and dedication of right-of-way along Johnston Road constructing a 12 foot multi-use path along the frontage.

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site and building design and technical revisions related to site and building design and environment. It is consistent with the South District Plan's recommendation for a multi-family residential use and I'll take any questions after Walter's presentation.

Walter Fields, 4667 Webbs Chapel Road, Denver said thank you Mayor. Mayor and Mayor Pro Tem, members of council, members of the zoning committee, I'm Walter Fields. I'm representing Mr. Brian Foster of the Baybridge Group for this proposal. It's rather unique. This is one of the very first if not the first planned developments ever built in Mecklenburg County. The Urban Group back in the late 60s and early 70s created the master plan that included everything from Carmel Commons all the way back to beyond where the outer belt is today, and this community was part of that development. Most of the townhomes in Carmel Chace where we're going to propose this change,

were actually built in the early to mid-70s and so they've been there quite a while and the owners of those properties got together and decided that they would pool together the open space on their property where they had a tennis court and a pool and just some open land and actually put it on the market and offer it for sale.

My client has a contract to purchase the property to construct 31 new townhomes on the site. As John mentioned, this would extend the existing Carmel Chace Drive through to Johnston Road providing more connectivity for this community to get out to the local thoroughfares. We're basically at the same density as the Carmel Chace Development was when it was originally approved as an R-12 MF petition by Mecklenburg County back in the early 70s. As John said, this is consistent with both the current land use plan for the area going back to 1993 and the new policy maps that will go into effect next month. We have already sent our responses back to the staff on the few comments they had. Those were mostly technical comments. I've talked to John about some clarification and talked to CDOT about some clarification. I think we won't have any issues responding to all of those comments and turning our plan around in about 24 hours to get back to the staff or the zoning committee meeting on the 5th of July. I'll stop and see if there's any questions at this point. Thank you, Mayor.

Motion was made by Councilmember Driggs, seconded by Councilmember Phipps and carried unanimously to close the public hearing.
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Mr. Fields said thank you very much and thank you for having a real meeting in person.

Mayor Lyles said we have completed the zoning portion of our agenda that started at 4. We are now ready to move into our Action Review and Business Meeting that starts at 5:00. We'll go down to the chamber after this to do our business meeting.

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ACTION REVIEW

ITEM NO. 8: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS AND ANSWERS

Mayor Lyles said the first item that I have is the staff review of questions then any comments on the consent agenda items. Are there any questions for the staff or Ms. Harris. Mr. Phipps asked the question on the electric bus contract, and you have the response on the table. Mr. Phipps do you have any comment?

Councilmember Phipps said no, I had a chance to talk to the operations manager and got further clarification on my question, so I have no further questions.

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CONSENT AGENDA

ITEM NO. 12: CONSENT AGENDA ITEMS 22 THROUGH 38 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS REMOVED BY A COUNCIL MEMBER. ITEMS ARE REMOVED BY NOTIFYING THE CITY CLERK.

Motion was made by Councilmember Graham, seconded by Councilmember Eiselt and carried unanimously to approve the Consent Agenda as presented.

The following items were approved:

Item No. 22: Community Assistance: Respond, Engage, and Support (CARES) Team Services

(A) Approve a contract with CriSyS LLC for Community Assistance: Respond, Engage, and Support (CARES) Team Services for an initial term of one year, and (B) Authorize

the City Manager to renew the contract for one year with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 23: Automated Traffic Signal Performance Measures System

(A) Approve a contract with Traffop Corp for a term of three years to provide, implement, and maintain an Automated Traffic Signal Performance Measures system, (B) Authorize the City Manager to approve price adjustments and to amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.

Item No. 24: Traffic Signal Maintenance Services

(A) Approve a unit price contract with Yunex LLC for traffic signal and fiber maintenance services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 25: Easement Maintenance and Clearing Services

(A) Approve a unit price contract with CRW Services, LLC for water transmission line easement maintenance and clearing services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 26: Inventory Management System Services

(A) Approve a unit price contract with Sid Tool Co., Inc. dba MSC Industrial Supply Co. for inventory management system services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 27: CATS Batter Electric Bus Contract Amendment

Approve contract amendment #2 for \$247,343 to eTransEnergy, a Duke Energy company, for CATS Battery Electric Buses Pilot Program.

Item No. 28: Professional Engineering Planning and Design Services

(A) Authorize the City Manager to negotiate and execute unit price contracts with the following companies for professional planning and engineering services for an initial term of three years: HNTB North Carolina, P.C., HDR Engineering Inc. of the Carolinas, STV Engineers Inc., WSP USA Inc., and (B) Authorize the City Manager to renew the contracts for one, two-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 29: Airport-Dedicated AT&T Technician Services

(A) Approve a contract extension with AT&T Corp. to provide technician services and maintain the Airport's AT&T Centrex telephone system for a term of two years, (B) Authorize the City Manager to renew the contract for up to two, two-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to purchase such additional services, hardware, maintenance, and support as required to maintain the services for as long as the City uses the system.

Item No. 30: Airport Extended Reach Deicer

(A) Approve a unit price contract with Global Ground Support, LLC for the purchase of extended reach deicers for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 31: Airport Financial Consulting

(A) Approve a contract for Airport financial consulting services with the following companies for an initial term of five years: Newton and Associates, Inc., Frasca and Associates, LLC, Transcendis, LLC, Unison Consulting, Inc., and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 32: Airport Terminal Lobby Expansion Furniture

Approve a contract in the amount of \$513,550 to the lowest responsive bidder Forms & Supply, Inc. for the purchase of furniture for the Terminal Lobby Expansion project.

Item No. 33: Airport Terminal Seating Contract

(A) Approve the purchase of terminal seating by the sole source exemption, (B) Approve a unit price contract with Arconas Corporation for the purchase of terminal seating for the term of three years, and (C) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

PROPERTY TRANSACTIONS

Item No. 34: Aviation Property Transactions – 7809 Cooper Lane

Acquisition of 1.333 acres at 7809 Cooper Lane from Wayne T. Tidwell & Gina L. Tidwell for \$300,000 and all relocation benefits in compliance with Federal, State or Local regulations for Aviation Master Plan.

Item No. 35: Aviation Property Transactions – 9311 Markswood Road

Acquisition of 1.056 acres at 9311 Markswood Road from Mary Ann Hawley, deceased, for \$295,000, and all relocation benefits in compliance with Federal, State or Local regulations for EIS Mitigation Land South.

Item No. 36: Property Transactions – 1615 Burnley Road, Parcel #12

Acquisition of 16,966 square feet (0.39 acres) at 6244 Netherwood Drive from Susan Aileen Coleman for \$12,000 for 1615 Burnley Road, Parcel #12.

Item No. 37: Property Transaction XCLT Tryon to Orr, Parcel #10

Acquisition of 42,868 square feet (0.98 acres) at 227 Bennett Street from Victoria Forrester for \$20,000 for XCLT Tryon to Orr, Parcel #10.

Item No. 38: Property Transactions – XCLT Tryon to Orr, Parcel #18, 20, 31, 34

Acquisition of 1,564,841 square feet (35.92 acres) at 500 Bilmark Avenue from The Charlotte-Mecklenburg Board of Education for \$60,300 for SCLT Tryon to Orr, Parcel #18, 20, 31, 34.

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ITEM NO. 9: ACTION REVIEW AGENDA OVERVIEW

Mayor Lyles said alright, thank you very much. That completes our section on the consent items and Mr. Phipps you've got your remarks there and so now we will go to our property transactions. It's a little bit early for our public forum.

Marie Harris, Strategy and Budget said Madam Mayor, I believe we're ready to go into the UDO (Unified Development Ordinance) portion that was deferred.

Mayor Lyles said the UDO portion that we had today. Thank you, Ms. Harris, for the reminder. This morning we had a meeting on the UDO and we did not have sufficient time to address the issue of the Comprehensive Transportation Plan integration with the UDO and so I'm going to ask Ms. Craig to come forward and introduce that and then we'll go right into the UDO and the Transportation Plan.

Allison Craig, Interim Planning Director said thank you Mayor and members of council. I appreciate the opportunity to come back before you to finish the workshop from this morning. So, just real briefly bring David Green up here. Just wanted to give a quick recap of what we talked about this morning as context before Ed McKinney from CDOT goes over the Comprehensive Transportation Review, but the items that we reviewed first were key changes from the first draft to the second draft of the UDO. We talked about things like new affordable housing incentives that planning has worked closely with Housing and Neighborhood Services on. There are new bonus items that help promote and advance mobility and the environment. We made adjustments to heights, so particularly as it relates to areas close to Neighborhood 1, we reduced heights there to allow for greater transition and then increased heights in some of our centers to balance that out to make sure that we are adequately preparing for future growth.

Staff has held a number of office hours. We've held open houses and virtual sessions. We have one remaining open house tomorrow before the comment portal closes on June the 30th. So, I invite you please to if you have questions, you want to talk to staff, subject matter experts, please join us for the virtual open house tomorrow. Finally, we had our consultant from Perkins and Will and EPS to talk about their economic impact analysis and the site feasibility testing that they did. I'm going to let David Green from Perkins and Will give you a quick recap of that.

David Green, Perkins and Will said good evening. Very, very quick recap. I just wanted to remind everybody that from an economic perspective, the findings were that there's more by-right development after the initial alignment with rezoning and the community area planning. So, the idea that we're getting more by-right development through the UDO is found to be the case. There's greater development potential than the current ordinances by in large and there's an increase level of investment required for most by-right projects. So, it does cost a bit more for the project but there's more flexibility and more opportunity for by right development.

From a physical perspective, there were really three key findings. One was that there's an opportunity with the flexibility and changes in the UDO to get greater and I would say appropriate density throughout the city following the comprehensive plan. There's an opportunity for more height in certain areas although there's still the protection of the neighborhoods with the transitional height plane. Then there is a greater opportunity for open space and green area overall throughout the city which does have an impact on development in terms of the amount required for each project, but there's flexibility in the implementation of the green area and open space as well as a fee in lieu opportunity that allows developers to buy that out and provide funding for public parks and other public greenspaces which is completely in line with the comprehensive plan. So, overall it was a very positive outcome from both reports, the economic and the design based report. So, I'll stop there.

Ms. Craig said thanks. I'll turn it over to Ed to talk about how the UDO and the Comprehensive Transportation work together and some of the testing that CDOT has done on this matter.

Ed McKinney, Charlotte Department of Transportation said thank you. Again, Ed McKinney with CDOT (Charlotte Department of Transportation). So, again, this is a follow up to the conversation we started earlier today and so this was intended to really be part of the conversation around the overall economic impact analysis. So, what I want to do is just walk through the work that we do in concert with that and talk about some of the results and the connection between what we've been developing in the draft form for the Comprehensive Transportation Review Guidelines and how they related. So, a couple of purposes, it's really important that, and we've talked about this before, the relationship between these guidelines and the UDO. I'll talk a little bit about that in more detail but a real key part of this is to make sure that these guidelines were working consistent with the goals and expectations of the UDO. So, that was one of the key things we were looking at.

We also wanted to, like the economic impact analysis, was that we really wanted to make sure that we understood the ramifications of this work. So, we did a lot of testing on both the work that in the sites that the economic analysis worked and focused on but also some additional analysis that I'll share as well. So, it was really important again that we understood the ramifications and the impacts of these guidelines particularly related to how it's going to shape itself on the land and the land development process. Then there's a few just like the work with the different drafts. One of the outcomes of this work was also identifying some things that were important to reflect in the second draft and some modifications to these guidelines based on what we learned. So, those are the three things. The connection to the UDO, understanding its impact on land development and then looking for potentially some adjustments.

Just a reminder. So, we've talked about this before also in more detail about the role of the streets manual and its connection to the UDO. So, again this manual is a guide that connects and directly supports the regulations of the UDO and helps shape some key transportation aspects. I'm not going to obviously talk about all of those, but I want to remind you about the context of that. The three main components in this manual are the street's map, the access and management driveway guidelines or more technical things, and then obviously the Comprehensive Transportation Review Guidelines. What I want to talk through tonight is really the detail, the analysis we did on the CTR (Comprehensive Transportation Review).

So, we've shared a version of this. There's a lot of information on this slide but it's an attempt to drill down to the basics of how the CTR works and applies and triggers through land development. So, a couple of things I want to highlight here. There are two categories. We've talked about this a couple of times, about low intensity and high intensity categories. We understood that the complexity and the breadth of Charlotte didn't allow us to really apply a one size fits all. We certainly thought that there was a need to calibrate these guidelines to understand low and high intensity contexts. As you can see, one of the key things about that as we specifically define those two categories related directly to zoning categories that are in the UDO. So, there's no interpretation of that. We've really tied it to the lower intensity zoning categories and the higher intensity zoning categories. So, it's a real direct connection to how they would trigger and guide the thresholds and triggers of the CTR.

So, a couple of other things. The TIS (Traffic Impact Study) threshold. We've talked about that before. One of the key things we've done in these guidelines is to modify and reduce our traffic thresholds. So, as a reminder, I think many of you would know that we've got a current threshold that's 2500 trips. As you can see we've created two thresholds. One of the low and one for the high. You can see we've reduced the high to 2,000 and we've reduced the low to 1500. So, again the message for that is we understood that in our growing lower intensity places where the traffic impacts and the potential for us to do traffic investment is greater. So, we felt it was important to actually start that threshold lower so we were actually capturing the ability to get those projects. In the higher intensity places, we understood that the nature of development is different. We're a lot more focused on transit if it's in a TOD area or just building the mixed use walkable environment. So, we lowered it from our current standard but still kept it relatively high because we knew we had a different focus that just wasn't on traffic.

The other two things just to highlight. The multimodal, I'll talk more in detail, but there's tiers to the triggering of the multimodal investment. I'll talk through those in more detail. Begin the notion depending upon the scale of development, the expectation of what those triggers are or difference is. So, you see we have three tiers in each category. Obviously so those scales are different whether you're in a low or high.

Then last just to mention. Obviously our outcomes are multimodal investment. Targeted and key vehicular investment and again in those high intensity places where there's opportunity to focus and emphasis on transportation demand management. Just to give you a breadth of what we looked at. So, the spreadsheet on the right side is just to give you a sense of the detail that we went into. We looked at a total of 235 projects. We took a snapshot of different categories of development to help us understand the broad

impacts from the different types of projects. So, we took all of the conditional rezonings from 2020 and we took a slice third quarter of development permits in 2020 looking at the by right development. Then we took all of the scenarios that were attested in the economic impact analysis and combined those 235 projects and I'll show. We've kind of walked through, of those projects, how would the CTR trigger and what would be the outcomes based on that snapshot of existing development.

Just to make a point about the economic impact analysis work. So, for those that participated earlier today, this is one of those projects that was described in the economic impact analysis. We took all of those and again what I'll demonstrate on this slide is we essentially took the existing development condition, in this case, at Caswell site there was actually a traffic impact study. A full negotiated set of transportation improvements and then we really compared that. What if the CTR had been in place? How would it have operated and how would it compare? So, we did kind of a one-for-one testing and we did that for all of the 15 scenarios within the economic impact analysis. A couple of kind of bottom lines to this is it sort of proved something that we thought and we really intended the guidelines to do which is make more predictable and transparent the negotiated process we go through. So I won't go through it into detail but what it essentially resulted in is if you had followed the CTR guidelines, you're essentially getting the same outcomes, and the notion there is actually a good thing. It was designed in a way to make what is typically a negotiated process more predictable, more streamline and more centrally transparent both for the community and the development industry.

So, it's really making sure that there's a connection between those things.

The other point to make here is it's now in the intent, particularly with the Unified Development Ordinance is the transition to more by right development. So, while it's reflecting the existing conditional negotiation that happens in rezonings, it's also intended that these guidelines imply to by rights. So, the message here is that consistent process applies to the rezonings but also into the notion in the UDO long term that we get that same level of review and analysis through the by right development.

So, this is just back to the projects that we've looked at. I'm not going to go through all of these in detail but just to reemphasize. We took a snapshot of the conditional rezonings, by right projects and those scenarios in the economic impact. Again the total there is 235. I'll show a summary of this in a second, one of the questions that we were asked is how many projects would trigger a CTR? What is the magnitude of that analysis? How would it effect the development process, etc.? So, what you see is total projects triggered, that first line in black for each of those different snapshots. We've subtracted out the existing TISs, so for that same subset of projects, a certain number of them, rather through the rezoning process or others, had already done a traffic impact study. So, that was the baseline condition. When you subtract those out, essentially you get the net new projects that would trigger the CTR and then you see at the bottom there is really the net new projects that would trigger a TIS under these new guidelines. So, just to give you a sense of the bottom line summary of the magnitude of the triggers of these projects.

If you combine all that together, this is just taking all of that into one piece, just looking at the full 235 projects. So, again of those 235 projects, 88 triggered in our standards the CTR. That's 37 percent of that subset. Again there are 36 of those that already had an existing TIS. Again, if you subtract that you get essentially a net new 52 CTRs and a net set of new TISs. Again, about 22 percent of those were net new to the projects and then three percent plus or minus approximately is the net new traffic impact studies.

The point I want to make here too is one of the questions that we were asked is does this CTR require every project to do a detailed traffic impact study? So, the message here I want to send is yes, some new as you can see, but really that percentage is relatively small. What's larger which is really getting back to our goals is the overall CTR in this multimodal analysis, yes there's more of those but the point is those don't require

a traffic engineer, they don't require the level of analysis that goes in to them and many of the cases that I'll describe, the kind of investment we want is really easily defined and described through the natural site development process and every project is going to have a civil engineer or site designer and the work and the projects and the way we've designed the multimodal analysis and that CTR is designed so that's seamless to that development process. So, predictability and again using the resources that a development team already has on hand.

Just to give you a little bit more detail, a little bit of math. Again, as an estimate of looking at those 88 projects, what's the magnitude of how they would trigger and the kind of investment that they would put on the ground and maybe a little bit of a look at as to what the cumulative investment looks like. So, again at the top is the category of low intensity and the bottom is high intensity. So, we took all of those 88, ran them through, picked a low intensity, the high intensity ones, tested them based on those tiers and the multimodal analysis on the left side. Looked at how would the points equate to dollars and what would be the kind of projects in multimodal investment projects that would relate to those points, and what would sort of in a snapshot of just these projects, what would be the total investment.

A couple of points here. The typical project cost, we did a lot of work on testing what those points mean related to the menu of projects that were multimodal. So, it was intended for us to make sure the points rationally related to scale of investment. On order of magnitude, essentially each point equates to the projects we identified, equates to about \$10,000 worth of investments. So, you see the math there is relatively straightforward so three points equals about 30,000 of investment. A couple of examples. This is just lots of ways and lots of menu options to meet those three points, but as you can see in that middle column it's just some examples of the kind of projects. Really important though, there's lots of needs we have, particularly around accessible investment in our intersections is one example. So, a lot of the projects and a lot of our menu around these projects are related to helping filling that need on relatively simple targeted projects, but from a cumulative standpoint, really helps us think about and support the investment that we're already making on the accessibility investment that we have to make. Things like sidewalks, pedestrian crossings, the basic infrastructure that we're trying to create to make our city more walkable.

