

The City Council of the City of Charlotte, North Carolina convened for a Business Meeting on Monday, March 07, 2022, at 5:05 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Malcolm Graham, Renee Johnson, Matt Newton, Gregg Phipps, Victoria Watlington, and Braxton Winston II.

\* \* \* \* \*

**Mayor Lyles** welcomed everyone to the March 07, 2022, Business Meeting and said this meeting is being held as a virtual meeting in accordance with all of the laws that we have to follow, especially around an electronic meeting. 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.

\* \* \* \* \*

## **ITEM NO. 1: COUNCIL COMMITTEE REPORT OUTS**

**Councilmember Driggs** said you have the detailed report from our committee meeting. Our members are myself, as Chair, Council member Ajmera as vice-chair, Bokhari, Eiselt, and Phipps, we met on March 1st, yes. And we got an excellent presentation from Liz Babson about transportation issues, and these were discussed in the Budget Committee meeting, in my mind principally because of the financial implications of some of the information that we got, and I want to highlight one or two things that are not in the summary.

We talked about sidewalks, for example. And basically, we had asked to get more details about what kind of in the works in transportation we ought to know about in the Budget Committee. In the sidewalk presentation, we were told that there were 11 miles of sidewalks funded, 5 miles prioritized, and evaluation underway for 7 miles. So, that's 23 miles in total. We were also told there were 245 miles of thoroughfares without sidewalks in Charlotte. If you take the per mile cost that was indicated anywhere in the \$4-8 million range, it is easy to estimate that that represents about a billion dollars' worth of sidewalks. Possibly more. Not all of that would have to be paid for publicly. A lot of it could be private. Some of them are urgent and some are not. I think it gives you an idea of just the magnitude financially of the sidewalk issue and we have a streets plan, as part of our 2040 Plan, my personal opinion is that we ought to kind of focus a little bit on how it is that we intend to address this sidewalk situation. Reminds me a little bit of Stormwater and the backlog that we had there. Similarly, pedestrian crossings, funded there 35 prioritized, there are 15 that's 50, there's another 47 and at the average rate for those, indicated in the presentation, that represents about a \$10 million obligation. And we also talked about paving. And paving is a difficult subject because we lost a lot of power bill money and therefore, we don't have the same resources we were able to rely on before. But the result is that in a nutshell, as was explained to us in a very good presentation, by the way, we have about a 35-year cycle right now. At the rate, we're going for paving. The roads last about 15-20 years. Before they're damaged to the point where repairing them, it gets very expensive and they deteriorate because once that top layer breaks up, the water gets through, and it starts to break up the layers below. So, we have quite a significant disconnect at the moment in terms of our funding capacity for roads, versus the cycle that we ought to be on for maintaining roads. My only suggestion here is I don't see a magical cure or anything, but I think we shouldn't bury our head in the sand on this. Therefore we should be more intentional about how we put forth proposals to tackle these and as we pursue the 2040 Plan, the Mobility Plan. How we intend to keep up and make those roads into the roads that we anticipate and the that we contemplate in our planning process. So, that's what I'll say about that, you can read in detail in this excellent summary of our meeting.

The other thing we talked about was steady state affordable; and I will just paraphrase that by saying that we have been working for the last year or two with the concept of steady state affordability, which was based on projections of our revenues and expenses, we could expect to be able to issue \$198 million worth of GO debt every two years. If we

had capacity for about \$50 million in addition to that, for cops. So, the update to that analysis indicates that at this point, we can actually project greater capacity than that. The reason we're able to do that is that these analyses are done on a very conservative basis, and when the experience turns out to be better than the conservative assumptions you made, then you've got a little room. So, what that indicates is that there is \$37 million more in biannual capacity between GO and cops than we thought we had before. So, now, we're going to have an interesting conversation in Council about what uses we might have in mind for that taking into account what I just said about some of our infrastructure needs. So, I think those are the things that I would like to highlight from our meeting, if another member of the committee would like to add, please feel free.

**Councilmember Ajmera** said so that additional capacity, any feedback from Council and I think that's something that we'll be discussing in our budget forum. But that's additional capacity. We just want Council to give us some feedback on how that additional capacity could be used and I provided my feedback on using that capacity towards addressing the CATS (Charlotte Area Transit Center) app and also the reliability and effectiveness, and then obviously the street pavement is a big issue with the state funding gap that we have. That we do need to address. So, some of that funding capacity we do need to address, immediate needs that we have in front of us today.

Mr. Driggs said so, basically, we have to look at all of the things we're doing and decide where the need for more funding is the most urgent, in essence, and that will be part of our budget workshops and conversations.

Mayor Lyles said I have just one comment and I think that several of the council members are going to be going to the NLC (National League of Cities) meeting and we'll have the opportunity to talk with some of our federal officials, particularly, our senators, and our congress and the representatives. And I would really like to figure out how we could get as much information about the infrastructure bill and how it will be allocated. I know that today, I got an e-mail saying that there was some question about cities having a direct allocation. As you know, like when the cares money came out, if you were over \$500,000, you got your direct allocation. And that would move us more quickly in some of this infrastructure work. So, as we're doing this, on the trip to Washington, I would please encourage and/or ask those questions of where they think, I've heard bridges a lot, but what else is in that bill that might be able to come to the City of Charlotte? So, we can include that with the discussion that we have on our capital investment plans.

Mr. Driggs said Madam Mayor, the other question is, what do you have to do to qualify for it?

Mayor Lyles said I thought it would be 500,000 people who should qualify.

Mr. Driggs said it's not necessarily just that, but yes.

**Councilmember Graham** said the Economic Development Committee consists of Ed Driggs as Vice-Chair, Dimple Ajmera, Greg Phipps, and Victoria Watlington. We last met since our February 7th meeting and in your packets of information, we have outlined what we actually did since the last time we met and talked about the work of the committee. Again, still level setting and what we did at the last meeting was talked specifically in reference to the hire Charlotte Update and talked about the work that we're doing with the [inaudible] firm and stakeholder groups of local entities that are involved in helping us with the local employment echo system and the work that we're doing in that regard. Great discussion that we had during that committee meeting in terms of really talking about which is really an important issue for the City of Charlotte; how to get on our residents working, how do we make sure that as the communities moving forward that all of our residents are going along with us and have the type of employment opportunities in an infrastructure and place to do so. So, the report kind of speaks for itself. We got a great overview of the Hire Charlotte initiative from Christina, as you see in the report, and outlined the implementation strategy in terms of what we're trying to work forth, which is developing our vision and our framework and helping inform and direct to decision-making processes. But more importantly, what the Committee did, and this is what I want to focus

my time on is really seven types of considerations for the final report. And that I think all council members have said in one form or another in terms of what we need to do, certainly the past chairman has done that in terms of focusing on expanding apprenticeship programs, our relationships with our local community colleges, and universities, focus on soft skills training. Identify where needs are versus the talent, which is kind of making sure that they both connect. Kind of looking at what other cities are doing and benchmarking what we're doing with the other cities throughout. So, again, won't take a lot of time, to read the report, it's in front of you. But again, I thought we had a great meeting then by coincidence. The Committee met today. Which I thought we had an outstanding meeting where we talked specifically about the Corridors of Opportunity, right. And we painstakingly took an hour and a half and walked through every corridor, every initiative that we're doing on those corridors, from Beatties Ford Road to Albemarle Road, Victoria's district, I-85, and Sugar Creek, etc. So, I was really really happy that we spent the time today to kind of walk through that. There's a lot of resources both public and private resources that we are putting in our corridors and I thought today's meeting was really really great. I got a lot out of it, and I think that the committee did as well.