Again, the numbers high and low, as you can see we took the projects sort of multiplied by the number of projects based on the tiers that they fall in and then as you can see just an estimate of the total investment by each of those tiers. Then if you add all that together, essentially the math tells you of those 88 projects using the tier system, it could essentially equate to \$7,000,000 worth of private investment in the projects and the expectations that we have back again to the goals that we have, both in the comprehensive plan and essentially in the draft UDO. So, it's really tied to making clear and making transparent in a direct connection to the investment we want, the goals that we're trying to create and partnering where we get rational connection to private investments. Sort of a fair share of the public investment we're trying to make particularly on these larger corridors and projects.

Just some conclusions about the analysis and a couple of things I want to highlight about through this process and through the public input we've gotten on these guidelines essentially since the first draft came out back in September. A couple of key things came out of that. So, I mentioned it a little bit. We spent a lot of time thinking about that point value and its relationship to real investment. So, there were some adjustments. Again, back to what I described earlier where a point has a clean connection to the amount of dollars that it equates to. So, there's some adjustments we made between the first and second draft to make that a little bit closer.

The fee in lieu is another thing. That came out of our conversations with the development community and it's actually consistent with lots of things that are already in the UDO and so we understood that lots of times, particularly around these transportation projects, implementing them is harder than it looks. So, there's going to be situations where it makes sense, it's sort of more streamlined and efficient that we

can just equate those points to dollars and that in some cases can be a fee in lieu that allows us to collect the cumulative fees and again do the investment from a public standpoint.

The last thing to mention on this traffic impact study area of influence is another point to this high and low intensity strategy. We know there are lots of more urban places where the expectation around transportation investment is not the goals we have particularly to things like our UDO and our comprehensive plan around activity centers and walkable. So, we've also made sure that there's a clear way in the process that we can define scopes for traffic impact studies that reflect that context. So, in some cases we may want to just focus on some key intersections, in other cases the scale of that traffic study needs to be more reflective of the broader context. So, the point there is we've made that hopefully more clear so there's less ambiguity as we're talking through that in the land development process. There's sort of a predictability about how we're going to define the scope. So, again, some additional clarity that we provided in the draft from the first to the second.

I'll just end with some broad conclusions, summary of some of the things I just described. It is important to compare the outcomes here also to the expectation of the UDO. So, as I think was described just now in the summary and we've talked more detail earlier today, the notion that the UDO is going to move to a more by right condition that's creating an efficiency to the process and hopefully some time savings. So, there is a trade-off to that benefit and part of what you'll see in these outcomes is finding the right balance to that multimodal trade-off and the expectations we have of development. It's also a notion that there's higher intensity particularly in some of the new UDO categories and so where there entitlement intensity occurs, there's a balance here where we're trying to get to having the CTR reflect the expectations particularly when we have higher intensity places, we get the right kind of transportation investment.

Councilmember Ajmera arrived at 5:30 p.m.

So, key outcomes. I've talked a little bit already about that. 37 percent of the development projects we tested again would trigger the CTR. Again, all of those were focused on an analysis that can be done without a traffic engineer, really part of the site development consultant for each project. An increase for sure in the number of traffic studies. Part of that again is reflective. We changed the thresholds, we reduced them really in reflection of what we've seen and what you see. Literally some of that discussion just earlier tonight on the traffic impacts of projects and through development process. So, we've tried to find the right way to calibrate that, that captures the things we need to capture but does not require essentially every project to do a traffic impact study. You can see that range I talked about in terms of the multimodal projects depending on the scale and the triggering of those tiers would range in investment from about 30,000 to 140,000 in multimodal investment. As you can imagine, that has a big benefit for us from a cumulative investment standpoint.

Last thing about outcomes balanced to that. So, again one of the big things about these guidelines is it's moving not just to focus on rezonings and negotiated outcomes, it's making sure that we have a set of guidelines that apply to the by right condition and that'll be a big step particularly in the UDO and that translation once the UDO is adopted. There's going to be a significant amount of new by right development and we needed to make sure that we had guidelines in place to reflect it. The increase. It is important and there's no way to deny that there's added cost to what we've just described but again, we feel at least for the conversation is that added cost directly relates to the goals we have in our comp plan of the UDO around making sure that we've got appropriately scaled, multimodal investment and achieving the multimodal walkable goals that we have as a community. Again, the traffic impact growth and the addition of those traffic impact studies targeted again to the places that we know are growing and essentially developing in higher intensity. Then I've already mentioned that the notion of this process being clear, more predictable and transparent is really a big shift for us. So, again, a little bit of summary of the basic impacts from that snapshot of development. We looked at some comparison to the goals. Hopefully what we were

trying to do again was make sure that the outcomes that we were creating tied directly to the goals and expectations of the comp plan and the UDO and make sure those two things are really tightly aligned. So, I will stop there and glad to have discussion and questions.

Councilmember Winston said yes, thank you. Our traffic reviews particularly right here what we're dealing with, the Comprehensive Transportation Review still seem to be completely triggered in a relation to vehicular trips. This seems to be counterintuitive to mode shift goals and more pedestrian and cyclist friendly development. I want to see a paradigm shift in how we're looking at our reviews in the UDO. My concern is that if we don't change the paradigm to how we're reviewing the impacts of this development, then the potential improvements to pedestrian and cyclist safety, i.e. this mode shift, will be more rational on paper than in real life experiences. How can staff propose that we do that? How do we shift the way we're analyzing our transportation reviews?

Mr. McKinney said let me see if I can try to answer and if I'm getting to your question right. So, back to the notion of this broader comprehensive CTR approach and I think the number is we can maybe go back to the summary slide of the total numbers of the analysis we did. So, the thing to emphasize there is the comprehensive nature really starts with the multimodal and it starts with understanding the scale of development and tying it directly first to multimodal investments. So, before we ever get to the question of traffic and traffic mitigation, we start number one with the multimodal impacts and the scale of the project that is tied to tiers of investment and expectation we have around multimodal projects. If you go to slide eight, back to that summary, number one is we start first in a predictable conversation around what is the multimodal investment based on the scale of your project and the traffic impact study, the focus on traffic is there but it comes really after the first conversation around multimodal investment.

Again, just to make the point, this really focuses I think on the question about the emphasis on multimodal. So, everything here is describing the projects that we tested, how they would trigger the multimodal portion of our analysis, fall into what tiers and then related to those point systems in each tier and to the investment they would make. So, again this is just a snapshot of those 88 projects. A little bit back in the envelope math here suggest that just of those projects, could equate to \$7,000,000 worth of focused multimodal pedestrian investment. Again, before you even get to a conversation around traffic, some of those projects obviously do require a traffic impact study and we do those again related to the growth and the intensity of them particularly again, based on their context low and high.

Mr. Winston said so am I hearing that my assessment was actually incorrect, that every type of development will have a tier and depending on what tier that it's in, it will be assessed a sort of multimodal investment strategy that it will have to meet for that development to go forward?

Mr. McKinney said yeah, that's exactly correct and that was for us the first goal. We wanted to make sure that we were completely turning around the way we do the analysis. As you all know, as we do traffic impact studies it really starts with the traffic analysis. So, we've understood with the huge shift we were making in the comprehensive plan and the UDO, we needed to think about that more holistically. So, again the multimodal piece was a big new added component to this analysis and it's really the first thing that we start with.

Mr. Winston said okay, that's great thank you. Thank you for clarifying that. Thank you.

Councilmember Watlington said I'll actually yield to Councilmember Johnson. I'm still trying to wrap mine around exactly what I'm seeing. I'll circle back, but if not I'll hold my questions for another time.

Councilmember Johnson said thank you for the presentation Mr. McKinney. It's good to see that we're looking at this from a higher versus lower intensity area and I see that we reduced the number of trips that will trigger a traffic study. I want to understand the

impact of cumulative traffic increase. So, these 2,056 trips, I know that's for probably one development, but how are we incorporating cumulative traffic impact into the process?

Mr. McKinney said that's a good question. So, I think you're going back to the slide that had the project on it and it might be good to go back to that one as I'm talking. So, you're right, again we are focused using the example here, we've got a site specific example. This is one in this case again was triggering and would still trigger under our comprehensive review guidelines would still trigger a traffic impact study. The way we get in the details in this process the way we deal with cumulative trips, so a couple of things that are defined and wired in our scoping analysis for traffic impact studies, two aspects of that. One is so whatever street or corridor you're on, there's always an assumption that's made about the longer-term growth of traffic. So, when we do the analysis, we're not just looking at the snapshot of today, we're making some very specific assumptions about the percentage growth of a corridor. So, we're using that as a proxy to how growth will occur on a corridor and making some connection to the expectation that there are other projects and there's a cumulative nature to any of our corridors that essentially grow over time. So, our point there again is we're not looking just at a today condition when we're doing these traffic studies, we're actually adding to the analysis an expectation around growth of the corridor on top of whatever the trip calculation is for that specific project.

In addition to that, we also in the scoping process for these traffic impact studies, look even more specifically on other improvement projects in that area. So, again part of the first scoping process is to identify the study area, the key intersections that we're going to have analyzed, identify projects, in some cases rezonings where there was a traffic study already and having those trips and those projects added to in part of the scoping of that analysis. So, it's not a perfect and not an exhaustive way to deal with cumulative trips, but it is kind of a less seen aspect of our traffic impact studies and how we design the assumptions of those studies. Corridor growths and assumptions about how much traffic will essentially by nature grow on a corridor, that's included and then looking very specifically at other known projects and having those trips added to the analysis that every project does.

Ms. Johnson said okay, that sounds very statistical and I appreciate it, but I'm wondering, when I say cumulative it's very simplified. Can we take a look at pending rezonings or approved rezonings within a certain radius of the petition? The example I used was in my area, I think it was Mallard Creek, I can't remember, but we looked at the approved petitions and the pending petitions in the radius of the subject petition, there were like 10,000 trips and there were opportunities for improvements that we had missed. So, are we looking at it from a simple numeric perspective and taking into account pending rezonings and count the pending rezonings that did not trigger a trip to include those in the total?

Mr. McKinney said that's a good question and again it's probably not a perfect way to do what you're describing, but what I outlined is we do that. Again, in the scoping process we do look at the context of a project. You have to be careful because just because a project is within a two- or three-mile radius of a particular site, the traffic impacts of that project relative to the specific of the site, it has to be a connection there. So, we are careful in that scoping process to identify the projects that are adjacent to a site but also can rationally be connected to the traffic impact of those specific roads around that site. So, there's obviously some refined scoping to that, but in a general sense we're doing what you're describing, but we're also having to calibrate that based on the specifics of a site, its location and how traffic will really flow and the impact, the specifics of a particular project.

Ms. Johnson said will we be including by right projects in these numbers for these calculations?

Mr. McKinney said to go back to what I describe, and again I know it gets in detail, but the way we approximate for by right development goes back to that growth factor. So,

every corridor we know has sort of a pattern of growth, we can look at it historically and anticipate what's happening longer term. That growth is the byproduct of lots of things but one of those things certainly is by right development that's happening along it. So, we do make assumptions about a corridor and its longer-term growth based on our predicted patterns. So, it might be a two or three percent factor that we add, depending upon the corridor, that we add to grow those trips. Again, it's sort of a loose way, but probably the best approximation that we can to predict for by right development kind of just in the natural development and growth in a corridor.

Ms. Johnson said okay. We can talk offline but my point is, and I understand the logic for future projects that aren't pending or that aren't recently approved, but there are some areas that we can look at the growth that's been approved, that's pending if there's multiple pending petitions in certain areas and we can actually look at the numbers and take a more black and white approach to count the cumulative trips. As I said before, you could have three petitions that have a thousand trips each and none of them would trigger a traffic impact study, however the residents feel the impact of that traffic. So, that's just what I'm looking at. If we can take a look at actual numbers for areas that have pending rezoning. I don't want to name an area specifically but I can think of Steele Creek. Councilmember Watlington's area or some of the streets that you know there are multiple petitions. Mallard Creek is a great example. So, I just want to consider the information that we know is pending and just begin to piece those rezonings together or consider that from a comprehensive view and cumulative view.

Mr. McKinney said totally agree. The last thing I would say is we have the same goal and so we certainly want to make sure that this analysis addresses what you're saying and what we hear from council obviously on all these cases, that we need to take in account the growth and cumulative impacts of these projects. So, we'll dive and test a little bit our assumptions so they can come back and talk more about are we doing everything we can in the scoping process to quantify as best we can that cumulative impact. Again, we have the same goal on that. It's important that we understand that growth so we're doing analysis that reflects as best we can the actual conditions.

Ms. Johnson said okay, and then my last question. When we're looking at this growth from a multimodal perspective, are we considering adding bus routes into the plan? I know that could be the strategic mobility plan, but in the UDO are we considering mass transportation in the growth plan?

Mr. McKinney said I would say generally yes, and that gets into a whole number of questions around not just these guidelines, not just the UDO but the larger land use and policy maps. So, through all of those things, we're making land use decisions about where we want growth to occur, tied to our transit infrastructure and the future of frequency and investment that CATS will be making in that system. The UDO is designed to support that with expectations around support of investments that a project might make tied to the UDO regulations. Then again, in our guidelines on the multimodal side, part of our menu of investment is not just the sidewalk and ped crossings but other transit investment. So, we've got a pretty wide menu depending upon where you are. If you're on a corridor that has a bus route, one of the menu items in our point system for the multimodal would include some of the investment we can make in transit infrastructure.

Ms. Johnson said alright. Thank you.

Councilmember Phipps said I had a question about the slide that you had about the Caswell Project as an example we discussed this morning. Particularly I was curious to if the number of trips dropped below 2,000 would that project still be subject to a TIS under the lower range? I guess it would be under 2,000 but still within the parameters of the lower range. Are they fungible in that way?

Mr. McKinney said that's a great question and what we do today and what is in these guidelines are other kind of provisions and considerations for a traffic impact study. So, in our current guidelines we have a threshold, but we also have some things that tie us

to if there are safety conditions, if there are other mitigating factors that are important to us to make sure we understand the impact of a project. That can be set of triggers that regardless of the actual traffic, the traffic counts of a project would allow us to trigger a traffic impact study even if the threshold isn't there. So, we already do that today within reason with some very specified conditions. That sort of carries forward in these guidelines as well. So, you bring up a good point. Some cases, if we're talking about 1,099 the notion of just being within a range of that number, we still have a reasonable amount of flexibility to make sure we're getting the studies that need to be done when there's important projects to be evaluated.

Councilmember Driggs said Mr. McKinney, I've always admired the thoroughness and the rigor of your analysis. I don't know if you remember years ago when I said to you, "What's a place type?" It's been a long time hasn't it? So, picture yourself in my shoes. I walk into a room and there are 30 or 40 very anxious citizens and they just heard that 300 apartments are going up on two acres in their neighborhood, and they're saying, "So, what's the deal with the traffic?" It would be helpful to me to have a more intuitive explanation of how this mitigates or what we're doing in response to that apprehension, because that is the thing that's on the minds of the people that I serve. I can appreciate this because I'm sort of a technical guy myself, but I'm hard pressed to find a way to say, "Look at this. I can show you a slide and it tells you how you're going to get relief or what we think the growth of traffic is going to be on Providence Road or whatever." So, I may get with you offline, but I feel I have an answerability that I'm unable to fulfill right now because I can't take this to the public. So, maybe we could work on just the messages or a narrative around it. Thank you.

Councilmember Bokhari said you. I wouldn't be standing but I will chime in and completely agree with that. You guys have done a lot of very good work in here. I think where the issue is, is confusion amongst the constituency which Mr. Driggs outlined well, paired with what are we doing, where are we headed? What are we doing with all this? What it feels like is the answer of the connectivity between these plans which I think makes a lot of sense and the way it's designed, it says well, okay here's the tier-based approach by which we will do certain things and we will take certain actions. For me, this shouldn't be triggered by petitions and rezonings, this should be triggered by our comprehensive number one priority of investing in our infrastructure. If there's three petitions of a thousand trips per day that are being added alongside the fact that they're 15,000 trips per day already happening in an area, that's our problem. There should be no trigger based on petitions that is the ultimate focus. It should be what are we doing to catch up to where we should be investing in this infrastructure, and these roads, and these sidewalks and all of these things that we need to do as our day job away from Monday night rezonings? To me, if there was a combination of that and that ultimate broader mission tied to how we're going to fund it tied to like a strategic connection to the future, that would be taking some good hard work you guys have done and really moving it to great. So, I would just make that side comment of a snapshot of where I think we are today.

Mr. McKinney said just a real quick reaction to the two comments. So, it's not a perfect answer maybe to the question, but a couple of things I want to put in context. So, from the purely transportation standpoint, I've talked tonight about the private impact and investment and agree that's a small snapshot. It's important that we have these guidelines so that we can effectively deal with those projects, but it's not the full answer. Public investment is a big part of that. The longer term investment transit and road and multimodal infrastructure, so we need a couple of the private investment we're expecting with public investment. That's the pure transportation answer. The other answer I would give that relates to the UDO and relates to the comp plan and the policy map is we can't do it alone. It's really a land use question. So, if we get the land use right, if we put the uses and intensity where we plan for them, it has some really big implications for transportation. So, trips are shorter so if you got someone who lives closer to an activity center and they're working in that activity center that trip is by nature shorter.

If I'm closer to a grocery store, that trip is shorter. Why is that important? Because that takes and has less burden on our transportation infrastructure. If that trip's longer, they're using more of our system. We want them to use less. If they're closer together there's less trips. You can bike, you can take transit, you might actually even walk. So, if we're creating those places, you take trips off the network and then ultimately, again if you did that land use pattern right, we're supportive of blue line or rail investment and the longer-term bus priority investment that we want to make. So, it's maybe not the easy answer for the neighborhood that's concerned about the projects that are adjacent to their neighborhood, but it is part of the story that we do have to tell and it really connects to the big vision that we have, all the way down to the details in these guidelines and yes, for longer term how we publicly invest in our system, but we can't do it alone and certainly just dealing with these private guidelines isn't going to solve our problem. Totally agree on that.

Mr. Bokhari said it's an easier response back to the constituents that Mr. Driggs is talking about and to petitioners coming up to us on zoning nights when we say, "No, this is not appropriate for a drive through or x or y," when it's not just a random set of rules that we put out there but we're actually investing in the infrastructure to bring it up to a point where we're skating to where the puck's going to be of our land use types and our place types. I total agree with that. We just live in a world where that doesn't exist and that makes it really hard to say abstractly to folks, "No you can't have this there because we imagine it to be this way," when we're not investing that way.

Councilmember Newton said I just wanted to underscore the comments made by some of my colleagues but more specifically Councilwoman Johnson. I do think it's important that traffic impact be assessed cumulatively so that we draw objective rather than subjective conclusions. I think to Councilmember Driggs and Bokhari's points, maybe that also creates some additional certainty in our conversations with members of the community, but within the appropriate process you had mentioned Mr. McKinney, making sure that we include these pending rezonings or possibly even rezonings that have been approved, but yet to be fully built. Also maybe look at some of the permitting that has occurred in certain areas, and I don't know the proximal scope that we will be talking about around whatever traffic impacts or kind of that more specific project would be, but just to make sure that we get as much information about cumulative impact in the future so that we can make better decisions today.

ITEM NO. 10: ACTION REVIEW ITEMS – INNOVATION BARN RENOVATION FUNDING

Marcus Jones, City Manager said so, thank you Mayor and members of council. So, a very important discussion that just occurred. So, thank you Ed and Allison. What we initially had for the action briefing tonight were two items, that's the Source of Income Protection in City Supported Housing and I know that that will be handled for the most part between Councilmember Watlington and Shawn Heath. I would propose Mayor, because I believe that would take a bit of time, that maybe we move that to the manager's report to give more time for discussion. I think maybe the shorter of the two items is the Innovation Barn Renovation Funding. If it's fine with the Mayor and Council, I think using the time that we have down here, I think it will be well spent with doing this one.

Mayor Lyles said okay. So, we're going to modify our agenda to cover the Innovation Barn renovation funding and then the source of discrimination. I think it's a great idea to do it in the chamber because I think more people have access to the information. So, with that, we're going to start with the Innovation Barn.

Mr. Jones said so Mayor and members of council, I do believe Phil Reiger is going to walk you through what I believe was the ask of the administration, and that was to come back to you tonight for you to have a discussion about possible funding opportunities for the Innovation Barn. One thing that we do over time, and Phil has done a great job, as he discusses what we do with the Advanced Planning Fund, but also we have this memo or the ledger that we send out to you once or twice a year and you may

remember there were red lines and yellow lines but we tried to keep the blue lines. The red suggested a project that's really in trouble and the yellow which suggested there's a bit of risk. There is one project that I believe the last time we handed this document out to you this spring had the IT building as a project on hold and I believe that in your packet this past Thursday, we gave you a write up on the IT building which is in front of you now and with that said, Phil, if you'll come up and talk just a little bit about that building. I can jump into it if you want to, but I think you're ready to rock and roll, and why it's on hold and what opportunities the council has with that particular building as it relates to creating some capacity for another project, i.e., the barn.

Phil Reiger, Director of General Services said thank you Manager Jones. As Manager Jones said, I think at our last conversation, Ryan Bergman shared that the capacity that you have in your capital program is allocated in the FY2023 budget but there is one project that in your annual project update that is listed on hold. That is the Central Avenue building that was purchased originally to consolidate our information and technology team. That project was to my remembrance conceptualized around 2018. So, during that time council allocated just shy of \$8 million to that project, about 2.1 million went to purchase the property. Then there were some additional funds spent doing some programming and design work to put together a renovation plan that would accommodate the IT group. Between 2018 and now, some things have changed. The pandemic really impacted the way we thought about the consolidation of our employees and departments and particularly the ability to renovate the CMGC (Charlotte Mecklenburg Government Center). So, during that time we had some new leadership also turn over in our information and technology group. So, the thought was the money was better spent renovating our CMGC rather than this Central Avenue building and so we put this project on hold because we felt like we could accommodate our I and T group through the renovations of the Government Center and also through the work from home program that we have.

So, we were able to forego the expense on this building. The building is not in great shape. When we bought it, it wasn't in great shape, that's why we got it for the price that we did, but in order to bring that building up to a place where somebody could occupy it, you'd have to do major renovations of systems including HVAC (Heating, Ventilation and Air Conditioning), electrical, plumbing and whatnot. So, that's why the project is on hold and why that money might be available for something else it was the pleasure of council to do so.

Mr. Jones said I want to add one thing. Brent's in here. I think I have this right. So, I believe that in our IT department, about 85 percent of the employees have a hybrid work schedule, i.e., are able to work from home. So, with that said, on any given day, you don't have all of those individuals in the facilities that are in this building. One thing's important. The part of the renovation for this building came from our CARES (Coronavirus Aid, Relief, and Economic Security) Funds because the concept is let's get individuals back in the building being able to work. Some remotely, some in the building. So, Phil you've done a great job making sure that we have a safe environment for our employees to work. So, I just wanted to say that it wasn't that we moved money from that project for renovations in this building. We used the CARES Funds and there is no need to have this department, IT, to utilize the building. In other words, we actually thought that this is some of the things that would happen. I think Reenie Askew has put this on steroids in terms of really utilizing space that we already own.

Councilmember Ajmera said just a couple of questions Mr. Jones. So, I just want to make sure that I understand this correctly. So, any funds that we will discuss for the Innovation Barn will have no impact to the IT project off of Central Avenue?

Mr. Jones said yes Councilmember Ajmera. I guess stated a little differently, what was originally designed for the use of that building is no longer what we think is the right use for it. There's probably an opportunity for us to sell that building and do well with it. We've had some offers in the past that we didn't entertain because this was still on the table. So, the point is it would be a waste of taxpayer dollars to try to move IT into that building now that we've solved that problem.

Ms. Ajmera said alright. Okay, thank you.

Councilmember Eiselt said so the conversation with the IT building, council had voted to set that money aside before we even had advanced planning process, right?

Mr. Jones said correct.

Ms. Eiselt said essentially you all went through the equivalent of an advanced planning process and Reenie Askew had decided that it's not any longer needed and so one thought that a few of us have discussed was that in light of the fact that the Innovation Barn is in advanced planning right now, the idea would be that we could use the funds that were in reserve for the IT building and set them aside in a similar manner until such time that the advanced planning process is done for the barn and that would be something I would support. I would hope others would support, that we just set that aside. It doesn't commit us to do anything but what it does is it makes it available should the council want to move forward with either finishing that half of the barn or parts of the barn or whatever, but it doesn't presuppose that it will be done. It just sets it aside so that you wouldn't have to wait for a whole new budget cycle should the decision of a future council be to finish that building. I don't know what we need to do. I'll wait to hear the discussion of the rest of the council, but I would hope that we would consider doing that.

Councilmember Driggs said so, this agenda item is about the Innovation Barn, it's not about the technology building technically speaking. So, I think we need to clarify what our goals are for that asset of the city's and knowing that we have in the background some capacity depending on what we decide to do to perform work there. So, as far as the barn is concerned and our existing relationship with Envision Charlotte, I have to admit, I was not supportive of the original decision and felt that there was probably a better way for us to explore environmental options on a large scale. However, the majority of council decided to enter into this agreement, and I think that places a certain burden on us.

I believe that we should at least see through what council said and the situation right now is that the building was not even available for occupancy for three years. So, I was going to suggest as an answer here, that we restore the five years that were originally intended by extending the lease for three years, but that we put in there a proviso that says that we can claw back the unfinished portion of the building to the extent that our engineering work leads us to a conclusion about what its use should be. The point about this is we really can't decide about the current use of the Innovation Barn without more data which we would get from more design work over a period of I'm guessing six months. So, the idea is that in six months' time, we will have done more work to explore the uses for this asset and then we can talk about the best use for the asset or whether council's wish is that we restore the asset for the benefit of the current tenant, Envision Charlotte or we have the right to take that asset and find another use for it. So, we're not committing ourselves at all in terms of the future of our relationship other than as I say just restoring the five-year tenancy that was the original plan of council.

So, my recommendation would be that we consider a three-year extension of the lease with a proviso that after six months we can give notice at the end of the current lease which is in 2023 to take back the unfinished portion because we made the determination that the cost of finishing it was not commiserate with our plans for Envision. That's kind of the concept and I think along with that, it would be good if we had maybe a little more accountability as we go and discuss the terms of the extension. So, there are a couple of things we might want to work out with Envision Charlotte, but I think that building, again based on a decision the council made that I didn't necessarily support, but I think we have a responsibility to Envision Charlotte to at least fulfil the commitment that the council made with its original decision. So, that's my recommendation.

Councilmember Johnson said I wanted to know about the building on Central Avenue and I'm not familiar with the actual property, but is that a building that could be used for

transitional housing for homeless population or formally incarcerated? We know that the funding for the individuals who were in hotels in Tent City, that may be expiring soon, so we still have a housing crisis, and if we have a building, would that be a possibility that it could be used as a transitional center?

Mr. Reiger said Ms. Johnson, the way I would answer that is I think that building could be used for a lot of things, just not in its current condition. It would require I think a substantial investment to convert it to such a use. The building's just not occupiable in its current condition.

Ms. Johnson said okay. Thank you. So, I would just ask council to consider that. This organization already has 18,000 square feet per dollar per year and as far as Mr. Driggs wanting to extend the lease for three years, in full transparency, the city has already done that. They've done it twice, two addendums, they just weren't approved by council. So, if Mr. Cagle can just elaborate on the memo that we got, that would be great. Thank you.

Brent Cagle, Assistant City Manager said pleasure to be here this evening. Ms. Johnson and members of council, on June 17, 2022, I sent you a memo trying to outline the status of the Innovation Barn lease and its two amendments, the first and the second amendment. So, as we were looking into this and we have also been working with the city's attorney office on this, we discovered a couple of things. First of all, the original lease was executed in 2018 and it provided for five full years of occupancy. However, the original lease also set a commencement date of July 1, 2018, and a completion date of June 30, 2023. That's because originally the city had envisioned that construction would be completed before the commencement date of July 1, 2018. As the city worked with Envision and the architect and construction company, the construction manager at risk on the project, it became clear that the city would not be able to obtain a certificate of occupancy on the building according to the original schedule.

So, the second amendment to the lease was really not properly executed, but the intent of the second amendment was to give Envision the five full years that the original lease stated. So, what the second amendment really did was change the commencement date from July 1, 2018, to July 1, 2021 which is the day that the city received a certificate of occupancy on the project on the first 18,000 square feet developed. So, to honor the five-year term would be a commencement date of July 1, 2021, spanning through June 30, 2026.

Ms. Johnson said so, any motion that's done it's really just to solidify a document that's already been written by the city, right?

Mr. Cagle said yes ma'am.

Ms. Johnson said alright. So, I understand the intent and I think that that would be reasonable, but again I want to look and see if we're talking about the specific building on Central Avenue. Are there priorities such as homelessness or transitional housing or reentry housing that we might want to take a look at if we have a city-owned building that we're able to utilize. Secondly, if we are going to improve our asset, I would certainly want to take a look at the lease term before extending that asset to an organization so that we're not unduly enriching one organization and we look at that from an equitable approach. I'd want to take a look at two things. The policy on how these leases are approved that they come through council and then secondly that we are offering these opportunities for grassroot organizations or minority organizations and that we're being fair to the public. Envision Charlotte currently has access to 18,000 square feet and if we are going to improve that other 18,000 square feet, we'll need to look at offering the same exact opportunity of \$1.00 per year to another organization that might also benefit from that arrangement. Thank you.

Mayor Lyles said thank you Ms. Johnson. So, Mr. Jones, you've heard the recommendation and the conversation.

Councilmember Egleston said I just wanted to clarify with Mayor Pro Tem and what I understood her to be proposing. To me, I heard her talk more about a building than an organization and I think if that's where we are in the conversation, we're talking about improving a building I think the options for what or who that building might house in the future are endless. Right now, there's no options because we've not made the investment to complete the building that we own, the renovations. So, if I'm misunderstanding you Mayor Pro Tem please correct me, but I don't hear you asking for any sort of a specific commitment around what organization would occupy or utilize that space so much as setting aside the money for the investment in the building itself.

Ms. Eiselt said yes, that was what I thought we were limiting the discussion to tonight. So, I heard three different potential actions in this conversation. The first being what the agenda item was which would be to consider setting aside the money from the IT building for the Innovation Barn for a decision to be made after it's gone through advanced planning because that's our asset and that's separate from who's actually in the building. I think to Mr. Driggs point, yes, I agree with that, extending that lease. That was certainly the terms under which they were operating and that was frankly just a staff oversight. I think the third thing in terms of issuing the CO (Certificate of Occupancy) starting the lease date three years before the CO was even issued.

So, I think the third point to Ms. Johnson's point, is a fair question but that's got to then go back to the ordinance that we passed, and Mr. Cagle I think you said in 2018, that applies to all of our buildings for which we offer a below market rent because those organizations fit a particular focus area of the council. So, if that is something that the council wants to renegotiate or Mr. Cagle, you had said that perhaps they should be treated more like financial partners, I think that's a good conversation to have too, but to me those are three different conversations I certainly would support. I'll leave that third one to the future council, but numbers one and two I think are more present and the first one would be to set aside funding for the Innovation Barn until the advanced planning is done. The second one being to sort out the lease so that it matches the intent. Thank you.

Mr. Egleston said thank you Mayor Pro Tem I guess I was referring just to the part about the potential dollars set aside for once it's gone through advanced planning consideration of completing the other side of the building, I do agree although it is a separate issue, I do agree with going back and affirming the change that was made in the lease given the fact that that was something completely out of our hands. It was in our hands as the city, but we didn't have that shift in occupancy in the time that we thought we'd have it. So, that wasn't anyone's fault but our own. So, I am in favor of correcting that, but again I don't think it's relevant to the discussion about potentially setting aside those dollars, who in the future might occupy that space so much as we need to bring it up to a level where someone can occupy it and that someone could be anyone. Right now, we've got an underutilized asset. Thank you, Mayor.

Mayor Lyles said alright, so I'm going to recognize the manager for him to summarize what will come back to the council for discussion and approval. Then we are way past our 6:00 time and so I'm going to ask the manager to summarize it. What I'd like to do is if this discussion continues, we'll do it at the end of our meeting. So, let's get the summary of what we think going forward.

Councilmember Winston said I do agree that there are several conversations going down. I agree with the idea that we should look at the reallocating the property that would be used for IT building through our COPS (Certificates of Participation) program to provide future funding to complete the renovation of the Innovation Barn. I also agree that the conversation that Ms. Johnson brings up is a different conversation, but had it not been for some of the persistent questioning that has been made, we would not have known about a policy issue that this particular building has brought up. Part of our role is to be a landlord as a city and that role is governed by city policy that is a responsibility of city council and it seems that for years, you can say it's a staff oversight, but whether taking any subjectivity out of it, what it is, what it represents is a disregard for city policy by staff in processes. It begs the question about we need to look at this, and that's what

I hear Ms. Johnson continuing to ask. We need to look at the policies that govern us being landlords. She has several different questions. This is something that I brought up years ago in relation to the airport. What role do we have, for instance, as landlords when our tenants are negotiating with employees and the condition that they leave their employees in as it relates to the economic development of our city. So, this falls in line with I think a conversation that we're going to have a little later. There are a lot of concerns about the staff somehow conveniently disregarding or coming back to council after they should have in the first place. So, thank you Ms. Johnson for your persistent questioning about this and I hope other colleagues will pursue us looking at these policies because we're the ones that are responsible and we can't continue to be in situations like this where we're trying to put some toothpaste back in the tube. Thank you.

Mayor Lyles said thank you Mr. Winston. The manager is going to summarize that during his report or at the end of the council meeting tonight. Let's go downstairs as quickly as possible.

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ITEM NO. 11: CLOSED SESSION

No closed session occurred.

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The meeting was recessed at 6:35 p.m. to move to the Meeting Chamber for the regularly scheduled Business Meeting.

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BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina convened for a Business Meeting on Monday June 27, 2022, at 6:42 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Lyles presiding. Council Members present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Malcolm Graham, Renee Johnson, Matt Newton, Gregg Phipps, and Braxton Winston, II.

ABSENT UNTIL NOTED: Councilmember Victoria Watlington

Mayor Lyles said we appreciate that you stayed, and we had deliberations on several topics that took a little bit more time than we anticipated. So, with that I want to say thank you and welcome to the Charlotte City Council meeting for June 27th. I'm calling the meeting to order and acknowledging that the meeting is being held in accordance with all of the laws governing remote meetings and some council members are participating virtually. All the requirements that have been made of us by law have been met. So, I'd like to begin with introductions of the people attending our council meeting at the dais and then we'll go to those who are attending virtually for introductions.

We're going to begin this meeting with an invocation. You may choose to participate or not. I'm going to recognize Mr. Egleston for our invocation which is to help us appropriately behave in a way with decorum as well as respect for you and for each other.

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INVOCATION AND PLEDGE

Councilmember Egleston gave the Invocation followed by the Pledge of Allegiance to the Flag.

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Mayor Lyles said I want to join Mr. Egleston in these words of concern that we have because even in our own city, we've had many difficult days in the last several. I know recognizing what's going on nationally and the protest that are here in Charlotte, but more importantly to the troubling and terrible things that are happening, particularly the shootings here in Charlotte including one that was the tragic death of a one-year-old and a serious injury to a seven-year-old. Then we had a shooting just this afternoon. This council has worked very hard and made a lot of progress in many ways. Although sometimes I understand and share that it doesn't quite feel like we're making progress. Sometimes it feels like you're taking steps that are going backward. So, I'd like to remind us all that progress is never a straight line. It's a difficult journey because we as a people have opportunities to make decisions and to try to do what's right but we don't always meet that goal. So, we have setbacks, individually, collectively, but we also have a choice to continue to do and make progress and to fight our way forward so that as Mr. Egleston said, I think that we have hope. We have hope that women will have equal rights, that we will have protest that are appropriately peaceful and to tell you that those who suffer from gun violence in our community, we know that there are no words that can take away the pain, but we also know that without everyone working together, we'll not be able to stop it.

So, I hope everyone in our community acknowledges that we have hope and that we can continue to have hope and that we'll support each other in being better people towards each other.

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PUBLIC FORUM

Mayor Lyles said with that, we're going to open our meeting and we're going to start with our public forum where we have people come down and address the city council on any topic that they choose and in doing that, opening that public forum, what we do is provide you that time and then the manager and his staff will actually contact and follow up with either a report that's written or a phone call from a staff person depending on what your question or issue may be. Tonight, we have over 10 speakers, so each speaker will have two minutes to address the council.

Expanding CATS Service Area

Kyle Luebke, 3935 Glenfall Avenue said thank you all for having me. My name is Kyle Luebke. I live at 3935 Glenfall Avenue in District 6. I think that the call to focus on hope is really important, but hope is just meaningless if there's no action and that is why I'm here, to talk about some action that needs to be taken with our CATS bus system. We all know in the general transportation system, the issue with the CATS, but something that has fallen under the radar is the issues with our special transportation services. So, right now, special transportation services only go to pick up an individual if they live three-fourths of a mile from a bus stop. That is the minimum requirement for ADA accessibility. There's a significant portion of our community where there is no bus stop and therefore individuals who are visually disabled, who have physical disabilities or just elderly and cannot get to a bus stop, they just have to be shut-ins in their house. I had an opportunity with the Metrolina Association for The Blind to be a sighted guide for an individual named Josephine for a descriptive mural tour. She moved here from Kannapolis after her husband passed away and she moved to University. Well, the only affordable apartment that she could go to was not within the CATS STS (Special Transportation Services) area. So, she depends upon MAB (Metrolina Association For The Blind) to go and pick her up but that can't be a sustainable option.