Obviously, there's some things that we left on the table that we wanted to discuss, to make sure that we all know who is on first and who's on second, relating to the racial equity program. Private versus public funds, the governance structure, those types of things to be determined later. But in terms of focusing specifically on the Corridors of Opportunity today, I thought that today's discussion was really, really eventful and productive. I'm really excited about the things that we're about to do from the economic development perspective on our corridors. I'm really excited about that.

Mr. Driggs said a number of us went to Austin last week and in connection with Hire Charlotte, I was very interested in what they told us about what they're doing on jobs. For one, it looked as if their investment is bigger and they have got one central organization and then an area organization, so I just want to suggest that I've been advocating that we do more on that front. I think there's some useful ideas in what we heard in Austin that would be interesting to follow up on. I wanted to point that out to you, Mr. Chairman.

Mr. Graham said the point was well-taken, and we also can just kind of recap what the committee has been doing and its membership. We went to Baltimore as well on the fact-finding trip. I think it's good to Baltimore i.e., the CIAA (Central Intercollegiate Athletic Association) tournament. I think it's good to support the hometown school, Johnson C. Smith as well as the local base entity, which is the CIAA itself. And so that was the purpose of the trip. To kind of, you know, let those two entities know they have the support of the City of Charlotte and if and when a bid is opened, we stand ready to bid. But Baltimore really did a good job in terms of presenting their case. Obviously, the hometown team fell short.

Mayor Lyles said it was good to be in Baltimore to see the tournament. I actually was very impressed that they had done a good job on getting the fans into the building and that's tough when you're in Charlotte. But that was really one of the things that I learned most. I think someone said that the Mayor said we're going to bid on the CIAA. They felt to say that after they complete their process for asking for bids. so, we won't be bidding until someone asks us to.

Mr. Graham said exactly.

Mayor Lyles said that might be two years because Baltimore has two more years on their existing contract.

**Councilmember Winston** said well, to that end, I'm sure it was good I'm sure it was good that the fans were in the arena. But a big reason why CIAA is so important is because it is quite the economic impact of what happens around the city and how activated it was. What was the kind of I guess back of the napkin analysis of the type of economic activity that was activated throughout the City of Baltimore? And what are we competing with there?

Mr. Graham said that's a good question Councilmember Winston. I don't know the impact thus far, I'm pretty sure at some point that is going to be reported out. The Mayor made mention of more people in the stadium. You can't compare Spectrum Center and their arenas, its like night and day. The comparison is more like Bojangles Arena. They didn't have a concourse life, the walkways, which kind of forced people to go into the arena, to watch the games. They were somewhat spread out and so it was kind of hard to gauge people's activity. They had four venues, Camden Yards, they had the Convention Center, they had the arena, and everything was spread out. So, you really couldn't see the people's power, if I can use that analogy. So, we'll just kind of wait and read their business journal to see how well they did, but certainly, they did a good job based on what they had to work with.

Mayor Lyles said so, I think when their CRVA (Charlotte Regional Visitors Authority) gets the numbers, if they would share that with our CRVA, we can probably have an answer, but right now, I think it's too soon, except for kind of like your visual look at it. Which Mr. Graham described really well.

### **Environment, Engagement, and Equity Committee Update**

Ms. Ajmera said we had two important topics that we had discussed in our Committee meeting. First, is the battery electric bus pilot, and then second is the equity in the governance framework. For the CATS electric bus pilot, you might have already gotten an invite for next week where we are doing the unveiling. We are looking at 18 electric bus pilots. And the arrival of our five electric buses here in Charlotte. And so, this is a public-private partnership, so I emphasize that. This is a partnership with Duke Energy and also furthers our SEAP (Strategic Energy Action Plan) goal. So, I'm really excited about this pilot that's coming up. So, we'll be testing how this pilot works with our topography and our climate here.

Second, we have equity in the governance framework. And that's a huge undertaking because we are looking at equity in everything that we do. So, we're looking at housing, economic development, safety, and pretty much everything that we do. So, this is going to take some time for us to come back with a framework. But we had our first overview, Frederick Rios provided us an overview and we used a couple of examples from other cities and how they organized their work around equity. Staff will be bringing some examples to our committee, at our next meeting, and they have taken feedback from committee members, including Mr. Winston, and Ms. Johnson, to incorporate that into their recommendation.

So, at our next Strategy Session, I will have more on our equity framework, but that's where we are.

Mayor Lyles said great work, thank you. I just wanted to remind council members, that at one of our last meetings, we had discussed the criminal ordinances, and which ones should we go forward with, and I believe that what we decided is that the council members, would contact the City Attorney, to request any ordinance be held back for review through the equity lens or criminalization. So, tomorrow I will send out a charge, but basically asking the council members to really get back with the City Attorney. Can you talk a little bit about what you need, and how much time you need to be able to move forward with the community Safety Committee because we need the feedback before we can do that?

**Patrick Baker, City Attorney** said yes, and what I said at the last meet is I would like to hear from anybody on any particular ordinance. I know I have spoken briefly with Mr. Winston. Mr. Winston and I have to set up a meeting where we will go through the ordinances that he would like to consider, and a deeper dive with the Committee. Then the question is, should the ordinances, should whatever is left over come back to the Council? I said it would be for the next Council meeting, but apparently, you don't meet next week.

Mayor Lyles said in two weeks.

Mr. Baker said so, it's going to be the 28th of March would be when we would come back as opposed to next week. Of what can move forward, and then whatever doesn't move forward, would then be referred to the Safety Committee. But I would like to have those conversations and if anybody has any questions or concerns about any of the ordinances that you want to talk about, and I know that there's been some questions about the camping ordinance, in particular. I'm happy to do that. I would love to have those conversations before you all head out to DC next week. If at all possible. It's my preference. I don't want to tell you all what to do.

Mayor Lyles said I'm trying to help you out here, Mr. Attorney. I'm trying to say before you go to DC, get that list in. And it's important because we don't want to have the discussion and then we're all ready to go, and everybody says oh, no, I want to pull this one out and Mr. Baker is trying to figure out which book it's in. So, please pay attention to that.

Ms. Ajmera said so, I know Mr. Baker, I have had a conversation about this, one-on-one with you. So, this could be part of the one-on-one discussion that you have. So, we are being proactive. Rather than the council members reaching out to you, this could be part of the discussion doing one-on-one, cause I know the Council has a lot going on right now with the 2040 policy Map, UDO (Unified Development Ordinance), and the list goes on and on.

Mayor Lyles said any way you can pigeon, you know, e-mail.

Mr. Baker said and those we've got scheduled every month, so we can do those as well.

Mayor Lyles said anything that works, okay.

### **Great Neighborhoods Committee Update**

**Councilmember Watlington** said the Great Neighborhoods Committee met on February 28th. We consist of myself, the Vice-Chair, Councilmember Graham, council members Johnson, Newton, and Phipps. We discussed three items, the bulk of which we spent our time on was the source of income Ad Hoc Advisory Committee recommendations. That Ad Hoc Committee was appointed back in 2021, and we are grateful for the leadership of Mark Ethridge and Kim Graham. They came back to the committee with three recommendations and a series of implementation strategies which are captured in your writeup. So, I won't go into the details, but I do just want to hit the highlights of the recommendations. The first on being a source of income protections in the city and County supported housing developments. The piece here that is significant is that it also includes both affordable and market-rate housing developments receiving tax increment grants and other types of financial assistance.

The second recommendation is increasing housing navigator capacity, which is essentially investing in nonprofit organizations, that will help assist organizations and tenants as well as landlords to increase the rental subsidy acceptance through a series of different strategies. A couple that we spent a good bit of time on was recruiting new landlords and moderate, high, and very high opportunity areas. That seems to be one of the largest gaps as we think about leveraging rental subsidies and vouchers in order to increase economic mobility. It really matters where these vouchers are used and where people live in relation to high opportunity areas. And we see that we've got a little bit of a mismatch between where we're seeing the vouchers accepted and what areas we would like folks to get in into. I believe there is about a 21% overage, I'll say missed opportunity of housing vouchers to utilization.

The other piece that this so-called housing navigator organization would do, would be they would be the first point of contact for housing providers and property managers. As well as they would look into increasing incentives and removing barriers for housing providers such as facilitating required inspection of units, covering rent during the inspection phase, and other items that landlords have pointed out as potential deterrents

from the use of the program. This organization would be selected through an RFP (Request For Proposal) process as recommended in this second recommendation.

And then finally, the third recommendation, that came back, was property tax incentives for new market-rate multifamily rental housing developments. And so essentially, they're saying that the City of Charlotte or Mecklenburg County should offer property tax reimbursements for new market-rate rental in high opportunity areas specifically where at least 5% of their units or 30% AMI (Area Median Income) and below households with a voucher or rental subsidy. We did talk a little bit about whether or not this incentive or this property tax incentive would be used on top of other incentives like [inaudible] dollars and we did discuss that that is not the intent for someone to be able to come in and stack incentives on top of each other and also, that it would be specifically targeted to high opportunity areas. The other question that came up during this discussion was in regard to not only 30% AMI and below households, but market-rate households, there was a discussion about how to make sure that we can leverage not only units that are set aside for 30% and below but because it's a voucher that should be able to close the gap. There was about a \$200 per month gap between in our high opportunity areas, what the vouchers would cover versus what the market rate rent would be there. So, that's the intent of this property tax incentive is to close that gap because obviously, the voucher's intent is to close the gap up to the market rate.

The next item that we talked about was the Staying In Place Pilot. Which is an extension of the Aging In Place Program that was enacted a few years ago. This Staying In Place Pilot is being piloted in three neighborhoods: Hidden Valley, Washington Heights, and Winterfield neighborhoods. It is a \$4,350,000 initial investment and it's going to cover different types of programs, including down payment assistance, or mortgage buy-down assistance, housing rehab, energy efficiency improvements, large tree maintenance, preservation of housing stock, and providing affordable home ownership opportunities through the Acquisition, Rehab, Resell Program, and developing accessory Dwelling Unit Pilot Program as another option for people who would like to offer and also live-in accessory dwelling units across the city.

And then finally, we got a brief update on the Neighborhood Equity and Stabilization or NEST commission update. They meet for the first time in February and will be meeting monthly for the foreseeable future. Just as a reminder they are focused on how we stabilize and prevent displacement in some of our most vulnerable communities. That is the update from great neighborhoods.

Ms. Ajmera said a lot of work has been done on the Source of Income Discrimination Committee. So, I know a couple of weeks ago, might have been a month or two ago, we had gotten an e-mail from a constituent where they talked about how they were not able to use their voucher because the voucher wasn't paying the market rent. And I believe currently 75 or 80% of what Inlivan pays. So, that is a gap that I wonder if that was discussed because that seems to be a common barrier for residents. So, for example, if the rent is 1600 or \$1400, and if Inlivan only pays \$1250, that's a really tough barrier because you're looking at housing providers, they not only have to pay for a mortgage, right, property tax, insurance, and maintenance and everything and obviously, the inspection process is very stringent. So, on top of that, you're waiting for a month and a half or two months to get paid and you're not even getting market rent, that's a serious issue that I think a committee got to look at. I looked at the e-mail, and all of the attachments, the constituent had sent us. Where they gave us a few examples, I reached out to Inlivan about it and they did tell me that they are not paying the market right now, it's close to 75 or 80%. And I don't know if that's contributing to why so many housing providers do not accept the vouchers. So, I think that's something that the committee ought to consider and look at and what recommendations they might have, not necessarily for us, but for the agency. Thank you.

Ms. Watlington said sure, so you are exactly right, Councilmember Ajmera, and that is the spirit behind the third recommendation where it says property tax incentives for new market rate. One of the things that you brought up though is that right now it is focused on new market-rate multifamily units in high-opportunity areas. So, perhaps what we can do

is take a look at what is the discrepancy between market rates even in other areas as well and maybe that's part of what needs to be expanded in this recommendation. But yup, that's what this gets at.

Ms. Ajmera said [inaudible] legal guidance.

Ms. Watlington said right,

Ms. Ajmera said so what about the existing one, right? Where the majority of [inaudible] are right now?

Ms. Watlington said right, that's what I'm saying. I think that we need to take a look at expanding that.

Ms. Ajmera said but I think I really like the work that committee has done. I can really see that they do take a deeper dive. And I really like the program, the Staying In Place Pilot, and other initiatives. So, I appreciate the work that the committee has done. Thank you.

**Councilmember Eiselt** said thank you, Madam Mayor, and thank you, Ms. Watlington, for the update. I have a question about the Staying In Place Pilot. Do we have data on the first run of that program? How it went? You know, who used it, if all of the money was used?

**Marcus Jones, City Manager** said at the beginning it was aging in place. The Council tried to get out in front of the rival and set aside roughly \$1.5 million. To our surprise we worked well with the County, trying to make sure that we had as many people sign up as possible because part of it is just understanding that this type of relief was available. The first year maybe was \$35,000. And so, what we did is we allowed that cohort to stay in. So, that's why we tried to switch this from aging in place to staying in place. So, this would be the first foray into something other than the ageing in place. And a lot of this was based on going back to last year's budget and looking at the tools in the toolbox. And we believe these tools and toolbox will give a good glimpse of what we could do across the entire city.

Ms. Eiselt said and aside from geography, what are the criteria for those who can apply for this funding?