She likes to do dance classes and she could only go to those because the individuals who teach the classes picked her up to go to the classes, but otherwise she's at home. That is unacceptable. She has done nothing to warrant the lack of ability for CATS to actually expand their service area and actually care about the people that we claim to

care about. So, thank you all so much. I would like to see at least a two-mile radius for the STS system. Thank you.

Animal Cruelty and Neglect Ordinance

James Burke, 8810 Oakham Street, Huntersville said thank you council. I appreciate this opportunity. I wanted to also thank Councilmember Egleston for his comment about hope. I am a volunteer at the animal shelter on Byrum Drive by the airport. My reason for being here today has a lot to do with hope for the animals, specifically one of the sections of the local ordinance concerning abuse, neglect, harm to animals. Section K deals with the opportunity for an appeal to Superior Court for an owner of an animal if that owner has been convicted initially at the first hearing of being abusive, neglectful, hurtful, harmful, cruel to an animal. My request is that council please consider repealing that appeal to Superior Court. As it stands now, there is a 30-day time frame from the time that any individual has an initial hearing with the bureau manager with animal care and control, if that individual is found guilty of their charges, then they have 30 days to appeal to Superior Court. The biggest problem for the animals is they are still under ownership of that individual and they sit at the shelter where they are cared for very well, but they have no opportunity to move forward in an adoption process or rescue, a network of pet store or any type of benefit to that animal. If the appeal is made, which data shows typically that does not happen, then that will even stretch the process further. Again, that animal cannot move forward through the system because the city does not own animal, the owner does. So, I wanted to thank you for your time.

Mayor Lyles said thank you for that information and we'll follow up. Thank you very much.

Mr. Burke said thank you.

Mayor Lyles said thank you for your service at the shelter. We really appreciate that.

Mr. Burke said you're very welcome. Thank you, it's a blessing.

Unknown said Clay was not able to make it. Is there any way we can have a stand-in speaker from the same community on the same issue?

Mayor Lyles said if you'll come down and sign up with the city clerk, you may have an additional speaker, yes. You have to just sign in with all of the details.

Skateboarding

Eby Ghafarian, 1033 Norwich Road said so, I'm a skateboarder so my point here will obviously be biased, as would a squash player, in regard to they have more facilities, but I do not play squash so I don't know their statistics, but I'm one of 8.87 million skateboarders in the U.S. and one of the 23,000 in Mecklenburg County. As recent as 2006 a typical skateboarder didn't look like me. I'm 38, 71 percent were 12 to 27. Now that number is down to 45 percent. We're now in the Olympics. 24 percent of skateboarders are females. I don't know the number for nonbinary skateboarders, but I'm sure it's much higher than most other sports, but here we are in one the fastest growing cities with little resources given to this large diverse creative group. Sure, we have made our complaints known over the years, but we've also done something about it. We built a \$150,000 skate park at Eastland with our own hands and money. People travel from hundreds of miles to skate it. Professional skateboarders come to do demos there. It has its quirks, but it's ours. It's ever changing, it's a living creation but it's being taken away from us after seven years. So, I'm here to ask both for reconsideration and another central space of permanence.

Mecklenburg County has 21,000 acres of public parks, park land and 230 parks. They provided 33 public tennis courts in parks, most of them with lights which is great for tennis players, but how much revenue does tennis generate for the local economy. The pandemic drove a huge surge in skateboarding locally and the average skateboarder

spends \$380 annually on skateboarding which is 8.7 million dollars spent by Charlotte area skateboarders. Revenue generated by skateboarding traffic in terms of tourism and even more specifically the Quick Trip right next to Eastland is substantial. Without Eastland, many people in Charlotte would stop skating because there isn't a comparable alternative. The skate economy in Charlotte will crumble and the businesses that have gained from it will feel it. The city accommodates for every other sport and skateboarding usually gets the short end of the stick.

Mayor Lyles said thank you for sharing that information. If you'd like to provide us your remarks, you can certainly email that to the city clerk.

Expanding CATS Service Area

Brad Blair, 3413 Biscayne Drive said Madam Mayor and members of the council, it's good to be back. We're going to talk a little bit more about transportation. Now, candidate Kyle Luebke has already discussed the three quarters of a mile limit and if I had more than two minutes I'd say more about, but I don't, so I won't. That is a black letter law minimum standard of compliance. That is the least amount that a transportation service has to do in order to keep from being sued for compliance violations. When you confront them on this issue, city officials will often say something like, "Oh, we're following the ADA. We're doing what we're supposed to do." No, what they're doing is the equivalent of saying, "Hey I made a 70 in that class. I'm doing the best I need to do." Wrong answer. So, if you live out off of Brookshire, if you live up on Oakdale and you want to catch a bus and your name is Billy Bob and you use a walker and you have other issues, you've got problems. If you live a mile and a half from that bus stop, you're not getting it. First, no sidewalks really. Second of all, that's a long road to home. So, that two mile ask is not unreasonable and it would certainly eliminate some of the transportation deserts in which people I know in this city have had to live. So, let's encourage CATS to do more than the minimum. Say it with me in your heads. More than the minimum. I hope you will deliberate on that and take some of that action that sustains that hope we're talking about. I will see some of you on Thursday.

Mayor Lyles said thank you very much. We agree with you. We do want to see CATS do more, so we're going to work on it.

Skateboarding

Luke Giduz, 7701 Dunoon Lane said hello city council. My name is Luke Giduz, my address is 7701 Dunoon Lane, Charlotte, NC. Thank you for allowing me to speak on short notice. I am standing in for another member of the community that I represent who could not make it. I am a skateboarder. I have been up here and spoke to you all before on the issue of lack of skateboarding infrastructure in Charlotte. I would like to highlight the fact that the skateboarders are doing a lot of work on their end to try to collaborate and solve the issue in a way that makes sense for the city and I hope that work is not going without being seen. Assistant city manager Brent Cagle can speak to the actions we've been taking behind the scenes to not ask for a handout but to ask for collaboration and support from the city. We're currently exploring many different avenues of how to achieve more skateboarding infrastructure in Charlotte including relocating the Eastland DIY skate park to a different site, working with parks and rec to guide them as they construct new skate parks down the pipeline in future planning. All of this is the effort of genuine people who want to preserve a community that we feel is valuable to the greater community of Charlotte.

This community stimulates the local economy in many different ways. It provides an outlet for youth. It provides activities for disenfranchised and underprivileged communities to get involved and build each other up and empower one another. As long as I can stand here and speak, I will always advocate for that to be built up, for it to be supported by the city, the people that are in power, the people that call the shots and work with budgets and planning and all that. We're all just amateurs but our hearts are in the right place and we want to see this issue solved. So, there are lots of other

examples to look to by surrounding towns. The Belmont skate park just got completed and it's seen massive success. So, thank you all for your time.

Mayor Lyles said thank you for your statement and your time.

CATS Safety

Thanh Vu, 7218 Ravanna Drive said hi good evening, Mayor Lyles and council members. My name is Thanh Vu, and I am concerned about the well-being of our bus operators. In the last six days, there has been an average of 88 absences, 107 being the high and 56 being the low per the Tweets from the City of Charlotte Twitter. According to these Tweets, the reason behind the absences is due to an industry wide shortage of workers, however, stating the number of absences does not provide a full understanding of what is causing the staffing shortages. Bus operators have continued to provide transportation throughout the pandemic working long hours and risking their health to provide a vital service for the City of Charlotte. Out of nowhere it seems that there have been more absences of operators, significant delays on routes and a lack of transparency regarding these issues and how the concerns of bus operators will be addressed.

Since the shooting of Ethan Rivera, a bus operator who was shot on duty who later died, there have been many other acts of assault and violence including the incident on May 18th where a man shot three or four rounds of bullets into an auto service bus. Although the bus driver was not injured and the shooter was arrested, this incident along with all previous incidents has shaken the bus operators as well as the community regarding bus transportation. My question to the council is what kind of support is being provided to the bus operators to help them feel safe coming to work? But operators already face the threat of COVID, and sickness being enclosed with multiple passengers per day during long shifts. Is it fair to ask operators to continue to put their health and lives on the line without help or without being heard and valued at their job? Bus operators are grieving their colleagues, fearing for their own lives, and are frustrated with the current lack of support from management. Charlotte transportation is a tax funded service, and we deserve transparency on how we are standing with bus operators and ensuring these vital services continue to be provided without issues. Thank you, council, for your time.

Mayor Lyles said thank you very much.

Council Performance

Reuben Flax, 2001 A Avenue said my name is Reuben Flax. I'm president of the Wilson Heights Neighborhood Association. I am a U.S. Marine, Vietnam Veteran Machine Gunner, a three-time Purple Heart recipient and a member of the North Carolina Military Veterans Hall of Fame. I had a serious safety issue in my neighborhood involving a city street and due to a previously disappointing experience with my district representative, I chose not to call him. Mr. Graham, you talk the talk but you don't walk the walk. Now, I chose to contact an At-Large council member. Two emails and one week later, I got a response from him telling me how busy he's been which is another way of saying, "I didn't have time to be bothered with you." During the first couple of days of not hearing from Mr. Winston, I contacted another At-Large member, Ms. Ajmera. I contacted your office about this same problem, and it was taken care of the next day, and for that I thank you. If you want to run with the big dogs, you got to get up off the porch. Thank you for your time.

Mayor Lyles said thank you very much.

Back to School Event

Marcia Kirkpatrick, 708 Ranch Road said thank you for allowing me to speak. I want to bring a positive vibe here and I want to ensure that everyone hears me. We talk about hope and hope is what it is, but we also are not tackling the root of the problem

with the children that we're having an issue with. Right now, I am asking the city council to join us a (Inaudible). I am in District 2. I am, and we are the West Chester Community Development Incorporated. We're contemplating of having our first annual back to school youth parade. This is not an ordinary parade. This parade is an endure. It is an aspire, it is a commitment, it is dedication. It will cater to a child's mental intelligence, emotional intelligence. It will connect us with CMS (Charlotte Mecklenburg Schools). Right now, I've started to receive calls from CMS. They are willing to get involved with the parade. We're asking for any vendors in the City of Charlotte that would like to join us. Not only is it a community parade, but we're looking to see if we can extend it to make it city-wide. It would endure, it would give that child a celebration of going back to school, becoming scholars, readers, literacy, math, science, whatever they like, we will meet those families at their point.

Right now, with the blink of an eye, I have one person that I know that I'm sure everyone knows. It was Sheriff McFadden that called me immediately once I sent him the email. He understands the assignment of what we need for crime prevention. He understands the assignment of drug free alcohol prevention measures we are looking to see and are asking the city council and challenging each and every one of you to join us. This is not just a talk. I heard the Marine speak about walk the walk. Well, we're walking the walk and we're speaking it. We're not only speaking it just for two minutes, but we've also been speaking it for over 25 years, and we want to address the root of the problem, and the root of the problem when I leave this stand is the root of the issue, drug free, alcohol and crime free prevention method. This method is an endure. We believe that it brings positive activity to the community and we're sure that the community will be more than welcome and involved. Thank you for your time and please do read the information that I provided for you. If you have any questions, please reach out. Thank you.

Mayor Lyles said we certainly will if we have questions and I'm glad to share this with the school board district representative as well as the school board chair. So, thank you very much. Alright, and we do have your flier. It doesn't have the date.

Ms. Kirkpatrick said it's actually August the 13th. It starts at 10 a.m., and we're going to have that, and Sheriff McFadden actually is going to be involved in it, so this is why I was asking each and every one of you can, to participate, we would greatly appreciate.

Mayor Lyles said well thank you.

Special Transportation Services

Amber Faulkner, 9817 Dillard Valley Road said hello. My name is Amber Faulkner. I live at 9817 Dillard Valley Road. I am on the backside of the airport, and I am here to (Inaudible) STS transportation system. I am visually impaired. I also have limitations as far as a stroke that I had in the past, and I am aware that the least you need to (Inaudible) is three quarters of a mile. Three quarters of a mile from my house is at the stop sign of Walkers Ferry and Wallace Neel Road. That is not a bus stop so I would have to continue going on around the airport to get to Wilkinson Boulevard to get to a bus stop. The other issue is there are no sidewalks and with the disability of my stroke, I do good to walk 200 feet without wanting to give out. So, I am asking that you all take in consideration the two-mile radius of the door-to-door pickup because that would really help so many people out and I'm still considered young, I guess. I'm only 50, so I don't want to just be sitting in a dark corner of my house. I have things I like to do. I like to craft, I like to get out with the youth, and I like to be an important part of this community. So, I would really take the consideration. Thank you.

Mayor Lyles said thank you Ms. Faulkner.

2040 Comprehensive Plan

Dennis Grills, 2525 Lynbridge Drive said Mayor and Mayor Pro Tem, City Council, thank you for giving me this opportunity to speak to you. On the 21st of June last year,

you passed the 2040 Plan which included equitable growth framework and 10 community driven goals that were meant to unite the city around a shared set of goals for our future. When the plan that you voted on on the 21st of June was published the 20th of July, there was a cover letter from the Mayor and the City Manager which said the goals would be implemented later in the life of the 2040 plan. It also included 10 place types which is a new and unique way of looking at land use. Those place types have now been overlaid in a map of the city and will go into effect Friday of this week. You have spent untold dollars on consultants, untold staff time, hours of citizens helping to come up with that plan and yet you're still not listening to the goal. Earlier tonight you listened to seven different zoning petitions. In the staff analysis from the planning department, it lists their interpretation of the 10 goals, but they're never discussed in the rezoning petition. Of the seven goals that you talked about tonight, two had five goals met. One met four goals, two met three goals, one met two goals and one only met one goal. None of them met goal number three which is housing.

This is not unique what you heard tonight. Monday night at the hearing that you had on the zoning, it had similar listings, but I'm restricted on how much I can talk about that. I understand you're not obligated to adhere to the comprehensive plan, and you can vote however you wish, but at this time, as a minimum should we not be discussing the plan goals with requested changes to land use now versus our old way of ad hoc parcel by parcel zoning? Thank you.

Mayor Lyles said thank you Mr. Grills.

Eastland DIY Skatepark

Rob Graver, 226 Park Square Place said my name is Rob Graver. I spoke like a month ago as well. I'm here to fill in for someone who couldn't make it because of the rain. I spoke maybe a month ago. I am a CMS teacher. I based my last speech around that. I got lots of comments from you guys and from my friends about how fast I spoke, so I'm going to speak slow. My whole intent here for the next minute and a half is just to speak to the importance of the skateboard community and just maybe give you a perspective shift. We've been working with Brent; I just want to maybe air another side of the same side. In my opinion, this skateboard community is where a lot of real, real, real learning happens. I hope that through all of this, through all of our work, that people can see the civic duty and working towards your goals, you can get the things you need or want. We had Go Skateboarding Day this last weekend, an event held at our space. We gave away over a thousand dollars' worth of cash and gift cards. We gave away 15 to 20 skateboards, prizes, free food, free waters, just a full event for the community funded by the community. I hope that by next year, if you see it come up, June 21st, you come out, you can see what real community involvement is, real culture that's growing by the day and where real, real education is happening. That's all I have. Thank you.

Mayor Lyles said thank you very much. I want to thank everyone for coming to the public forum that we've held, and I believe that's all of our speakers.

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PUBLIC HEARING

ITEM NO. 14: PUBLIC HEARING H-T-L PERMA USA LP BUSINESS INVESTMENT GRANT

Mayor Lyles declared the hearing open.

Councilmember Watlington arrived at 6:43 p.m.

Mayor Lyles said alright, the next item on our agenda is item number 14. It is a public hearing regarding a business investment grant to H-T-L perma USA LP and to approve the city's share of the business investment grant to H-T-L perma USA LP for an amount

not to exceed \$111,931 over five years. Ms. Dodson and Ms. Brown are the staff resources.

There being no speakers, either for or against, a motion was made by Councilmember Bokhari, seconded by Councilmember Graham and carried unanimously to (A) close the public hearing, and (B) Approve the City's share of a Business Investment Grant to H-T-L perma USA LP for a not to exceed amount of \$111,931 over five years.

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ITEM NO. 15: PUBLIC HEARING AND DECISION ON THE BAILEY RUN AREA VOLUNTARY ANNEXATION

Mayor Lyles declared the hearing open.

There being no speakers either for or against, a motion was made by Councilmember Bokhari, seconded by Councilmember Graham and carried unanimously to (A) close the public hearing, and (B) Adopt an annexation ordinance with an effective date of June 27, 2022, to extend the corporate limits to include this property and assign it to the adjacent City Council District 4.

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ITEM NO. 16: PUBLIC HEARING AND DECISION ON THE RETREAT AT CAMERON COMMONS AREA VOLUNTARY ANNEXATION

Mayor Lyles declared the hearing open.

There being no speakers either for or against, a motion was made by Councilmember Bokhari, seconded by Councilmember Driggs and carried as unanimous to (A) Close the public hearing, and (B) Adopt an annexation ordinance with an effective date of June 27, 2022, to extend the corporate limits to include this property and assign it to the adjacent City Council district.

Mayor Lyles said alright. So, those are our public hearings for tonight as well as the actions that we've taken. Our next item is the City Manager's report.

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POLICY

ITEM NO. 17: CITY MANAGER'S REPORT

Marcus Jones, City Manager said Mayor and members of the council, as we discussed in 267, what I'd like to do is use this time for two items that we didn't finish in 267. So, I'd like to start off with the Source of Income Protection and city supported housing which Shawn Heath will lead that discussion, and then we can close out the initial discussion we had on the Innovation Barn Renovation Funding. As I mentioned in 267, Councilmember Watlington who is the chair of the Great Neighborhoods Committee, I'm not sure if Councilmember Watlington would like to begin to introduce this tonight, so I would open that up to you Councilmember Watlington or if you just want Shawn to go right into it.

Councilmember Watlington said no, Shawn and team have done a tremendous job working on this. Thank you to the Source of Income Committee that worked on this and presented it back earlier in the year. I know that it has been highly anticipated with many of our housing advocates in the community and so, I'm pleased that we're able to bring this first piece back for you. Certainly, we will continue the work. We know that this is only the beginning, but with that, I will turn it over to Shawn.

Shawn Heath, City Manager's Office said thank you Councilmember Watlington. Shawn Heath, Interim Director of Housing and Neighborhood Services. In room 267, I was going to have all of my partners situated right next to me, and now I've got friends over here to my right. Just so you know Todd DeLong from the Economic Development Department will join me during part of this presentation to provide some perspective on how the recommended policy would be applicable to market rate developments. We also have Anna Schleunes from the city attorney's office here since this particular topic sometimes veers into questions around local jurisdictional authority. Willie Ratchford from the Community Relations Committee is here as well, given the work that he and his team do associate with the Fair Housing Ordinance in the City of Charlotte and Mecklenburg County as well as the investigations that they conduct related to complaints around fair housing.