Mr. Jones said so, we're starting off with geography. Many of these programs are existing programs. And so, Sean is in the back room, if I mess this up, he'll come in and stop me. What we try to do is built on what we have in the programs currently, but then, if there were some income requirements that maybe had limited an opportunity, we were going above what we typically do. So, this is truly a pilot, not just using the tools that we have, but expanding on some of those because if some of our tools were oversubscribed, then they would suggest that maybe we need to look at the parameters that we have around them, but specifically, it's geography for these three to start off with.

Ms. Eiselt said okay, thank you.

**Councilmember Newton** said I feel like we had a really great conversation in committee, and we covered a lot of ground, which was fantastic. I did want to touch on two things, my hope is that with our source of income protections, there is a day where we start talking about expanding the scope of that. And start looking at more than just publicly subsidized housing, and kind of going more into that private sector to institute that protection, however that is done. Or however, that is done. I don't know for sure. And whether other committees would need to be involved in that process, but I think that that is where I would like to see us go with this in the future. But I'm very happy that we're having the conversation as is today as well. And then I also wanted to talk about or just touch on the Staying in Place Pilot. It does seem like we have been discussing this for quite some time, there's been surveys, and there's community engagement. This was something that as I understand was the by-product of last year's budget. And I do feel like I can tell you from the standpoint of Winterfield residents, that folks are ready for us to

act. They're ready for us to make the investments. So, my hope is, is that we move forward to doing just that. We have the money there; I think we've identified four neighborhoods or three neighborhoods of need. It's time to start making those distributions and investments in the community.

Mr. Driggs said on the source of income discrimination, I've been to a couple of meetings where this was kind of discussed and where there were representatives of landlords present as well as Inlivian, and I think that it's worth noting that landlords if they're reluctant to accept these are not necessarily reluctant just out of [inaudible] or bias towards anybody. Most recipients of these vouchers are honest, hardworking people, but the incidents among that group of the issues, disturbances, delinquencies in rent, and damage to the property, is higher. So, the landlords have said in meetings, that it's much more risky for us with this group than with other groups. So, my suggestion is that maybe there's data that we can get on that. Either to refute that allegation or if we find that it's true, to recognize that if we attach a requirement, like this, to an incentive that we're offering, let's say we've got a tax incentive or something and we're trying to motivate somebody to build an affordable property and then we tell them, however, if you accept this money, then you also are required to incur these risks, they're going to assign less value to the money. Nothing is free. So, I think that to get to the bottom of the difference between a legitimate business concern and the thing that we don't want, which is outright bias, just hostility towards certain people, those guys should be obliged to behave themselves. The people who have business concerns should be accommodated to the extent that we just say, okay, let's study this. And if that's an issue, we'll figure out how to get you on to a similar footing that you would be on if you had just market-rate tenants.

So, I think it's only fair to the landlords to acknowledge the concerns that they've raised, and again, maybe we can use data, either to tell them that they're being unreasonable or to recognize that there's probably more work that we need to do in order to attach a requirement like that to our incentives, because it just as I say, it lessens the value of the incentive, and therefore, it increases our costs. Thank you.

Ms. Watlington said you bring up a good point, Council member Driggs. I neglected to mention, that was the conversation around data and really understanding what is the gap that is driving the lack of utilization. That is one of the things that the committee did request the Ad Hoc Committee to come back with in the next discussion.

Mr. Driggs said I'll be interested to see that, thank you.

Mayor Lyles said I think that MS. Ajmera mentioned one, the timeliness of inspections, that, you know, the house is vacant and, you know, with the market with just the regular tenant, you can get someone in there more quickly, but the inspections and the timeliness of it, the cash flow. I mean, these are small these are not people making, they're not the investment bankers that are buying these, these are people that are just day-to-day like you said paying their mortgage. We have to figure that out.

Mr. Driggs said so, Mayor, to that point, the rate at which the vouchers escalate is below the rate at which rents are going up. so, I think Ms. Ajmera, that's your point. They're saying you end up with this gap. And then the point is, if it starts to get hard for a landlord, socially very tough for them, they don't want to be evicting people, they're in a tight spot. And I'm just suggesting that if they're a little apprehensive about that, they're not necessarily bad people.

Mayor Lyles said right. And evictions cost just as much as the inspection timeliness. So, I'm going to insert, what I think is Mr. Driggs' point on all of these. I know that Ms. Watlington will have a dataset and a goal and a success metric, and a revision necessary, midpoint, if necessary, so I'm not too worried about that. I just want to make that point. I'm not too worried about that. And I can hardly wait to see the flowchart and the assessments. And the process, the decision tree. What else can we use for you? So, thank you.



**Councilmember Johnson** said I just wanted to say I'm excited to be at this stage with the source of income discrimination recommendations. I know that this has been in front of the Council for quite a few years. I think since 2017, I heard is when this discussion was first started. So, I'm excited to be at this point. And when we talk about the source of income discrimination, what was recommended was public dollars for the public good. And the working poor, also pay taxes. So, I'm looking forward to utilizing these dollars for individuals who need it. When developers are requesting city incentives. To piggyback on the incentive, I wanted to ask, I heard from the developers, that some of the costs that make it difficult to develop affordable housing in the city is the permitting fees. And the city fees for water and infrastructure. Mr. Jones, is there anything that the city can do to incentivize these developers, such as reducing fees or something like that? If we can give them more incentives so they are able to build more affordable housing? And then another question on the Stay-At-Home Pilot as well.

Mr. Jones said to Councilmember Johnson, we'll have to brush this off. There was a series of questions and I believe it was from the business community, a couple of years ago, dealing with some of the fees related to affordable housing. I think there's some progress that we made in some areas and somewhere we had bare barriers, but we can brush that off and make sure we put it in the packet this week.

**Councilmember Johnson** said okay. And then if we can hear that information so the public can hear that as well? I think that that seems like a place where we as a city could make a dent or be able to help the developers. So, if there's some way, we can get a presentation on that, that would be great. I think it's a great idea, so if there's a reason that we're not able to do that. I think that that's something that should be transparent and we all should hear that information.

Secondly, I wanted to ask about the Staying In Place Pilot. I know that Hidden Valley is one of the areas. You and I have discussed the area surrounding the market rate development, as being built in Hidden Valley. I think that's a very logical place to start because we know that the taxes are going to increase for the residents surrounding that development. So, can you give me an update on that, if we are intentionally looking at that area that's going to be affected by those market rates, for sale, townhomes that was recently approved? Or I think it's going to be considered here very soon.

Mr. Jones said yes, Councilmember Johnson, so what we did is I believe we took a quarter of a mile of radius around those 20 townhomes and what we did is we did an inventory of all of the tools that we have been using in that area. And it was several dozen. So, clearly, some of the things that we're discussing tonight have already been deployed in that area. And I would have to check with housing and neighborhood services, how we're going to define the Hidden Valley area but to your initial question, absolutely, in that quarter-mile radius, we have deployed many of these tools.