Deputy Director Rebecca Hefner is also here as well and I'd also like to thank her in particular for the work that she's done, not just in this scope of work, but really everything that's come to council during the first six months reflects her fingerprints in some form or fashion and I'm very thankful for that. This is the game plan for this evening and this of course as Councilmember Watlington alluded to, this is a topic with a long history. Community advocates have been focused on this for at least five years. City council has had conversations on this particular topic over the course of the last two years. A number of discussions at the committee level as well. We won't spend too much time in the rearview mirror, but it will be helpful to level set a bit as it pertains to the last conversation, we had on this topic with full council which was in February of 2021.

So that's how we'll start off then we'll move into the committee recommendations, that's both the recommendations that came from the source of income Ad Hoc Advisory Group that was formed by council as well as the recommendation coming from the Great Neighborhoods Committee which discussed this topic twice earlier in the year. The bulk of the presentation will focus on the policy overview in terms of the nuts and bolts of what's being recommended and in terms of next steps, just to reinforce one item here, tonight is for discussion and feedback and based on tonight's discussion and feedback we'll position this for a vote possibly as soon as the July 11th business meeting.

Now I know that council is fully aware of some of the challenges in the community associated with the utilization of the housing choice vouchers, but we thought it would be helpful to devote at least one slide to reinforce the problem statement. What are we as a community attempting to solve for? Why do we care so deeply about this particular issue? There was some work that was done by Inlivan in the 2017 to 2019 timeframe which provides some useful data in this regard. The bottom line really is frankly two-fold. One is there are far too many voucher holders in this community that are unsuccessful in finding housing. So, an individual is granted a voucher and they're unable to find housing before that voucher expires. The original voucher comes with a term of a 120 days from Inlivan, our local public housing authority. Additional 30-day requests can be made. An additional 30-day request on top of that can be made, so they can have potentially up to 180 days and unfortunately during 2017 to 2019 as you can see on this particular slide, there were 204 households that were unable to find housing before the voucher expired and that represented 21 percent of the households during that period.

The second challenge here is even for the households that are successful finding housing with their voucher, on average it was taking about 73 days to do so. So, two and a half months, and while this data may be a little bit stale now that we're in 2022, I would venture to say and this is pure speculation of course, just given the dynamics and the housing market that we're facing today, these metrics have probably gotten worse over time. So, tonight we'll talk about one particular lever that the city has at its disposal to start grappling with this issue. It's not capable of being the full solution so to speak, but it's a meaningful step in that direction. Before I leave this slide, I wanted to make one point about voucher holders themselves, and that is this is a very vulnerable population. By design with the housing choice voucher program, these individuals are required to be at 50 percent AMI (Area Median Income) or below. In fact, many or even

most of these individuals are at the 30 percent AMI and below level. It's also important to remember that there's really a shared responsibility aspect to this particular program. For instance, in this market with Inlivan housing choice voucher holders are required to work at least 20 hours a week and also housing choice vouchers are required to provide 30 percent of their income in support of the rental payment for their unit. So, this is definitely a shared responsibility between the government and the household.

As I alluded to before, February 22nd of 2021 was the last time that full council had a conversation about this topic. I went back and watched it with former Director Pamela Lindemann working her magic and there were four specific recommendations that were shared with council that night for consideration. Items number one and three were endorsed and approved by council that evening. There was no action taken on items two and four. As it relates to item number one, adopt a policy requiring mandatory acceptance of HCVs (Housing Choice Vouchers) and other forms of rental subsidy in city supported housing. That's essentially the policy recommendation that we'll be discussing tonight, with one caveat and that would be that the reference to mandatory acceptance is a bit of a misnomer. I'll explain that more when we get to the specific policy discussion. Then on recommendation number three, have a council appointed Ad Hoc Advisory Group, that of course was done in the first quarter of last year.

With the Ad Hoc Advisory Council, this was a significant action certainly, and it was an opportunity and a recognition of the importance of having stakeholder input shape our thinking around these issues. We had Mark Ethridge of Ascent Real Estate and Kim Graham from the Greater Charlotte Apartment Association served as the co-chairs for this effort. They were joined by a handful of other members of the community. Inlivan was also very actively engaged in this work from start to finish. I participated in most all of these meetings. I can tell you this particular group took this work very seriously. They spent the bulk of last year studying these issues locally, also considering what was happening across the country, they completed their charge in December of 2021, they then presented their recommendations to Great Neighborhoods in February, and then at the staff level, we facilitated a conversation at the Great Neighborhoods Committee in March of this year.

This is a little bit of an I-chart and we really won't need to go down into all the gory details here. These were the three recommendations that were provided by the Ad Hoc Advisory Committee. Recommendation one, city and county should include source of income protections for any for rent residential housing developments receiving public financial support of any kind. So, it's intended to be a city and county play, it's intended to be very inclusive and comprehensive in terms of any for rent developments that are receiving public financial support. That's the one that we'll be speaking about directly tonight. Recommendation number two really relates more to identifying a coalition of funders, public and private sector that come together and inject additional resources into the nonprofit community that's doing important work in this space. As I said before, the policy recommendation we have tonight is one lever. There are other levers that we think need to be layered on to this in order to really make a dent in this issue and this recommendation number two is something we'll be turning our attention to next in hopes of positioning it for a conversation with the Great Neighborhoods Community in the months ahead. It's also something that really lends itself to a connection to the A Home For All work that's being done in partnership with Mecklenburg County in terms of trying to activate our own housing and homelessness efforts. So, stay tuned on number two, we'll be back.

Number three was an idea associated with property tax reimbursement. A creative idea that unfortunately in conversations with both city and county legal staff, the feedback we're receiving is that there are some significant statutory impediments associated with that one. The co-chairs for the Ad Hoc Advisory Committee are well aware of that. It's something that was discovered at the 11th hour as the recommendations were being formed back in December. So, we've tabled that one for now. There may be other creative ways to achieve similar outcomes, but this particular recommendation as written would cause some challenges related to North Carolina statute.

This is the specific policy recommendation that was discussed with the Great Neighborhoods Committee in March and was endorsed by the committee unanimously to carry forward into a conversation with full council. The wording in bold is very intentional. Every word in that statement matters. This gets back to the point I made earlier in terms of why we don't have the reference to mandatory acceptance of housing choice vouchers, and that's because there are valid reasons why any prospective tenant may not be suitable from the perspective of a housing developer and Inlivan's white paper that they produced in late 2019 published in early 2020 really reinforces the importance of any housing provider having the opportunity to rely on commercially reasonable rental eligibility criteria. So, an individual's ability to pay rent matters greatly, whether they have a housing choice voucher or not. An individual's credit history matters greatly regardless of whether they have a choice voucher or not. An individual's criminal history is a reasonable thing to consider in this sort of evaluation. So, what's really being contemplated here isn't to ask housing providers to give special treatment to the housing choice voucher holders, it's really just to treat them the same as everyone else in many regards. So, it's just important to keep that element in mind.

On the definitions, these are definitions that will look very familiar to everyone based on the housing work that we do in other regards and in the interest of time, I would just draw your attention to the lawful source of income at the bottom which is directly referenced in the policy proposal on the previous slide and this definition as you would expect in the middle bullet point at the bottom, makes explicit reference to one lawful source of income would be a rental assistance program federal and other subsidy programs. A lot of my comments so far this evening has focused on housing choice vouchers. That's certainly by far the largest type of rental subsidy in our community on a year over year basis, but this policy is really designed to cover all forms of rental subsidies.

In terms of the applicability of the proposed policy, it would apply to both affordable housing developments, the bread and butter of what we do and the things that you would be most familiar with. This policy really already applies to our housing trust fund which is of course where we see the largest volume of support for housing in the community here from the City of Charlotte, and now it would extend into other forms of support which could include CDBG (Community Development Block Grant) or home dollars for instance. The policy would also be applicable to market rate housing developments when there is a component of market rate housing development when there's a component of city supported incentives embedded within that. Todd DeLong, once we get a little farther in the presentation, is going to provide some additional perspective here, but I think this is another area where it's always helpful to think about how this would actually play out because there are certain cases where a market rate development would be just financially out of reach for a housing choice voucher holder because the way the model is set up, it essentially sets a cap and the cap is defined by a number of variables. So, I can't give you a specific number because it depends on the scenario, but just to give you a sense for the types of variables that would influence what's the maximum amount of rent that a housing choice voucher holder could pay, it's influenced one by their AMI level. So, if someone's at 30 percent AMI, that's roughly \$25,000 a year and the way that housing choice vouchers are set up, at their initial lease up, they would generally pay 30 percent of AMI but no more than 40 percent of AMI. So, that's one variable. The second variable is what's called the payment standard and that essentially sets a cap on the amount of the subsidy that's available through the choice voucher program.

The payment standard is market specific so the payment standards in Charlotte Mecklenburg would look different than the payment standards in other places in the country. The payment standards can be influenced by the location within a particular jurisdiction, so Inlivan in recognition that we desire to have housing choice voucher holders in high opportunity areas where possible, so they have a higher payment standard in high opportunity zip codes within the city of Charlotte. Then of course the payment standard would be influenced by the number of bedrooms in the apartment itself. We also wanted to highlight a couple of areas where the policy would not be applicable. These really tie back into the questions that we noticed and observed and

different conversations that have been had with council on this topic over the last year or two. With rezoning requests, we could not tether this policy to those, absent enabling legislation from the North Carolina General Assembly. On the second item here, housing with no city support, would not be applicable. This is only related to city supported housing. The second item here really ties to the question that was asked many times in previous meetings which was could the city amend the fair housing ordinance to include source of income as a protected class and the very consistent and unambiguous insight that we received from the city attorney's office was in order to amend the fair housing ordinance, you need to amend the charter. To amend the charter would require action by the North Carolina General Assembly. So, that's been the consistent feedback that we've received on that topic.

Okay quickly, turning more towards implementation of the policy. As I mentioned before, we already have this in place for the housing trust fund and now we would extend that to other types of city affordable housing agreements, whether it be loan documents or land conveyance in the case of using city owned land for affordable housing. This would also be incorporated into city incentive agreements that include a housing component such as TIGs (Tax Increment Grants). This would be done prospectively, so it would be done with new agreements that are applicable and it would be for the term of the incentive agreement, which for our traditional affordable housing agreements would be what we would really consider the affordability period, and for things like TIGs, it would be the reimbursement period.

This is really just a visual representation of the point I made on the previous slide which is the very first column here is the current applicability. As I said before, this policy essentially is in place today for investments that we make with the housing trust fund and now what's contemplated here with the policy is a stacking of all other forms of city provided supported. CDBG, home, land conveyance, TIGs, CIP (Capital Investment Plan) funded infrastructure projects, etc.

So, with that, I'd like to ask Todd to come up and cover the next couple of slides just to provide some perspective on some of the nuances related to the applicability of this policy recommendation to market rate developments just in hopes of making sure that we're being as transparent as we can in helping you make an informed policy decision.

Todd DeLong, Economic Development said good evening. Thank you for the opportunity to be here this evening. So, as Shawn mentioned, we wanted to take a bit of a deeper dive into the policy change that would apply to public private partnerships that include some aspect of residential development. As we said before, public private partnerships have been essential to creating great places where people want to live, work, and play. The city has built a strong track record of partnerships that have led to creating opportunities for transportation accessibility, economic mobility and parks and open space. These partnerships have leveraged more than \$6 billion in actual and planned private investment over the past 8-10 years.

Tax increment grants or what we like to call them, TIGs, and our capital improvement program or CIP are the most common tools that we have that we use to partner with the private sector to deliver develops that are financially feasible and provide opportunities to further the goals of the city and/or community. While the type of developments that merit the use of these tools are larger commercial development, we frequently negotiate with the development partners on certain restrictions for affordability within respect of the development program. In many cases, those restrictions and those prohibitions are there and so they don't get paid or they don't get reimbursed for the public infrastructure until they actually achieve those stated goals.

In one of our previous conversations, I think it was a committee briefing, there was some discussion about how many residential units were actually part of our tax income grants and how might this actually get impacted by the policy change. So, since 2005 we've had 11 tax increment grants that have some type of residential development as part of them. Of those 11, ten have affordable housing commitments in them. Of those 11, there was approximately 12,000 units that are part of those 11 tax increment grant

projects. It's important to note here that two of the projects we've done over the last five to six years makes up a large share of those. Ballantyne Reimagined and River District takes up about 8200 to 8500 of those units. Largely the majority of those units at this time are rental and a good chunk of those around 7,000 are still to be determined based on market conditions when they actually get built.

Overall, of these 10 that have affordable housing provisions in them, about nine percent of the total units are restricted by rent for our partnership agreements. Now they are restricted by rent on a case-by-case basis, which we enjoy some of the flexibility of our current policy where we can actually negotiate these where they make the most sense on the project, whether it's a location, whether there's some other aspect they're providing whether it's land swaps or other things that provide for greater levels of affordability and workforce housing.

So, there are a few implications of amending our P3 policy to require market rate residential to accept vouchers. We talked previously about the importance of flexibility and just mentioned it there. The policy we currently enjoy does have that flexibility that we can look at these on a case-by-case basis. Restrictions to that flexibility does make it a little bit more difficult when we have these conversations with our development partner about how we start to drive certain public benefits that we might want to see through these partnership agreements. With respect to access to these market rate units, I think Shawn alluded to it a little bit earlier, it wouldn't be a stretch based on the 10 that I mentioned earlier or even the 11, it wouldn't be a stretch that a very low number possibly even close to zero of the market rate units within these partnership agreements would actually fall under the HUD (Housing and Urban Development) thresholds that would accept the vouchers. So, these are some things we just want to make sure that there's an awareness of how this would actually be implemented with respect to market rate units that are part of some these public private partnership projects.

We all want to find ways to expand affordable and expand our tools that we have, be more creative with the tools we have. We all know it's not a one size fits all solution which is one of the reasons why we're here today talking about how do we blend the various tools that we have available to us, to increase the level of affordability. Both on the supply side as well as on the advanced side for affordable housing. We also want to make sure that the tools that we deploy live up to the expectations that we have when we set out to deploy them. If there is an expectation that requiring market rate housing would be accepting these vouchers, we want to make sure that if there's an expectation that all 12,000 of those units if they were all market rate housing, they would actually have to accept the vouchers. It just may not be the case in many of our projects we have here based on what I mentioned with the income thresholds.

Another challenge that we have with the impact of the policy is the enforcement mechanism. It's a little bit difficult and as well as the contractual obligations we have and I'll walk through that on our next slide. So, this may be a little bit challenging to read for some. This is a very hypothetical situation of how this policy change would get implemented on a hypothetical development scenario or partnership scenario. So, developer A which is running the site development is our master developer as part of this project. We're under contract with that developer to do a tax increment grant. We're reimbursing that developer for public infrastructure, other benefits that we're getting a public purpose for. As part of that agreement, we're requiring the provision of some level of affordable housing whether it's 10 percent, 15 percent, 20 percent, it just depends upon what the nature of that project is. So, the developer A has the choice to either build it themselves or they can basically bid that out to a third-party developer to build it for them. They would still be responsible under our agreement to actually deliver that affordable housing. Now if we move to the commercial space obviously that's not applicable to this conversation today. Then when we get to the market rate housing, if developer A were to build the market rate housing on their own, 99.9 percent of the time based on where we are in today's market environment, the rent will be too high to allow for the vouchers to actually be accepted.

So, market rate housing still wouldn't be an option for folks who would like to use vouchers. Now the other wrinkle here is if they were to bid out that market rate pad to a third-party developer known here as developer D, we have no city contract with developer D so we cannot actually impose that requirement on that third party developer. So, our requirement for allowing for the use of vouchers for market rate housing would only be on the developer with whom we actually have a contract with. Now there are other things we can actually do to implore or possibly incentivize or encourage the third-party developers to accept vouchers. One is education, one is risk mitigation funds, holding fees, there are a number of other things that we can possibly provide here to compliment what we have on the other aspect of it just to make sure that we're creating opportunities for the vouchers to be used in a number of places, and they don't have an opportunity to say no just because they're using a voucher.

Mr. Heath said thank you. So, we're nearing the end of the presentation. On implementation, it's important for us. This can't just be a policy on paper. We would need to activate it and we would need to monitor compliance. So, what's contemplated here in terms of implementation, the boxes at the top are really kind of a get the word out strategy. First, we would need to have provider training, so this is for housing providers that are receiving applicable city support. We would need to have something packaged where we could articulate to them what this policy is and what the requirements are. In terms of the box on the upper right, clearly, we would need to do outreach and education with the broader community, so they understand that this is a new policy in place and the protections that are meant for them. This is the sort of thing we would obviously work close with Willie Ratchford and the community relations team on and clearly Inlivian as the administrator for the housing choice voucher program would be attached to the hip with us on that. Then in terms of the sections at the bottom here, this is just a recognition. Once again, in order to do this right, we need to have annual reporting. We need to ensure there's an understanding that we're not just putting a policy in place and hoping that there's compliance. We would expect the housing providers to provide us with an annual report, so we have a sense for housing choice voucher utilization at their particular developments. Having that kind of data would give us an opportunity to identify some anomalies and ask some questions and that's really what's referenced by us, that monitoring. We've got folks in housing and neighborhood services that do this stuff for a living, and they do it quite well. So, just wanted to reinforce that to do this right, it's more than just getting the policy on paper. There needs to be staff work to monitor the implementation itself.

Then while we always hope to avoid these types of scenarios, it's important to have a compliance and enforcement protocol in place in advance just to be very transparent with the marketplace. What would it mean to fall out of compliance with this? Here, the recognition that housing providers would be considered in violation if the sole reason for denying the applicant is because of the applicant's lawful source of income. In these instances, they could initiate a complaint through 311 or calling the Community Relations Committee directly and that's when Willie's team would activate, similar to the type of work that they already do relate to the fair housing ordinance.

Essentially what's contemplated here in terms of compliance actions if necessary is a tiered progression of enforcement, so these would be in the instance where you have confirmed violations based on an investigation or analysis done by the Community Relations Committee and you work your way up from a warning with compliance training through a \$500 fine per day on a second offense and then a third offense you start moving into more of a default scenario where you could even have a recapture of the city award itself. Our desire with all of this would be to avoid these situations and one of the things that Willie Ratchford's team does quite well is work through a conciliation process and try to find negotiated outcomes that avoid any sort of worst-case scenarios, but it's helpful for us to document in advance how one would progress from one violation to the next.