Ms. Johnson said thank you. Because we know those residents are going to be impacted directly by the redevelopment in the area. So, this is an opportunity to utilize some practical tools so thank you for doing that, Mr. Jones. Thank you.

Mayor Lyles said I just wanted to mention one other thing on your first point, Ms. Johnson, I think that Mr. Winston sent us last year a study that was done by the developers, and it asks what would be their choice to lower the cost of affordable development? And if I recall this correctly, if Mr. Winston, it was land. If we actually participated in land and the second one was the idea of tax increments or tax incentives for the value of the building. And then I don't remember where the development fees were, but I remember that study coming out. And it might be good to pull that out again. I know that Mr. Winston sent it to all of us. I think I kept it because it's kind of like a guide to what the development community was saying, what's most important to lower costs and that might be helpful as well to see where the permitting and all of that fits in that category. I don't remember where it was, just the top two.

Ms. Johnson said was there any movement on that since last year? I know we're looking at a pilot or possible land incentive for four developers, but as an overall policy, if we can get an update on that.

Mayor Lyles said it did grow out. It is the land that we've just been talking about and approving city-owned land, that was a result of that policy document that the developers sent out, the property that we're talking about building on now.

Ms. Johnson said the four properties?

Mayor Lyles said yes.

Ms. Johnson said so, can we take possibly take a look at making that some type of overall policy or that we're able to expand it?

Mayor Lyles said I think that the Manager is looking at every city-owned lot, we had a discussion last week, about this, with the idea of looking at all of our properties in highest and best use for affordability or whatever was appropriate for the neighborhood and the community that the housing property is in. So, yes, all of that is still underway.

Ms. Johnson said That would be great.

**Councilmember Phipps** said I wanted to piggyback and go back on some of the comments that Mr. Driggs made and in our meeting on the committee. I know that it was discussed, we had some discussion about the negative perception of the use of housing vouchers. I know we've got this letter from Inlivian that tried to I guess, dispute some of those perceptions, but it seems like we have a disconnect in as much as we have an explanation, I guess, from the housing trust providers and Inlivian, that some of these perceptions are unfounded. But then, in talking with I guess, some of the apartment providers, they tell a different story. So, I don't know how we're going to come to a mutual consensus or agreement. I know that it was an area that they said that they did not dwell too much on, because it's going to take a lot more education or, you know, just to try to dispel some of these perceptions. But I would be anxious to know when such an effort will begin to try to narrow that gap. I think it was a 21% gap that we have there in accepting those vouchers. But this negative perception of the use of these vouchers is a challenge, and to that, you know, lowering that particular gap. So, I don't know what's going to be done about it. I know it's a touchy issue. And as long as that perception is out there, then it's going to continue to be a problem. So, I don't know what we can do or what's the best way to approach it. Something that they're going to be talking about, so hopefully we can get some movement in that regard.

### **Intergovernmental Relations Committee Update**

**Councilmember Winston** said I wanted to just give all colleagues a bit of an update in the past two hours or so, the hour before this meeting, you were provided with an alternate committee report out. That is very different than the committee report out that was included in our package, in our e-mail at the end of last week. The one that you have hopefully in front of you on the table, the folks that are virtual, it should be in your e-mail from Ms. Harris at about 3:45, 4:00. We in the IG Committee have basically asked ourselves, after the charge from the Mayor, how can we find ways to cooperate with other local governments to achieve greater levels of efficiency and effectiveness? We on the committee, and as co-chairs of Mr. Bokhari and I have been working with staff, we believe that if we have any chance of answering this question, City Council itself must have a better understanding of the history and the facts surrounding the visions and the consolidations of our local governments. So, that is why we worked through the committee utilizing the 30, 60, and 90-day workflow format. We came up with language that allows for Council and staff to work together to get smarter and potentially take further action in the future.

The e-mail that you received in the past 90 minutes or two hours provides the language that was voted out of committee, for the Council's consideration. This was voted out

unanimously and we believe since this work could take significant staff time, we do need the consent of the Council to continue on this work. Since you didn't get much time to review our work, I'll read you the committee-approved language. And that language is: the Intergovernmental Relations Committee will examine all areas of responsibility that are currently duplicated or divided between the City of Charlotte and Mecklenburg County. The goal is to identify ways to cooperate with the other local governments to achieve greater levels of efficiency and effectiveness. The committee will engage with the City Attorney's office to identify legal factors that the committee and City Council will need to consider when discussing potential changes and the committee will utilize committee staff resources and department personnel to conduct the evaluations. The committee will complete the first phase of work by June of 2022 while providing periodic updates to the Mayor and the Council via the City Council committee report process. Our recommendation is attached. That's what I just read.

**Councilmember Bokhari** said I just add that the consolidation of local government functions is really really important as an initiative. It has the potential to make positive impacts on the daily lives of every Charlotte resident in so many ways. Many of us, many people before have attempted this over the decades, and it always runs into a brick wall. And in my opinion, the issue has always been that it's either a single elected official trying to build consensus among others and that lacked the mandate, and the staff's support to really get legs under it, or it's been like a lower-level staff department trying to bring it forward and they don't have the top-down support that they need to make it happen. And I think that we can all agree, just at a glance, that there's so many opportunities here. Permitting, think about how many times we hear from our constituents going through the pain points of the disjointed permitting process, let alone how much it adds to the costs and hurts the affordability of housing. Medic being separate from the budget organizations of fire and the police. Economic development, the list goes on and on. We've made progress here. And while there's a lot to go, we have been facing headwinds the entire time on this. We were pushed back from doing it early on. We forced it to be referred to a committee a month ago, but when we convened, staff presented an approach that had been changed from what we set out to do. We were very confused about that. We were able to get back on track in the committee meeting by crafting in real-time language that would enable us to work with urgency and in a structured manner, but not setting out to unilaterally define what the other bodies should or could do. Just, you know, develop an initial menu of topics that made sense to explore, as well as providing a blueprint for the other municipal bodies to do the same thing we're trying to do right now. Which is to get full buy-in to engage in this collaboration and figure it out together as a team. We voted as Braxton said, unanimously to pass this language out of committee.

So, that all Council could understand it, provide their feedback, and vote so we could get to work. What map happened? Next? We got an e-mail from the Chair of the County Commissions saying it was a bad idea. Which was very odd since Braxton and I had been working with two of the County Commissioners and their IRC staffer, as well as the same for the school board. Then magically our committee-approved language for the Council vote tonight disappeared from the agenda, and in a new summary provided that was watered down and said we just keep working on it and update the Mayor and Council. Not only was what we decided completely changed in the agenda but the commission Chairman's e-mail was also included as the second attachment to tee up the conversation tonight. Is that a coincidence?

I'll ask my Council colleagues this, who has the power to do these kinds of things behind the scenes? Does it remind you of the other things we've been going through, over the last year? And here's how I would answer my own question. The Mayor has the power to do those kinds of things and it sure feels a lot like the Mayor's racial Equity Initiative, happening again. End of report.