On next steps as I had indicated before, based on tonight's feedback, the staff would be ready to move this forward for a vote as early as July 11th and then we would activate on the implementation as I had just mentioned before, and the only thing that I wanted

to briefly reinforce in terms of parting thoughts is, this would just be one piece of a broader equation to solve the problem from the first page. Other pieces would be equally important. Inlivian in fact deserves a lot of credit for adjustments and modification enhancements to their processes that they've made over the last few years, because when you talk to housing providers, they've got a lot to say about this. Inlivian has been listening. So, housing providers will say, "Listen, if we've got a housing choice voucher holder knock on our door and it's going to take 12 or 15 days for the initial inspection that's 12 or 15 days that I don't have rent coming in." So, Inlivian has really streamlined that process. They've got their average wait time for the first inspection down to six days. So, they've focused on all of those sorts of things to address what the housing providers are saying are the impediments that exist today. They've also moved to an inspection process, once you get past the initial inspection where they're doing the subsequent inspections every other year. Housing providers also have a lot to say about just the rent in general. So, Inlivian has increased its payment standards over time in recognition that market rates have increased. As I mentioned before, Inlivian has what I'll refer to as exception payment standards which are recognitions that in higher opportunity areas in the city you would expect to see higher market rents. Inlivian has also done a number of things to better recognize what housing provider needs may be for year over year rent increases and trying to streamline that process.

Veering a little bit into recommendation two which we're not talking about tonight in terms of incentives that are possibly available, some of the incentives are already in play today. So, in certain instances landlords are receiving a modest incentive for accepting a housing choice voucher holder. In other instances, there's something called a continuity fee or a holding fee, so six days is better than 12 days in terms of that initial inspection timeframe, but six days is still six days and if I'm a landlord, I'd like to avoid that altogether. So, things like holding fees or continuity fees can be put into the system to make the landlord hold financially. The endgame for us here is we're trying to get the playing field as level as we possibly can. I don't know if it can ever be completely level, but the idea would be if prospective tenant A and prospective tenant B knock on the door and one of them has a voucher and one of them doesn't, we would love for the housing provider to be in a position where there were as close to indifferent as possible. The recommendation tonight will not solve that completely, but it's one step in that direction.

That is the conclusion of the presentation and myself and others would love to answer any questions and just receive any feedback that you have.

Mayor Lyles said thank you very much for the presentation.

Councilmember Eiselt said Shawn thank you for the presentation and thank you to Chairwoman Watlington and the Great Neighborhoods Committee for the work on this. As we know, it's been an important topic for a while now. I do have a question on compliance. What happens if a landlord has been found to deny someone rent because of having a voucher. I understand it'll be mediated but is there a penalty involved ultimately if it can't be rectified?

Mr. Heath said yes, there sure is and that would really be part of the tiered progression. So, I didn't go into the specific details, but on slide 17 we make reference to a second verified offense by a particular housing provider would entail some required compliance training and also a \$500 fine per day until the situation was remedied or cured which in this instance would be to the extent the individual was denied housing solely because of their source of income that that provider would identify another available unit in their development that is compatible with the first unit that was being pursued.

Ms. Eiselt said thank you. My other question, this might sound really, really simplistic, but how does a renter necessarily know if they've been denied for the fact that they have a voucher? Is it not fairly easy for the landlord to make (Inaudible) rented?

Mr. Heath said yes, that's a great question. Unfortunately, in the work that Inlivian did, it was really eye-opening because you find that there are too many scenarios frankly where an individual will call a housing provider and tell them that they have a Section 8 voucher and that's the end of the conversation. Some scenarios aren't quite so obvious, but that's really where we would have to rely on the community relations team to do the hard work to analyze a particular scenario and understand for this individual who has an allegation that the policy was violated, what type of rental edibility review did the housing provider do and based on the facts and circumstances for that particular individual, does it appear that they were given a fair shake or not relative to how they would review someone without a housing choice voucher. So, we really have to lean on the CRC (Community Relations Committee) to do that type of investigative work.

Ms. Eiselt said okay, thank you. Then my last question is, and I'm sorry if I missed this piece, but with Inlivian, will there be an effort to help printing or potential (Inaudible) so that they understand how (Inaudible)?

Mr. Heath said absolutely, yeah. Absolutely. We would work directly with Inlivian since they're in the middle of those conversations with prospective tenants that have choice vouchers to ensure that we're getting the word out and these prospective tenants under this new policy, presuming it's in place, would have a sense for what their rights are.

Ms. Eiselt said okay, thank you.

Councilmember Winston said thank you. This is certainly a lot of information so thank you to everybody for doing the hard work. I hope we can (Inaudible) to kind of continue to distill this. So, my question, in speaking with stakeholders around this topic over time, it seems like to really scale solutions around housing choice acceptance, work needs to be done on a federal level to reform contracts between landlords who accept vouchers and the federal government. Has any of this work produced guidance on how we the city could better understand the challenges with these contracts and how we can lobby or work with both our federal partners and coalitions of municipal (Inaudible) to perfect greater voucher acceptance?

Mr. Heath said Councilmember Winston, I'm not aware that that was something that was part of the Ad Hoc Advisory Committee report out. To a degree, it was part of the February of 2021 conversation with council in terms of monitoring activity at the federal level and potentially even trying to have an intergovernmental affairs conversation about things that could be included in the legislative strategy. I can take that one as a homework assignment to make sure I've got my facts straight.

Mr. Winston said yeah well I want to be careful with words because this wouldn't be a legislative strategy. To get the type of acceptance that we want, this would be an executive level interaction that needs to happen, so there's no conversation about that?

Mr. Heath said I don't believe that that was something that bubbled up in the work that was done by the advisory. Their charge was identifying program process policy enhancements at the local level that could increase the utilization of the housing choice vouchers. As I said, I'll look back and I'll talk to the team.

Mr. Winston said thank you.

Councilmember Ajmera said thank you Shawn for this presentation. This is very informative and the work that you, your team, Inlivian did and the Advisory Committee on this very important issue. I serve on the Charlotte Housing Authority and now it's called Inlivian before I started serving on the city council. I have heard from many residents throughout my term on the Housing Authority Board how difficult it was to find a housing provider that will accept the voucher. I see that is what the data shows and that was before 2017, so obviously situations have gotten a lot worse since then. So, a part of the problem also that has come up from multiple housing providers is that the vouchers only provide 80 percent of the market rent. So, if the market rent is \$1,000, which is very rare in Charlotte nowadays, then the voucher will only pay rent up to \$800,

and I know that the Advisory Committee has worked on this to increase the utilization of these vouchers. I would be interested in hearing what kind of thought process went into this and were there any actions that's been taken on this and I know that Mr. Mitchum over at Inlivian has worked on this and they have tried increasing to even higher than 80 percent. So, I would like to get a report on that, also even recognize there are housing providers that accept housing vouchers even at 80 percent and there aren't just too many of them. So, we must recognize the work that they do as well.

Mr. Heath said thank you. If I could just comment on the importance of housing navigation because you're right. Everyone is facing the challenge of finding the affordable housing and it ties a little back into recommendation too which we said we'd bring to committee in the near future because we do have local partners. I'll use Socialserve as an example, where a key thing they do in the community is they identify and grow the bullpen of housing providers that are willing to accept housing choice vouchers. I spoke with a couple of those housing providers a couple of weeks ago because I just wanted to get a sense for what is it that got you over the hump? Part of it is really kind of demystifying things a little bit, and that's something that Inlivian focuses on a lot and they've done workshops and that sort of thing. This sort of thing needs to be demystified in certain instances. They also liked the fact that there's a lot of shared accountabilities that's built into this.

A lot of these housing choice vouchers recognize that in order for them to enjoy this particular benefit, there's certain things that they have to do, and it's great when a housing provider knows that they can lean on an agency like Socialserve in order to break through some challenges that they might be facing. Then you're right, I didn't get into a lot of the specifics on the payment standard, but in most jurisdictions, HUD will set a fair market rate and then the fair market rate is used to develop the payment standards which are typically between 90 and 110 percent of fair market rate. For Inlivian in this market, they have exception payment standards which I believe in certain instances can go as high as 150 percent of fair market rate. So, there's a lot that's being done to try to push those payment standard levels for the vouchers in this community as high as can be done reasonably. These caps are for a reason. The AMI cap associated with the household is in a way to help ensure that the household doesn't become severely cost burdened and then the caps associated with the payments standards is one way the federal government ensures that these vouchers are being used in an efficient manner.

Ms. Ajmera said so, to follow up on that Shawn, we did have an email from a resident, I think it was late last year where her voucher was of a certain amount, and she was not able to get any rental for that amount because the voucher was as I said 70 or 80 percent of the market rate. So, I had called Inlivian to find out how can we bridge that gap to incentivize the utilization of housing choice vouchers. I think the inspection and all of that in addition to other issues but really, I haven't gotten an answer on that yet. You said there's 105 percent, 150 percent? I've never heard that. Is that something that Inlivian has implemented recently?

Mr. Heath said so, I'll have to check the math, but I do know that because Inlivian had that move to work designation which gives them some additional flexibility with their payment standards. I'm fairly certain that in certain instances, the payment standard can go as high as 150 percent in this market. I can include that in the follow up materials with some specific numbers just so you can make sense of it.

Ms. Ajmera said yes absolutely. So, you're absolutely right. Inlivian is moving to work agency which gives them greater flexibility to even go up to higher, but even just the market match and I think that would be a great way to increase the utilization because I have heard that over and over again. We have all gotten emails from the residents where the voucher doesn't match the current rate. This is a great first step, but I think we need to do more to incentivize the utilization of those vouchers. Thank you.

Councilmember Driggs said I think we should emphasize in this conversation most owners are honest businesspeople. They bear no malice towards a voucher holder. I

think you alluded to the fact that some of them are speaking from bad experience and most voucher holders are good tenants. The likelihood that you get a bad tenant is probably higher in that community or at least I'd like to know if there's any data because what I heard at a meeting with Mr. Mitchum over at the apartment association and with owners, we spent a couple of hours and these very sincere people said, "I have property damage, there's issues with drugs, my payments default, the crime." If the courts get an eviction proceeding involving somebody with a voucher it could take months. They have no protection against the loss of income, so that strikes me as not being personal or ugly if they're worried about that. Do we have any data to refute this suggestion that they're greater risks or have we done that research?

Mr. Heath said I know that part of the white paper that Inlivian released in early 2020 had some information around eviction rates for housing choice voucher holders versus non voucher holders and that's something I can include in the follow up package. My sense was there wasn't a statistically significant difference between the two, but that's subject to check so I will do that. I think Inlivian and other local agencies are also sympathetic. It's like the whole life cycle of things that a housing provider might be concerned about. One could theoretically be, what happens if there's damage to the unit and I'm left holding the bag? One of the things specific to local agency work in this area is called a risk damage fund which establishes a certain amount of money associated with each housing choice voucher holder that can be available in the event of damage that isn't paid for by the voucher holder. That's not something that's in place for every voucher holder across the community, but it's an example of the sort of thing that there's an interest in pursuing in order to once again help level the playing field for these housing providers. So, it's de-risking things for them to a degree.

Mr. Driggs said so, I think if this is our priority that we should be sure that we are indemnifying owners before we accuse them of discrimination. The other question I had was on the TIGs. If you introduce a requirement like this in a TIG conversation, and I think the presentation acknowledged this, that could change the tone of the conversation. I'm thinking now of 7th and Tryon where we started out thinking that we were going to have affordable housing onsite and then we found out no that doesn't work, and that deal just kept morphing and morphing as we struggled with the number's reality there. So, I wonder if you went to the developer for that project and you said that the \$25 million TIG that we're offering them has attached to it the condition that they meet certain requirements in terms of, there won't be any basically affordable housing there, but if we tried to sort of say to them you have to accept vouchers, I'm pretty sure the conversation would change quite a bit. So, I hope we're not minimizing that.

Last point is just an observation. I think the sole reason criterion is a really tough one to prove. So, I hope we don't get bogged down in semantic arguments. How can you so perfectly isolate that? If you can't and your policy is based on that, then it's going to be tricky. It's going to be tricky to do it because you've got a weakness in that work. Thank you.

Mr. Heath said thank you.

Councilmember Graham said Shawn I just want to take the opportunity to thank you and your staff for all the work as well as the Advisory Committee. We've been battling this around for about two years now when I was serving as chairman of the committee and Councilmember Watlington has picked up the baton and hopefully will take it across the finish line. I just want to reiterate that the advisory committee did a tremendous job in terms of really digging through the logistical issues of bringing this to our community and I think based on what you're presenting here today, I think it's a good job and as far as we can go without really pushing the envelope with our friends in Raleigh. I wish it could be a lot stronger than what we are presenting here today, but certainly I think it's a step in the right direction to focus on what we can control here locally, so I think that's a good strong step. I look forward to supporting it when it comes back to council.

Councilmember Johnson said thank you Shawn for the presentation and thanks to the Ad Hoc Committee that did such (Inaudible) work and research on this important topic.

We know that it's been in front council for years prior (Inaudible) as Councilmember Ajmera said, "It was discussed in 2017." I have a question regarding the policy. Does the policy list TIG and CIP specifically? Does it specifically list the types of funding that's included in this policy?

Mr. Heath said yes Councilmember Johnson. The policy statement on slide seven and then the definitions on slide eight would really be companion pieces and as contemplated and as recommended for council consideration it would include TIGs.

Ms. Johnson said right but does it list those terms specifically?

Mr. Heath said it's really the reference, if I may, to city supported developments in the policy statement on slide seven is intended to be and is at this point inclusive and all inclusive.

Ms. Johnson said that was my concern. I wanted the policy to be inclusive in case there is another name for that type of city funding in the future. I (Inaudible) limited to just a specific (Inaudible).

Mr. Heath said yes, the idea is whenever we as a city are providing something of value whether it be through affordable housing programming or incentive programming, or land conveyance associated with housing developments that it would be pulled into this policy.

Ms. Johnson said okay. Then can you go to the compliance slide please?

Mr. Heath said yes. That would be slide 17 I believe.

Ms. Johnson said okay, so my question is per the box, it says, "If no cure *Inaudible." How would that, with the TIGs, the reimbursement period? How would that work?

Mr. Heath said so, as I've mentioned before just to reinforce and repeat myself, these are the kind of scenarios that I think would be incredibly unlikely, but it's important to be transparent and the way that this is structured it assumes that there would be a recapture of an incentive payment such as a TIG at that point in time if you ended up progressing all the way to that level.

Ms. Johnson said so, we would recoup the value of the TIG?

Mr. Heath said yes, the value of the incentive provided to date.

Ms. Johnson said okay and if this is an Mr. Heath ordinance, would the person that was being discriminated against have the ability to sue the city housing provider?

Mr. Heath said I'm sorry council member, the question?

Ms. Johnson said would the resident that's being discriminated against have the ability to sue the housing provider for violation of the ordinance?

Mr. Heath said the way that this is structured, it would not be part of the fair housing ordinance. This would be city policy.

Ms. Johnson said okay, so this is a policy. Okay, and then can you go to the slide where you talk about mandatory acceptance?

Mr. Heath said yes that wording was referenced in the February of 2021 council meeting, that is on slide four.

Ms. Johnson said okay and you discussed that we wouldn't put the word mandatory in the policy. Did you say that?

Mr. Heath said yes. That's correct because mandatory acceptance just implies it would require under any circumstance a housing provider accept the housing choice voucher as a prospective tenant without providing the housing provider the opportunity to do a legitimate review of their credentials in terms of their ability to pay rent, their credit history and their criminal background.

Ms. Johnson said that's not the proposal from Inlivian or from any housing advocate. Could we simply add the language from a (Inaudible) be based on the ability to afford the rent, their credit, the background with criminality?

Mayor Lyles said Ms. Johnson we're having a hard time. You're breaking up. I don't know if you can speak more directly into your mic, but we're having a hard time hearing.

Ms. Johnson said so, my question was could we simply add the words qualified tenant? We're not asking landlords to change their qualifications, but we are expecting that if they're asking for city dollars, then it's mandatory that they accept the vouchers from qualified tenants.

Mr. Heath said if I could just reinforce, Inlivian has been very clear in their white paper that housing providers should have the ability to apply these standards in their reviews. Inlivian has not used references to mandatory acceptance and that was not the way that the recommendation was framed by the Ad Hoc Advisory Committee or through Great Neighborhoods. So, I'm sensitive to that particular wording because I think it implies certain things that aren't meant in the policy recommendation but I understand your feedback so allow us in advance of the next time this comes in to be more thoughtful about is there a way to better reflect the point you're making without veering into language that might be very inconsistent with the intent of the policy.

Ms. Johnson said okay, thank you. Then I would like some data as far as the eviction process. One of the council members said that there was feedback from landlords that the eviction process might be different for individuals who had the housing choice voucher, and we want to be sure that we are communicating from the dais. So, if we could get the eviction process, I think that I've told everyone that I was a Section 8 landlord for 13 years and I know that tenants who damage property, it's more of a consequence for those tenants than it is for just someone who doesn't have a voucher. They risk losing their voucher. Many of them have found (Inaudible) for 10 years or so. So, I think that there's more accountability for residents who have a Section 8 voucher than for someone in the general public. So, I would like data on what the eviction process is for someone who has a housing choice voucher or any voucher versus someone who does not.

Mr. Heath said understood. Thank you.

Ms. Johnson said then my next question is regarding the slide where you discussed developer A and the subcontractor relationship.

Mr. Heath said I believe that was slide 14.

Ms. Johnson said so, you mentioned that if developer A has a subcontractor for residential property, we could not require the same process or compliance from the subcontractors. Did I hear that correctly?

Mr. DeLong said that would be a third-party developer not a subcontractor. It would be a completely different entity, so what we're referring to here is that if the developer A with whom we have a contract, they sold land to a third-party developer with whom we do not have a contract, if they were to build the apartments or the multi-family units, they would not be liable to the same contract we have with developer A.

Ms. Johnson said when would developer A ever receive a TIG and then sell to a third-party developer?

Mr. DeLong said so, the developer would generally receive a TIG once they've completed all of the infrastructure improvements. They generally have up to one to four years to request their first payment after they complete the entirety of those infrastructure improvements as well as if there are affordable housing commitments that they have to make and deliver before they receive their first payment. Some of our agreements have that in there. They may choose to sell to a third-party developer at any point throughout the land development and due diligence process. They may decide to do that as they're actually building the infrastructure that they may want to start to parcel out some of that and start to sell to multiple third-party developers to build, whether it's commercial, multi-family or other aspects of the development program.

Ms. Johnson said so, if they sale to another developer, they still will be eligible for the reimbursement from the city?

Mr. DeLong said yes, because they have built the infrastructure improvements, and this generally comes into place with very large developments where there's a substantial number of different types of uses. So, you have one pad for office, a pad for commercials, mixed use, maybe some single family on the outer periphery of that, so I think it certainly depends on the project, that's why when I mentioned before it's helpful to have the flexibility to negotiate on a project-by-project basis. That's where it comes in handy on some of these kinds of issues, but yes.