Mayor Lyles said Mr. Bokhari, once again, your personal attack on what the Mayor's role is unwarranted, untrue, and if you persist in doing this, it's just not going to matter anymore. At least have the common courtesy to call me, and talk to me, about something, if it's coming up like this. Because there's no reason for me not to tell you the truth. And I don't know why you would make the assumption otherwise.

Mr. Driggs said I just wanted to say, I actually like the idea of elected officials talking to each other. And I like the idea of us sharing the goal of trying to achieve better efficiency and delivery. But a point in the meeting is this is something of a mine field and therefore I think there's a way we should go about it. So, I'm hoping that we can continue to try to identify opportunities without making anybody feel or getting ahead of ourselves or threatening anybody, and not sort of recoil from the notion. But I did say in the committee meeting, and I do feel that based on my experience, with our colleagues and the County, and in the towns, you know, when this subject of consolidation came up in the past, it's unfortunate but this is a very touchy environment. And to that extent, we run the risk of ending up worse off than we were before. But, you know, if County Commissioners want to talk to the City Council member and school board members, I heard about some of this in Austin. And I thought it's great if we can do that. But it does run the risk of, you know, looking like a power struggle. And that's what we need to steer away from. Thank you.

Mr. Winston said one thing I would just like to respond to here. The City Council does the City Council's business. And if we want to talk to our staff about a topic, we don't need preclearance about issues that are on our table. We don't need preclearance from any other entity to learn more about what is under our jurisdiction and how we improve those things. Now, there is some back-channel conversations that are going on that are putting out the wrong information because Chairman Dunlap's letter that I just received today but was received by the Mayor and the Manager last week after our committee meeting was misinformed. Somebody did not give him the wrong [inaudible]. It almost felt like somebody was trying to set up a conversation that we were having in earnest to fail. It took pieces of the conversation that was had in committee and framed them in the incorrect light. Now, if those actual conversations and that information that Chairman Dunlap did receive was true, I understand the reaction that he would have had. But that is completely opposite than the work of the committee, the work of the staff, and the conversations that we have been having. I think that the conversations and the work that we are having is worthy. And we can and these are questions that we have always asked ourselves; how do we work better together better? All we're trying to do is ask ourselves, again, as council members, as staff members, how do we get smarter? How do we understand the questions that we're asking ourselves? And how do we package that in a way that we can have a conversation amongst colleagues, first and foremost, the 12 of us right here? So, it's really important when the Council is doing the Council's business, that others don't bring other people into the Council's business. I would never go to another committee member or another body's committee and start telling them what to do. But somehow, that courtesy was not given here and some of the quotations that Chairman Dunlap had could only have come from Council provided documents. And it's hurtful.

Mr. Bokhari said And I just add, I think that's a really excellent point, Braxton. Is this is in no way an indictment or saying something negative on Commissioner Dunlap's e-mail? The fact that he sent that e-mail to Braxton is a very good point, is not an issue. It's how he came to that misinformed position. And decided to send an e-mail. Great point.

Ms. Eiselt said I feel a little bit in the dark here, even as a committee member, so I would ask that that e-mail would be shared with us.

Mr. Winston said well again, I agreed Ms. Eiselt it was in the dark until staff provided that e-mail. I believe they might have provided that in the e-mail that they sent to you two hours ago, but I was made aware of this e-mail via hearsay at the end of last week and was just provided that e-mail by staff about two hours ago.

Ms. Eiselt said okay. Well, I would ask staff if it was not given to all of us if we would all get it.

Mr. Winston said I would say, Chairman Dunlap on his written e-mail, written letter, he did cc the City Council, so we should have received it post-haste last week.

Ms. Eiselt said I don't think we got it.

Mayor Lyles said we didn't generate it. So. It came from the County Chair's Office and it copied you guy. Mr. Winston was on a call with Mr. Driggs and me, and we had a really long in-depth conversation that had nothing to do with Chairman Dunlap's letter but had a conversation about what the historical part of this was, how other studies that had been done and the conversation was basically around let's pull that information out. Now, Mr. Bokhari was invited to that meeting and did not have a chance to participate. But Mr. Winston, I think I hope you would agree that Mr. Driggs and I commented on the process and who needed to have the communication, and this was prior to Mr. Dunlap's letter. So, my position has never changed, has never wavered on what I said to you in that meeting, and I think that Mr. Driggs will attest to that.

Mr. Winston said yeah, and I did reach out to Chairman Dunlap after that personally. We cleared some things up. But I will say, what we received on our committee report out, on Thursday, that Ms. Harris sent, it did not include our language. But it had a paragraph explaining and with quotes from Mr. Dunlap's letter, which basically said, we don't want to do any of this, and it was kind of the end of the read-out so that we weren't going to do anything about it.

Mayor Lyles said since I was in Austin, Texas when the document come out, did not have it over the weekend, I just saw it today. So, I think that Mr. Bokhari, I treat you with as much honor and respect as you deserve as an elected official and that's about the end of it.

Mr. Graham said well, a lot has happened since we last met on this topic, clearly. And I'll say what I said last month tonight. Conceptually, I think that we ought to do consolidation, right? I made no secrets about that. I mentioned it often. I often mention that the last meeting that I served on the last citizen-led consolidation task force back in 1995. And also said at the last meeting that it's all in the presentation. It's not what we do, it's how we do it. And I think Ed is right; it's such a complicated topic that involves a wide variety of people, and that has a lot of historical background attached to it. There's reasons why some departments are consolidating, and others are not. We are somewhat already functionally consolidated already. And reminds me of when I was in high school when I went to date [inaudible] Watson, but she didn't want to date me, right?

Mr. Newton said that happened to me, too.

Mr. Graham said yeah, right, we are still good friends today. But it takes two, right? And it takes communication, it takes to give and take, it takes leadership involvement, the Mayor, the Chairman, it takes this Council to direct the managers on both sides to do what we want them to do. And I just think that conceptually, I like where the committee announced last month, but I think we need a better GPS (Global Positioning System) to get where we want to go. I'm just kind of concerned just listening to all of this, letter, information not there, commissioner saying no. I'm just not sure that we have a good fitting on this, which is disappointed because the end is in the beginning.

Ms. Eiselt said I mean, I think two things come to mind and when we had that discussion, I agreed with moving the language forward, but I don't see how one body or the other is ever going to make any progress on this topic. I just don't know that we have the structure right in the first place to have it starting in one intergovernmental committee. You know, I mean, I brought up the example of our solid waste. What would be in our best interest to renegotiate is not in the County's best interest from a profit standpoint. So, there is going to be conflict. No matter what topic, if we feel there's a benefit, it would be great if there was a benefit for the County. But that's not going to be the case on a lot of major things and so I almost feel like without shooting arrows at each other, on a topic that's very sensitive, we have to stand back and say maybe with our colleagues, in the County commission, what's the best way to do this? There might be things that they feel like they would like to take over, that we don't want to give up. But I don't know that this is the right way. Clearly, this isn't the right way to go about it, because we can't even get through this. I want to say thank you, that our staff just gave just looked up the e-mail that Chairman Dunlap sent. He sent it to a group e-mail address in which it was misspelled.

And so, it did not go to the full Council. Even though the intention was that it supposedly did.

Mr. Bokhari said It wasn't.  
Ms. Eiselt said okay. Well.

Mr. Winston said It was received by people within our organization, it was not distributed by people in our organization.

Ms. Eiselt said well, It was not distributed to the Council. So.

Mr. Winston said Correct.

Ms. Eiselt said You know, we don't have this.

Mr. Bokhari said Mayor Pro Tem, I might reply to that one point. I think you're absolutely right. And many of the individual topics that are big unto themselves, they're complicated. And the problem is in a lot of cases, one party kind of feels like they might lose and another win. That's why I think that this approach is so important that we very carefully craft it, kind of from the bottom or middle up and down, which is when you look at it at a portfolio level and a set of initiatives or departments or lower hanging fruit, that's when you can equalize the entire transaction out. That's never happened before, where maybe in Solid Waste and things like that, well, it's, you know, one party is like, all right, I would have to get that up, but they could get something somewhere else. And that's why I believe that what Braxton and I have been setting out to do with colleagues from each of the bodies, again just trying to build some consensus around is, let's try to figure out what everyone's value prop is with no preconceived notions. We don't come into this thinking we want to own this or that, we thinking we want to achieve the outcome in where we're headed. So, that's why I think this approach has never been done like this. That's why it's so you can clearly see we're frustrating because we're trying to do something that has not been done, and as Malcolm said, it's incredibly hard. And then to figure out that the call has been coming inside of the house the whole time. It will be hard enough outside, let alone, we're facing headwinds inside of this before we even get through our body before we can even talk to you all.

So, if you're wondering where the frustration that he and I are both feeling right now comes from, it's been hard to get to this point, and magically when stuff disappears and other language appears, it just puts us in a spot where we feel like, you know, we're pushing into the wind and then someone has got a rope around our waist and pulling us back.

Ms. Ajmera said this conversation is very difficult to follow. It doesn't take a genius to say that this is already getting off on the wrong foot here. So, I think that we all need sort of a summary of what is going on. Where is the headwinds that the committee members are running into that Mr. Bokhari just alluded to earlier? I'm not following this conversation at all. But certainly, whatever you guys are doing, it's not working. So, there needs to be a different process, a different approach. Because at this point, Council even is not aware of what's going on. And what the approach is. So, certainly, a lot of work needs to happen before we even have a discussion with our counterpart on the County Commission.

Mr. Graham said I thought we left it; was that they would come back to us with language to the Council. That seems like this language is already out there.

Mr. Winston said we had just presented the language that was voted out of committee to you. What is confusing is that Council just received two different committee report-outs from the staff. The first one that was received last Thursday did not have our language but had references to something that Commissioner Dunlap sent to the Manager and the Mayor. We found out about that, and we have been trying to communicate. We've been asking the staff, why is this committee report out, not the committee report out? Why are we not informing the Council, the full Council, about the committee's work, which we should be having the discussion about?

Mr. Graham said but I thought that the conversations were going to be wider than just the committee itself. That there would be informal conversations, too. Right? With council members. I would have loved to weigh in on the committee end.

Mr. Winston said that's what it says in the language. It says that staff will begin to do research and do work, and we have said that in 30 days. And then they could come back in 30 days with some of these areas. So, Council can have conversations amongst ourselves, amongst staff, amongst the attorneys, and amongst our different colleagues so that we can have those conversations, and three months from now, then we can start to compartmentalize those conversations and give a report out on the process.

Mr. Graham said Well, I'll be quiet, lastly.

**Councilmember Egleston** said I'm with Ms. Ajmera. I haven't seen that e-mail. Not fully up to speed on whatever is going on, and whatever accusation [inaudible].

Mr. Phipps said was there any other formal communication about this matter from anyone other than Mr. George Dunlap.

Mr. Bokhari said does anyone have any knowledge of whether or not there was any other formal communication besides Mr. Dunlap?

Mr. Bokhari said that's a good question, Mr. Phipps. As far as I'm aware that was the only communication and that's what makes it so odd in that we hadn't gone out. What we had asked for a month ago was the ability to get to work and refer to this as a topic where staff and everyone can start executing. And what happened was, instead, we got pushed back and said, all right, the committee's referral is to craft the language that then a month from then which is now, this Council can come and look at that referral and the language and which is here's what we're going to go do for the next 30 days. So, ultimately that's what we went away and did. We didn't have conversations with anybody, because essentially what we wanted to do was delay it a month. So, we just need to bring back language that better scoped what it was that we were setting out to do. That's why it's very surprising someone would have to reach out to somebody and put this on the radar because there were no conversations. We weren't getting communications literally from anyone. We were working on it behind the scenes and then as a committee, to get it to a point where we could come back now, and vote. And so, if you're wondering, it's a little confusing, I don't see your action plan, I don't see this or that. What you see is key milestones of what outcomes we want to achieve, which is get staff to start doing some analysis in [inaudible] of what possibilities there are for a menu, in parallel with start talking externally to our partners in those other bodies. Not to say, hey, get to work, but to say, can you get the formal buy-in and mandate to do the exact same effort? And that is the starting line. We're working towards the starting line and if you're confused, you should be, and you shouldn't have to be.

Mr. Driggs said I just want to point out we talked about this in a public meeting. The committee had a conversation, and I did say at that time, that I was nervous about the people hearing of this activity, that through that channel. But I will also say, I think that the chairs have raised a legitimate question. Which is if it's so hard for us to talk to our colleagues and the other bodies, why is that? So, it's fair to ask, why it's so hard. But at the same time, it is, and that's what we're grappling with here. It just is. And I would just like to take this opportunity to say to any member of the Board Of County Commissioners, or whomever, it is not the intention of anybody on this Council to encroach or in any way invade anybody else's responsibility. This is a good faith effort on our part, to see whether there are areas that we might cooperate to which we would all agree, and which we wouldn't do if we didn't agree. So, I do think that this thing has gotten off on the wrong foot. I would hope that we would be able to have conversations and that if these opportunities surface, and there's consensus, among all of the parties. But we run a risk. I mean, I said on the transportation plan, we should be talking to the legislature, should be talking to the towns. We need to sort of communicate why people who might react badly, don't need to, and maybe that's what we didn't do well enough. But again, I just want to stress, to anybody who's watching, you know, please, you can tell there's people

here that barely know what's going on. It's it was meant to be a good faith effort. And I hope we can still achieve that. Thank you.

Mr. Egleston said Mr. Driggs, one response, I would say, I agree with everything that you've just said there. I think that is the one other point that's missing. [inaudible]

Mayor Lyles said Mayor: can I recognize Mr. Egleston.

Mr. Bokhari said I'm sorry, we're in committee report outs where the chairs address the questions and comments, right?

Mayor Lyles said well, a agree, addressing comments but you'll have the opportunity. I've asked, what are you going to propose.

Mr. Bokhari said But this entire night we've been going back and forth with committee chairs addressing questions. Are we not are we changing that protocol Madam Mayor?