Ms. Johnson said so, that feels like a loophole to this process. So, if staff could do a deeper dive to see if there's a recommendation to protect the city dollars because again, the intent for this policy of the developers who accepts public dollars, including those eligible for Section 8 or housing choice vouchers, if they accept public dollars then they need to be used for public good. So, I want to take a look to see if there is some property tax either the sale of the property or the requirement for any subcontractor or (Inaudible) developer to have to comply with this as well.

Mr. DeLong said we can certainly do that. I think some of this comes from the guidance from our attorney's office. I don't really want to put them on the spot on some of this, but we just want to make sure we don't have a contractual obligation with that third party developer and with the first developer, we do have a contractual obligation where they are building the infrastructure improvements and our payment is there to reimburse for those infrastructure improvements. So, the statutory guidelines that we have for that agreement are pretty straightforward and we don't have a lot of flexibility in terms of withholding funding for if they're still living up to their end of that agreement to deliver that public purpose or that public good.

Ms. Johnson said so, and again, you can come back with a follow up perhaps that one of the requirements be that they don't sell to a third-party developer in order to receive these funds. Again, it's not mandatory that they request the funds either. So, I just want to massage that idea or really think about that because that would be something that any developer could do in order to avoid accept (Inaudible) and I also want to say that I know for certain that there are residents that call the landlords if the person can get (Inaudible) vouchers and the answer is no.

Mr. DeLong said she was breaking up towards the end, but I think I understood the principle of what she was getting to and Councilmember Johnson, thank you for the feedback. We'd be happy to take a deeper dive into this to see what we can look in to.

Councilmember Bokhari said thank you. I'd make a quick note to say we are certainly moving on this highly aggressively and jamming in a lot of controversial votes like right before a new council takes over, so I hope we'll take that into account Mr. Manager. That's a lot of items and a lot of controversial items at that. With this, I recognize that staff and committee has definitely worked hard, and I want to recognize that. I just can't help but sit here and think as I look at this that we've once again missed the mark. I can sum it up the same way I've summed it up for five years when we've had these exact same conversations over and over which is this is not an affordable housing challenge

or a voucher challenge. It's an upward mobility challenge and it's one that vouchers are among a whole suite of tools, not ultimately the objective that we need to solve for. So, once again when I see this, I see that we spent a huge amount of time looking at the compliance and the enforcement mechanisms of the vouchers themselves and how we're going to do all these things, while what we needed to be more having, Mr. Manager, was less of a vertical and more of a horizontal discussion and exercise which is with these vouchers, how can we get creative around child care and workforce training and transportation and food and clothing?

All the things in wrap around services. How could we be partnering with the county for case workers so that we ultimately created outcomes of upward mobility using vouchers that are a sustainable manner? That's just not something that is unfair and unhelpful to the ultimate renters of these facilities who would certainly embrace a more structured program. It's unfair to the actual constituents in need of the services. This is what they want. They don't want some endless voucher program that keeps them in the exact same position. They want an opportunity, and this was our mission and I just see that we've spent so much time on other things, and we made this a vertical discussion of solving vouchers when we should have made it a horizontal exercise of saying, how do we combine vouchers with other wrap around services to make a miserable impact on upward mobility?

Mayor Lyles said thank you Mr. Bokhari. If you have other questions that you'd like the staff to respond to, please just email them. I have a number. Like the moving to work strategy. What does that look like and how does that differ? There are lots of things and I agree that most of the rental properties that we're trying to use are not from big apartment complexes, there are people that have one or two to 50 units of housing that they're renting and this program has got to have a better focus on how do we make sure that we're talking to the right people about the tasks that we're taking on. So, with that, please continue to send your questions and comments to Shawn and let's figure out when this will come back on the agenda. So, now Mr. Jones, the next item on your report.

Mr. Jones said so, Mayor we do have this teed up for July the 11th. So, probably need some feedback as to whether or not this council is ready to vote on this on July 11th because that's been the plan up to this point. I'll leave that there. So, I have two other items Mayor on the manager's report. I guess we've moved it from the action briefing. The first thing is the Innovation Barn Renovation Funding and what I'd like to do is try a recap and I think this will do it. What we were asked the last time we were at the dais is to A, allow the council to have a discussion about the barn with the hope that there could be a funding source. We did identify a project that has been on hold which is the IT building and it would appear that based on the discussion tonight, reprogramming funds from the IT building to this project, what's called the barn, through a council action, an RCA (Request for Council Action) would begin to solve the ask of two weeks ago. Then I think what's more important is that nothing would occur until after advanced planning is done.

Councilmember Driggs, you said six months. I think it's a rocket docket. I think what we're trying to do is to get it all done in time for the FY24 budget as opposed to what we said a few weeks ago which would have been the FY26, but still that's somewhere between now and let's say May, April, what have you, right Phil? So, two pieces, one identifies a funding source that could be reprogrammed for this project but nothing would be spent until after advanced planning is done and the council would then have the opportunity to decide whether or not this is where they'd like to use these funds or any other project. I would ask if we could separate the lease for tonight because I just think that's such a longer discussion and my understanding is you couldn't even vote on it on the 11th because it needs to have like a 30-day announcement, things like that. So, I would ask, and there are a lot of things around the lease including not only the three-year extension, claw backs, more accountability and all those things. I'd like to see if we could solve for part one which is reprogramming funds from the IT project to the barn.

Mayor Lyles said alright, so you've heard the manager summarize what he thinks is an action that could be done in a reasonable amount of time.

Mr. Driggs said right now all we're doing is reserving those funds so that they would be available for whatever we might decide to do, not necessarily committing those funds to that location, right? We're just making sure that we have that financial capacity if when the time comes. The only other note I would make is if we're not doing anything about the lease, we need to respect the fact that notice should be given. So, we can't wait until June and then tell them, "Okay, we decided you're out." So, I hope we will work on the lease in the meantime and at least in terms of a possible extension, have that conversation and get back with an answer sooner than June next year.

Mr. Jones said yes sir. What I would suggest is that what I think I hear you say, you said earlier is extend the lease based on the 18,000 square feet that are already constructed and add those additional three years to that, but not the other side which is not constructed.

Mr. Driggs said I turned it around the other way and said extend the whole lease with the caveat that the unfinished portion could be clawed back if we conclude after our engineering study that we don't want to renew with that tenant. That was the way I suggested it.

Mr. Jones said okay.

Mr. Driggs said should I make that motion?

Mayor Lyles said yes, I'd like to have a motion before we begin the discussion. So, I would like to have a motion on the floor for discussion.

Motion was made by Councilmember Driggs and seconded by Councilmember Graham to approve Item No. 17: City Manager's Report. Innovation Barn – earmark of the funds; from IT project, hold then pending the outcome of the engineering work on the Innovation Barn.

Ms. Watlington said sure. I just want to make sure I understand because I heard the conversation about having a bunch of different conversations. I hear the extension of the lease on the grounds if the place wasn't inhabitable for the first couple of years, but what I'm struggling with and Mr. Manager I'm hoping you can help provide me some clarity is if we already have these dollars because of a project that is not in flight anymore, I'm not understanding why we would earmark the two-acre project and also saying a second time that we're going to decide later whether or not to spend it on this project pending advanced planning. I don't understand why this project would receive a earmark over the other projects that are on the docket.

At the same time, we're going to earmark it, but we're going to decide later if we're actually in fact going to give it to this. I don't understand why there's a linkage between the two at this point. It seems unnecessary. Can you help me understand?

Mr. Jones said yes, so Councilmember Watlington, ultimately all this is doing is basically moving funds away from the IT building, but ultimately a future action is going to be needed to apply these funds to the IT building based on what comes out of advanced planning which would give us 30 percent designs which would give us better numbers. It's the prerogative of the council, and that's why we're having the discussion.

Ms. Watlington said I think that's where I was struggling is this piece of impending (Inaudible) of the Innovation Barn because it would seem to me that that might not be the decision factor (Inaudible) that we would use it for. So, I want to make sure I understand the motion because I can support holding these dollars and not committing them somewhere, but to me, tying that to a decision about this specific Innovation Barn project feels like we're not holding it, we're earmarking it and I'm not on board for that

because I haven't seen the proper prioritization process for that. So, could someone just real briefly repeat the motion that is on the floor?

Mayor Lyles said Madam Clerk, would you repeat the motion that Mr. Driggs made please?

Stephanie Kelly, City Clerk said the motion was to earmark funds from technology project, hold them pending the outcome of an engineering work on the Innovation Barn. Ms. Watlington said okay, thank you.

Mayor Lyles said okay. Ms. Watlington, okay?

Ms. Watlington said yes, thank you.

Ms. Johnson said I know that what you all are saying is to have a conversation about the lease separate from this conversation, but I would like to see or at least for the rest of council, to see the initial lease and what we have already promised. So, there's a current lease (inaudible) 36,000 (Inaudible) square feet or does it include (Inaudible) square feet because if we're talking about extending the lease then we are leasing the 36,000 square feet. So, consequently if we are approving the improvements then the lease is saying (Inaudible). So, I think the lease is (Inaudible) factor. Did you all hear that?

Mayor Lyles said I think the question was for Mr. Cagle regarding the lease. What is it now?

Brent Cagle, Assistant City Manager said yes, I'll try to be brief on this. The original lease contemplated or provided a lease of all of the facility. That was under the assumption that the city would build out, renovate all of the facility. As it became clear that we were going to renovate half of the facility, the Second Amendment then said we're going to provide the five-year term on the space that Envision has occupancy on. So, there is disagreement between the Second Amendment which tries to follow the intent of the original five full years and the original lease because the original lease was based on all 36,000 square feet. The Second Amendment was only based on 18,000 square feet that was completed. So, the second thing I'd say is because of it, we understand the intent of the original lease. We understand why the amendments were created and they were really to follow the intent, but I believe to get us in a place where the city honors the intent that city council originally voted on is to amend and restate the entire lease. Not to simply pass one or the other amendment, but to amend and restate the entire lease. That will take 30 days' notice. It will also take time to create the new document and then renegotiate if you will or work with Envision Charlotte as we prepare that to bring forward for city council. I do believe that what we are talking about is an amended and restated lease, not simply bringing forward the First and Second Amendments to the original lease.

Ms. Johnson said so the original (Inaudible) for 36,000 square feet?

Mr. Cagle said it doesn't specify square feet; it just says the facility.

Ms. Johnson said the entire facility?

Mr. Cagle said yes.

Ms. Johnson said and (Inaudible) assigned I believe in 2018, so for a five-year lease, they're still under those terms. So right now, we're looking at funding for this building. Legally, I don't think that we can breach that initial lease, they have access to the entire building. The concerning part, and I've stated this all along and I'm very glad that I asked these questions right now, but I've stated this all along. This is a leased space for \$1.00 per year to an organization that has city administration on their board. I just think we have to be so, so careful with this. Another thing, in the budget discussion, this didn't even get six votes to move forward. So, this just feels like a backdoor way of getting the

funding and I just think we as a council just need to be better stewards than that. So, we were told a couple of weeks ago that this needed to go to advanced funding, and it would be September before we hear about it and then two weeks ago it's put on the agenda. So, there's fast track to spend \$8,000,000. We haven't had any briefings on it and it's just astounding how things like this can move at lightning speed when source of income discrimination took five or six years to get on the agenda.

So, I won't be supporting this, and I also think we need more briefing and more preparation for the \$8,000,000 from a building. If we all of a sudden have \$8,000,000 I think the city has greater priorities than to repair or redesign a building so that an organization can lease it for \$1.00. That's all I have.

Mayor Lyles said thank you. Alright, we have a motion on the floor.

Ms. Eiselt said thank you. I will save my comments to after this because this motion is specifically for setting that money aside, but I would like to know when we would be prepared to, and I would make a motion tonight to put it on the agenda, to bring that lease information forward so that we could vote on that. Brent, did you have a timeframe in mind on that?

Mr. Jones said Mayor Pro Tem, Brent's making his way back. It's just that the 30-day notice, it couldn't be done at the next meeting.

Mr. Bokhari said point of order? We could vote on it tonight, get a majority of six to put it on the July 11th agenda and then vote on it on the August 11th agenda, correct?

Unknown said I'll defer to the city attorney on that.

Mayor Lyles said so you're looking for the 30-day notice.

Mr. Cagle said the 30-day notice has to go out and be completed 30 days before city council takes action. The intent there is to give the public 30 days' notice of council's impending vote and if public would like to comment on it, they can.

Mr. Bokhari said so, we could vote tonight to say we're going to vote on it on July 11th and then we actually have it on the agenda July 11th or we could vote tonight since it's on the manager's report and then 30 days passes and August 22nd is the date I've heard that we'll be voting on things as well in August. So, we could vote on it then. That would be more than 30 days.

Mr. Cagle said yes.

Mr. Bokhari said okay.

Ms. Eiselt said okay, so (Inaudible) let's finish this motion and then we could do that. So, I don't have any more comment about this specific action. Thank you.

Mayor Lyles said alright, so I don't think there's any other discussion. We have a motion on the floor that provides to reserve the funds from the former IT building budget to reserve it for pending advanced planning on the barn. Is that correct?

Unknown said yes.

Mayor Lyles said alright, so with that we have to have a roll call vote and I'll start with Mr. Graham.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Newton, Phipps, and Winston

NAYS: Councilmembers Johnson and Watlington

Mayor Lyles said alright, so the motion passes. I just want to remind council that every one of these has to have review by the city attorney's office and a sign off on it. So, I'm just making sure that as we go through this motion, and it begins to be worked out that this has the review of the city attorney's office. Then I also am concerned about the public notices required and I don't know what they are, but we must meet the legal requirements of the notice.

Mayor Lyles said meeting public notice requirement and a legal review.

Ms. Eiselt said again, the original lease gave that organization use of the whole building which I do want to mention they're using the whole building now. Bicycle stores their bicycles there. They store a lot of their recycling materials there. So, the whole building is being used right now by the organization. So, I think it's important that the lease allows them to do that.

Mayor Lyles said Mr. Jones.

Mr. Jones said so, I just want to make sure what we're doing. So, if the lease is for the entire building and we're doing advanced planning on the other half of the building, then what I think I'm understanding is that whatever happens to the other half of the building would be Envision.

Ms. Ajmera said would be what?

Mr. Jones said would be Envision if the lease is for the entire building going until 2026 and if it's all for Envision, then when we come back from advanced planning Brent, would be for Envision.

Mr. Bokhari said Ms. Eiselt, would you also humor a friendly addition to Mr. Driggs element which enables a claw back potential in there so that way at least we have an option on the second portion?

Ms. Eiselt said sure.

Mr. Driggs said we need to avoid locking ourselves into using the funds we just set aside for the purposes of this tenant, and that's why my suggestion was we put on the agenda as described a lease extension that would include a caveat that the city has the right to claw back that space if our engineering work indicates that the cost to try and make it available to that tenant is too high or that there is another use. So, the unfinished space. So, the purpose of the engineering study is just to determine what possible uses including for Envision and what they would cost so that we may make a decision with the benefit of data about the future of the building. So, we don't have to define all the terms on the lease, but I'm just saying we just schedule a conversation about the lease with the understanding that we need to not commit ourselves to keep that lease available for Envision at this point right now.

Ms. Eiselt said right. Okay.

Mayor Lyles said Mr. Driggs, you said three-year lease extension to the Innovation Barn as it exists today. That there's a claw back in that lease agreement and there would be a discussion by the manager recommendation that best use of the barn after getting the information on the advanced planning. So, that's when you make the decision. After that it is accomplished. So, I don't know how to put that into a motion, but that's what we talked about upstairs.

Mr. Bokhari said it's everything Ms. Eiselt said with the addition of the option of a claw back for the unutilized, unfinished space pending the results of the advanced planning process.

Mayor Lyles said so Ms. Eiselt said put on the next available agenda an extension for the lease with Envision five years from the date of the CO, meeting public requirements and legal review and including a claw back on the lease.

Ms. Eiselt said exactly what I meant to say. Thank you.

Mayor Lyles said discussion, I have to have discussion on the motion.

Motion was made by Councilmember Eiselt and seconded by Councilmember Bokhari on Item No. 17: City Manager's Report, to put on the August 22nd to extend the existing lease for Envision Charlotte to state it is 5 years from the date of their Certificate of Occupancy meeting public notice requirement and pending legal review by City Attorney's Office.

Councilmember Phipps said I thought Ms. Eiselt indicated that the building was in fact being utilized as much as they had storage in the unimproved portion of the building.

Ms. Eiselt said it is.

Mayor Lyles said I think we have a motion on the floor.

Ms. Johnson said I have a question. So, you were talking about the lease and as I stated before, the 2018 lease is still in effect so we cannot breach that lease. They have access to the entire building. Let's not pretend that they don't.

Mayor Lyles said I don't know the answer to that. You confirmed that with the attorney?

Ms. Johnson said Brent just told us that the lease is for the entire building. So, I'd like to know if we're discussing something to bring before council again then it will be for an extension for the three years. It would seemingly need to be a new transaction altogether. Or, if you are extending it, you're extending the terms unless you extend and specifically have (Inaudible) in the addendum.

Mayor Lyles said Ms. Johnson, I think the motion was to extend it based on the CO and so that would be approximately three years additional. Is that my understanding?

Mr. Driggs said just about exactly three years.

Mayor Lyles said just about three years difference.

Ms. Johnson said so, then this is to extend the lease to Envision Charlotte for \$1 per year until 2026. Okay. Then I have a point of order. On the agenda, it doesn't mention voting on this issue, so are we able to vote on this issue even though it was just on the agenda for explanation and to provide an overview?

Ms. Eiselt said we're voting to put it on the agenda.

Mayor Lyles said it is on the agenda under the manager's report during the workshop time, so I think the council has the ability to take the action based on the report from the strategic workshop.

Ms. Johnson said what about the \$8,000,000?

Mayor Lyles said that motion already passed.

Ms. Johnson said is that on the agenda?

Mayor Lyles said we voted on a motion to set aside the money from the IT building which was also on that same discussion.

Ms. Johnson said so, I'm looking on the agenda for that discussion.

Mr. Jones said I believe when I started, the goal was to get you to allow us to put something on the agenda for you to vote on, on the 11th. So, the 5,000,000 that would be moved from one project to another would be on an RCA for you to vote on on the 11th, which you've done tonight I believe. It's given the nod to put it on the agenda for you to have a discussion and you vote on it on the 11th of July.

Ms. Johnson said okay, so then if it's on the agenda, we can vote on it tonight. I'm voting no on this one obviously. Thank you.

Mayor Lyles said okay, so the motion on the lease is on the table now. Any other comments?

Ms. Watlington said excuse me, I do have another question and I haven't spoken yet, so I believe I can.

Mayor Lyles said okay, thank you. Ms. Watlington?

Ms. Watlington said so, fundamentally if we extend their lease, by doing so it would seem that we have prevented ourselves from clawing anything back because whatever improvements we make have to be for the tenant.

Mayor Lyles said the improvements would not be made until advanced planning, so you have another stop point before this happens. Advanced planning has to be done and come back.

Ms. Watlington said but suppose advanced planning is done and we've decided we want to use this space for somebody or for some other purpose, but we've extended the lease to the full building to the tenant.

Mr. Driggs said that's what the claw back is for. The claw back says that they have only the conditional right to use the building and we reserve the right to take it back if the outcome of our engineering process suggests a different use.

Ms. Watlington said but the lease does not have that in it.

Mr. Driggs said the new lease will. The extension will.

Mayor Lyles said the new lease will have that in there. We will draft the lease with the claw back for if we decide another use for the barn, then that three-year lease will come back, and they will not be able to use the building.

Ms. Watlington said so, when is their lease that they have right now up?

Mr. Driggs said next year.

Ms. Watlington said so, that would delay us for a year or presumably whatever planning is happening before then would put us in time.

Mr. Driggs said correct.

Mayor Lyles said advanced planning will take about that long.

Ms. Watlington said alright thanks.

Mayor Lyles said alright so this is a motion to deal with the lease. The manager will have it on the next meeting agenda, and we'll come back with that. Is that correct?

Mr. Jones said the next agenda that we legally can put it on.

Mayor Lyles said legally, with notice. All of that stuff that's in there. Okay. Legal review and notice required.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Newton, Phipps, and Winston

NAYS: Councilmembers Johnson and Watlington

Mayor Lyles said the motion passes. Thank you very much. Do you have another item Mr. Jones?

Mr. Jones said one last item Mayor and members of council. So, over the course of the last few weeks, there have been announcements for funding awards for the arts and culture community and over the course of this past week, there have been a number of questions from council members about how the awards, the process works. I believe that Mr. Winston drafted a series of questions or comments for the city attorney. I believe the city attorney responded to those today. What I am suggesting is that council would use some of the time on the 11th for a full discussion and clarification of some of the questions that are out there, but at least I wanted to put that on the floor tonight that there seems to be some questions about the process, and I didn't want those to go without having some level of discussion.

Mr. Driggs said Mr. Manager, I want to note this is actually not on our agenda tonight, so I think if we could schedule it and have the conversation we need to have. I just feel bad because we have representatives who've been here all evening, but we really shouldn't without the prior notice to the public tackle this very important topic. So, I would recommend that we schedule it in the very near future and put it on the agenda.

Mr. Winston said well, Mr. Jones, the letter that I drafted and sent, I hope you will know that it was not from me. While it was sent from my account, this was work that was done by the members of the Ad Hoc Committee in response to what was an illegitimate announcement by staff on Tuesday June 21st. So, please don't regard that as a message just from one council member. This is something that the five of us have had input on and we communicated that this needed to be addressed, but ever since pretty much the minute that announcement came out, there are many different ways that items can get on the agenda. The manager can put things on the agenda. The manager doesn't often do that unless he has direction from council that there is a desire to do so, but I think the letter was very clear that there was a portion of the council that wants to do that. So, perhaps Mr. Driggs has changed his mind tonight, but the guidance in that letter and again we shared it with the rest of our colleagues. I know they haven't necessarily had the chance to speak on it, so I think now is the time since this was an act where it seems like the council and the manager are in conflict.

The manager's report is the place to do this. So, there hasn't been a response from you about the many questions directly, to the problems being presented and I would appreciate some response being that we are supposed to be doing this work together and there seems to be a big conflict.

Mr. Jones said so Councilmember Winston. I do believe the city attorney did respond to your questions about the vote that took place and maybe we could get some clarification from that response.

Mr. Winston said I don't have questions for the city attorney. The city attorney responded with the policy that was passed. We presented you with direction that we expect to take. The city attorney does not direct the staff, you do.

Mr. Jones said so, Councilmember Winston I believe the question was whether or not the authority resided in this public sector and private sector appointed board, and my understanding from the city attorney is that he did a response that indicated the legality of this.

Mr. Winston said well whether it's a legality or the policy, I'll bring some clarification, because again this message, while it was directed to the colleagues on council, the mayor and the manager saying "On Tuesday June 21st that city council was informed along with the general public that staff had decided on a new medium term plan for arts and culture plan that followed recommendations from the Advisory Board without consultation or approval of either the city council or the Ad Hoc Committee of council members who have been leading this work. This illegitimate plan includes funding of the ASC (Arts and Science Council) at levels above what was approved in the city council policy pass in 2001. Additionally, the Ad Hoc Committee has not been allowed to convene since September 24, 2021, despite multiple requests and a meeting being scheduled but cancelled for reasons not communicated to council committee members. It should be noted that the committee has not been briefed on staff or the Advisory Board's work since it has been formed and convened. Staff's announcement on Tuesday, June 21st was improper and not valid. This clarification should be communicated to all parties involved in that June 21st announcement. All parties, the city council via the Ad Hoc Committee, city staff and the Advisory Committee should be convened post haste to complete the following agenda to clarify the city council's will of policy, debrief the council on the short- and long-term goals that have been executed and establish a medium-term bridge between our short- and long-term goals. Additionally, it is recommended that the funding for FY2023 be held at the same level that it was for FY2022. This recommendation furthers the intention of the council to stabilize the funding for the art sector until completion of the Cultural Vision Plan. It also provides for the sector without bias to anyone organization. This should occur before the next city council is seated."

That was a message from the Ad Hoc Committee, five of us. Perhaps we need one more person on city council to affirm that but that is the message directed to the city manager, not the attorney.

Mr. Jones said so, Mayor, the message is to not send the funds out, then we won't send the funds out if that's what the council is saying.

Mayor Lyles said well, alright.

Mr. Bokhari said perhaps we should from a point of procedure, Mr. Winston has read into the minutes what we've done, the manager has responded and perhaps the best course of action is to let the manager take this away now, work with staff and bring it back on the formal agenda in the next session and Councilmember Winston has requested.

Mr. Driggs said we've already gone too far into this than we should have without an agenda item, so I think we should take the statement under advisement. I do not wish to be associated with it. Mr. Winston's inclusion of all the committee members is not supported by any meeting or action of the committee. It's his interpretation of what we did and I would like us to go away right now and do this, but everybody that's interested in it can be here to hear the discussion. I think we should just stop.

Mayor Lyles I would say that an Ad Hoc Committee had presented something, council voted for it and then the Ad Hoc part is to recommend and end. This is a council matter now. So, if it's going to be discussed it needs to be this full council because the full council would have the ability to assess and look at this. We should not say that there are specific Ad Hoc Committee members, five, when an Ad Hoc Committee is done after its recommendation. So, I would like to recommend that the manager put this on the next available agenda. I would also like to recommend that all parties be a part of the discussion of what's going to be presented. We have a lot of information but sometimes I hear people say, "I have feedback," and that's not factual. Sometimes I hear people say, "Five people did this." I don't know that, and we have the opportunity to have candid discussions and that's what we're supposed to do. So, for me this goes on the manager's next agenda, and I think he concurs. I concur and I would like to see that this would be our next step.

Ms. Ajmera said so, Mr. Driggs thank you for clarifying your stance and your understanding of Mr. Winston's statement. I just don't want the Advisory Committee Members to walk away today thinking that we don't appreciate their work. So, I just want to go on record saying I appreciate the work that you do and I wouldn't dare override what you all have done in putting so much time into this and also Arts and Cultural Officer. Thank you for the work that you do Ms. Sircar. That's all. Thank you.

Mayor Lyles said alright, so the action item out of this for the manager's report is to schedule it for a council meeting discussion including the Advisory Committee and others that would have pertinent information to provide to this discussion. So, with that, we'll move on to the next agenda item which is our business items. Thank you all for staying. I don't know how many people on the staff are still having to stay but thank you those that are staying with us.

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ITEM NO. 18: ADOPT THE STRATEGIC MOBILITY PLAN

Mayor Lyles said our next items is Item 18. Alright, we do have a speaker on Item 18, Mr. Kerr. Is he virtual?

Stephanie Kelly, City Clerk said he's no longer here.

Mayor Lyles said alright, so the next item on our agenda is the action to adopt the final recommended draft of the Strategic Mobility Plan. Mr. Jones?

Marcus Jones, City Manager said we have something for you, but we think we're prepared for you to have the vote tonight. We're here for questions.

Motion was made by Councilmember Eiselt and seconded by Councilmember Phipps to adopt the final recommended draft of the Strategic Mobility Plan.

Councilmember Bokhari said again I want to recognize staff for obviously an immense amount of work first and foremost. Much appreciation. There's a lot of good work and good thought in there, but for me I think once again we're missing the mark. We have a critical plan here that is designed very uniquely and well in this modular approach of UDO versus place-types and all these things which I think makes a lot of sense, but inside here we have jumped and made some assumptions that just do not make sense to me. We've codified and basically in this document that we're going to vote on tonight, support for the silver line, support for and moving forward with the gold line, the streetcar of which God knows we've had that conversation in the last month, and we know where that's at, yet we're codifying it into this plan here. It doesn't mention significant aspects. What it does mention we don't have a plan for and what it doesn't mention is what the future of mobility will actually look like in 10, 20 and 30 years which is the entire premise of this exercise.

So, I am a no vote just because of those elements of it, but I am an extra no vote because of something I've said several times now. The CATS organization. CATS is referenced 72 times in this hundred plus page document. 72 times. It is interwoven into every aspect of where this is heading and at this point in time, I will no longer support any strategic items that have that level of CATS dependency until we take care of the CATS leadership problem that exists.

Mayor Lyles said alright, thank you.

Councilmember Johnson said I want to piggyback off of what Mr. Bokhari said and I know we're talking about the Strategic Mobility Plan, but I would like for Mr. Jones or Mr. Lewis to provide us an attendance policy in a future meeting for CATS drivers. I heard somewhere that they receive 40 unexcused absences per year, so I wanted to know if that was on top of any PTO (Paid Time Off) that they had as well. We don't have to discuss that now but that is concerning if people are not able to get to work and there's

just a challenge. So, I would like another briefing or an update on the CATS attendance policy.

As far as the Strategic Mobility Plan, I had a concern that District 4 was not one of the priority funding areas. I have had the opportunity to speak with Ed McKinney who's always so responsive and the city staff and I was advised that District 4 isn't included in the priority funding. There's an area, near North Lake, so that's important that each district is considered in this priority funding from an equitable perspective. Furthermore, there's also focus on micro transit and other improvements in District 4 which I think are still needed. So, I'm looking forward to supporting the plan. Thank you.

Mayor Lyles said so, Ms. Johnson I sit on the MTC (Metropolitan Transit Commission) meeting that's chaired by Commissioner Altman from Mecklenburg County and the other towns are represented. When we had the discussion about the CATS driver shortage, the first thing that we needed to do was to actually get some information. So, I've asked the manager to have CATS come in and do a debrief on all of this. I think it's imperative right now that we have a better understanding of what our customers are expecting and how to serve them, and right now I don't know that we have that answer. So, I'd like to see as soon as possible and I know that we all take a break, we've got a few other important engagements that we have, but I believe that this is absolutely something that we have to do.

I was really impressed by the ULI (Urban Land Institute) study review and action immediately on that for CATS. So, you have this kind of dynamic that you're really trying to plan for the future and today is like being very difficult. So, we've got to get some information and I don't know that we have it, so I'd like to have the manager and CATS have us a baseline discussion about how do we run this system, what's going on and how are we going to address the things that are causing us issues, particularly at the time that we're having a contract negotiation going on. So, I would agree that we do that and get some of these answers. I don't know how that relates to the Strategic Mobility Plan because if we don't start doing something now, we won't get anything done. These plans take forever. They're 20-year plans and that's correct. It's 20 years, but we have to start somewhere, and I think our Strategic Mobility Plan will require a good bus system, it will require a great rail system. We've just got to do a better job of understanding and having a good understanding of what it means. I think that again is a council discussion with the team that we have to understand it better.

Ms. Johnson said thank you for saying that Mayor. We do need a better understanding but also greater accountability. I've said that before that there are certain topics like the UDO where we have multiple meetings. There were two UDO meetings today, but CATS doesn't get that level of briefing. So, I think this is a great topic for small groups. If we could have meetings sooner than later especially if they are in contract negotiation, it would feel like time is of the essence especially given the concerns by the drivers and the public, Mr. Bokhari's concerns. I'd like to (Inaudible).

Mayor Lyles said agreed.

Ms. Johnson said people have missed work for the past few days.

Mayor Lyles said agree. We'll get it done as quickly as possible.

Councilmember Ajmera said yes, I would also like to speak on our Strategic Mobility Plan. As someone who is very passionate about the environment, this is a critical step for us in implementing sustainable neighborhoods. Becoming a low carbon city, as my colleagues have mentioned, this is very important in creating safer neighborhoods, but let's not forget this helps us create and helps us reach our 2050 goals that we have to go carbon free by 2050. It also helps us eliminate traffic fatalities and crashes that we have seen that have taken so many lives and providing really a transportation equity option and maintaining our competitiveness. I will be supporting this and I hope my colleagues will as well. Thank you.

Mayor Lyles said alright, thank you.

Councilmember Driggs said yes, I want to say very briefly it's a good plan, a lot of thought went into it. I appreciate it. I said earlier I need to have something I can deliver to my constituents that offers them relief on the crowding situation on the roads. We talked tonight about hope. They need to have some hope too and I'm not finding it here. So, not taking anything away from the work that was done, but I can't support it. Thank you.

Mayor Lyles said alright.

Councilmember Phipps said yes. This plan, the thing that strikes me about it is it's about a 20-year plan but it's going to take maybe 20 years to change a culture and that's the car culture that we have, the vehicle culture. How do you convince people to get out of their cars and get on some bicycles? Or just reduce single occupancy trips? I came here from University City in my truck today by myself. Is the alternative for me to ride the bicycle to the light rail and then the last mile here on my bike? So, I think it's got some lofty goals in it, but as a city I think we should aspire to lofty goals. I do wonder how long it would take for us to transform the mindset of people wanting to be in their cars and just to rely on them less and less as we move around in the future. So, I do think that that's going to be a challenge and I'll be interested to see how long it would take for us to get it if we get there at all. So, I'm going to be supporting it because I think it's more advantages to the plan than disadvantages, so I look forward to supporting it. Thanks.

Mayor Lyles said alright.

Councilmember Graham said I'm going to support the plan as well and I think the council member is right. It's how do we begin to see ourselves not tomorrow or not next year, but 20 years from now. The journey of a thousand miles starts with one step and I think the first step is to adopt a plan tonight and to really embrace some of the things that Councilmember Winston has been saying a lot over the last year about transit and parking and open space and kind of forcing for lack of a better word, a change in habits and attitudes but it won't happen overnight. Having a transit system that folks can rely on, putting resources in place that encourage a different behavior is a part of the solution as well but the plan itself is well done from my perspective. It talks a lot about trails and bikes and alternative means of getting from point A to Z, but it's going to take some time and it's going to take changing habits and doing what I suggest to Councilmember Phipps, come pick me up. Even that, a changing of habits that we have to get used to. Certainly, if we build a system that citizens 10, 15 years can rely and building that system starts today, then hopefully folks will be able to take advantage of what we're trying to forecast for our community in the future. Thank you, Madam Mayor.

Mayor Lyles said alright. I too would hope that the council would support this plan. I understand how difficult it is and sometimes we forget that just a year ago we were in two years of a pandemic. We all think that because we no longer have to wear our masks and we've all gotten our booster shots and all of that, that it's just gone back but I still believe that a lot of the work that we've done has to be put in to motion and even when we have those kinds of disruptions, we have to figure out ways to make it better and improve. The plan is a plan that begins a process that talks about clean air, it embraces the UDO and the plans that we have for density and growth and so I believe that this plan is very important to our future. It's got a lot of work to be done, but it's also one that is regional, and first step is countywide. I said this at a forum recently that we've got to realize that we are the center that creates a number of opportunities for regionalism and these steps are important as a part of our plan.

Councilmember Winston said yes, as it's been stated a couple of different times, not only does the work continue but we have to remember that as we implement these plans, they are living documents. This isn't a policy that is expected to be static. As things change, as we achieve and technology changes, we would have to adapt, but more importantly than that, this furthers the implementation of the Comprehensive 2040

Plan and with that plan, while it was a lot of pages, a lot of different policies, a lot of different goals, one of the most important aspects of that plan is that it created a planning process as opposed to just a deal making situation that has plagued the development of our city over multiple generations.

So, it's going to be important that none of us have operated in this paradigm whether it be staff, whether it be council, whether it be the Mayor, whether it be our partners in the community and community leaders. We really embrace this idea of what a planning process is. How do we get smart about particular areas of it? How do we organize around it in our community so everybody does a little bit so none of us has to do a lot.

Some people might be smarter about the policy map but we certainly need people smart about the mobility plan and how that works in tandem with all the other parts of the planning process. So, we can't overstate how important that is to understand that we work as a system and as this plan gets implemented, it's looking at how you change your system so that every change to the system is going to affect different parts of that system.

So, let's dive into this with both hands and both feet and really embrace regardless of where you stand on the vote tonight because it seems like it's going to pass. Let's embrace this new process of being a planning city and not just a deal making city. Thank you.

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

YEAS: Councilmembers Ajmera, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston

NAYS: Councilmembers Bokhari and Driggs

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BUSINESS

ITEM NO. 19: GENERAL OBLIGATION BOND REFERENDUM

Motion was made by Councilmember Graham, seconded by Councilmember Phipps to: (A) Introduce each of the three bond orders required for a General Obligation Bond Referendum which includes \$146,200,000 of Street Bonds, \$29,800,000 of Neighborhood Improvement Bonds, and \$50,000,000 of Housing Bonds, and (B) Approve a resolution setting a public hearing on each of the bond orders for July 11, 2022.
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The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Ajmera, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston

NAYS: Councilmember Bokhari

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ITEM NO. 20: EXCHANGE OF LAND RIGHTS ALONG THE LYNX LIGHT RAIL CORRIDOR

Motion was made by Councilmember Graham, seconded by Councilmember Driggs and carried unanimously to: (A) Adopt a resolution authorizing an exchange of land rights between the City of Charlotte and SRPF D/2905 Griffith, LLC or its successors ("Property Owner") involving parcel identification number 14-701-701 and 14-701-702, and (B) Authorize the City Manager to negotiate and execute all necessary documents to complete the exchange of land rights between the City of Charlotte and Property Owner.

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ITEM NO. 21: ORANGE COMMUNICATIONS, INC. LEASE RENEWAL AT THE CHARLOTTE TRANSPORTATION CENTER

Motion was made by Councilmember Driggs, seconded by Councilmember Graham and carried as unanimous to: (A) Adopt a resolution approving a five-year lease renewal agreement with Orange Communications, Inc. for retail space at the Charlotte Transportation Center, and (B) Authorize the City Manager or his designee to negotiate and execute all necessary agreements and other documents to complete this transaction.

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ADJOURNMENT

The meeting adjourned at 9:32 p.m.


Stephanie Kelly, City Clerk, MMC NCCMC

Length of Meeting: 5 Hours, 6 Minutes
Minutes Completed: August 29, 2023