Mayor Lyles said I didn't think there was a question in what Mr. Driggs said. But Mr. Egleston has not been recognized yet. I said that he would be. Mr. Egleston. We'll come back to the committee chairs for the action that they like to have the Council take.

Mr. Egleston said I was saying that I agree with Ms. Ajmera and her confusion on this. I share that confusion. Not sure even exactly what anybody is accusing anybody of. I will say more broadly that it feels like for the last 20 years, the white whales of this elected body, the Charlotte City Council have been making this job four-year terms and full-time pay and have been a consolidation of city and county governments. I think all of those things have merit and I all of those things are worth discussing, but it does beg the question of how many times can the Charlotte City Council try and fail at these efforts, before we determine that it's not worth investing the amount of time, we're investing in trying to pursue them. I promise if went and asked 100 people on the streets of Charlotte, what they want us to be working on, none of those things would come up. The things that would come up would be transportation, affordable housing, and public safety, and we continue to get pulled down into the weeds on things that I don't think the people who elected us care that much about. So, while I do think that we could be a more effective government if we had better functional consolidation. I do think we can be a more effective government if we had four-year terms and full-time City Council members. I just don't know that those things are those things that we should be spending that much time on and I wonder why we keep persisting in doing so after failure after failure after failure when we have more important things that we have shown we can make progress on as a group. Thank you.

Mr. Bokhari said I'll quickly make two responses. to Mr. Egleston's point, I think it's a fair point looking back, I would say that when are we going to stop wasting time on it? I think this is it. This is the last stand. We are taking an approach that has never been taken before. It is very well thought out and strategic in nature, and it understands and recognizes those challenges. And if doesn't work this time, well then maybe we give up. But I think it deserves one more bat. To Mr. Driggs's point, I think everything he said was accurate and true. But I think there's one important point to parse out here, which is that this feeling right now of confusion and getting off on the wrong foot, is in no way connected to the work at hand and what we're attempting. It's connected to the fact. And every one of you on the committee should be concerned about this. How can a committee take formal action and we think that through that formal action, and the detailed work we put into the writing of it and all of that, is then making it's what I to the broader Council for a broader review, and then decisioning? That's our mechanism. How does that disappear? How does it change magically and we don't know? If that can happen to us, it can happen to any of you, in your efforts, if somebody doesn't like it. With that, I would make a motion that we adopt the language that this committee painstakingly put together so we can get to work towards the starting line, very carefully and cautiously as we have laid out and be able to do the next level of work and bring you guys back some of these details you want, that we were trying to do last month and got delayed by a month.



Motion was made by Council member Bokhari, seconded by Council member Winston to motion to adopt the language.

Ms. Ajmera said what language is it? We don't have the language.

Mr. Winston said Well if the staff has not provided you with the language that was voted out of the committee, I would ask Mr. Jones to provide council members with the language that council members have already moved.

Mr. Jones said to Councilmember Winston's point, it is in the writeup that's before you. And it are those last three paragraphs.

Mayor Lyles said on page 10.

Ms. Ajmera said oh, wow, that's a long language.

Mr. Bokhari said yes, we worked very hard on that in committee, and it's a shame it didn't get to you.

Mr. Egleston said can someone just read it for us?

Mr. Winston said I'll read it again.

Mayor Lyles said can I have the clerk read it, pleas, Mr. Winston?

Ms. Ajmera said

Mr. Winston said yes, ma'am.

Mayor Lyles said would that be better for the record? Page 10. The last three paragraphs. It begins with the committee voted to vote to propose to the full Council. Do you see that?

**Billie Tynes, Deputy City Clerk** said the Committee voted to propose to the full Council, that the Intergovernmental Relations Committee will examine all areas of the responsibilities that are currently duplicated or divided between the City of Charlotte and Mecklenburg County. The goal is to identify ways to cooperate with each other local governments to achieve greater levels of efficiency and effectiveness. The committee will engage the City Attorney's Office to identify legal factors that the Committee and City Council will need to consider when discussing the potential changes, and the Committee will utilize Committee staff resources and departmental personnel to conduct the evaluations. The Committee will complete this first phase of work by June 2022, while providing periodic updates to the Mayor, Council, via the City Council Committee reports process. A recommendation is attached.

Ms. Ajmera said so, but I wasn't done. So, thank you for providing the language. So, I have reviewed the language and then we have this letter from Commissioner Dunlap. And I had an opportunity to review this while the debate was going on. And it clearly says in his letter that at this point, the County is not interested in pursuing these changes. It takes two to tango. So, why would we move forward when Commissioner Dunlap clearly says that the County is not interested? So, I understand the work that committee has done but if the County is not interested, I agree with Council member Egleston. Why would we tie up our resources doing this? Our constituents want us to work on other important things like transportation, housing, and public safety. I mean you know I don't feel comfortable us moving forward knowing that County is not on board at this point. So, that's where I'm at. thank you.

Mr. Winston said Mayor Lyles, can I respond to that?

Mayor Lyles said yes. Please.

Mr. Winston said Ms. Ajmera, I just would like to point out, in that letter that Mr. Dunlap, he was referring to, if you look at the above paragraphs, he was referring to three specific items that he thought we were recommending that we consolidate, which was not the case at all. So, his actual letter is not germane to the actual conversations that we're having nor was it germane to the actual action of the language that was voted out of committee, just to let you know that.

Ms. Ajmera said yeah, thank you for clarifying that. So, how did these three topics, yeah, how did they get decided? Like, was it discussed in the committee?

Mr. Winston said we did not decide on those three topics at all. Those are not the topics that were decided out of committee. They were part of notes that staff presented as we were kind of working through some things. We literally said, exactly, what Mr. Dunlap said, is that we don't want to be presumptuous in this process to say that here are three things that we want to do because that would be presumptuous on the County. So, I completely agree with his assertion. If that was in fact the truth. That wasn't the actual merits of our conversation or actions.

Ms. Ajmera said yeah, thank you for clarifying that. Yes, we don't want to go to County and say, here are the three things that we want to work on. Instead, we have to ask them what are things that we could potentially work on together. But certainly, I think as I stated earlier, there are already hurdles, especially with this letter. So, I think we do need to reconsider our next steps here. And maybe getting county commissioners on board before even taking this further. Clearly, he's very upset. He says timelines have been established by the committee, without any input from the County. And I didn't see any timeline in the report that you all presented. So, obviously, there is a gap there. That I think we need to bridge before Council takes another step forward to gain his trust and to gain County Commission's trust in this process.

Ms. Eiselt said to that point, I have a substitute motion that I would like to make. I don't remember exactly the three bullet points in the original presentation. But there were three bullet points that were suggested in the conversation. I mean, this letter, to me, which I just read quickly, follows what the original presentation was to the committee. And then the committee said let's back off of those three points. And in committee, I remember you saying, we didn't ask for three particular topics. I do remember that. Staff had suggested three topics. You all said, let's not do three. But if you had watched that, this basically takes that original presentation on those three points. So, that's all. Anybody who has a question about this, go back and watch the committee meeting. But what I would say is I agree with Ms. Ajmera. At this point, you know, I did vote on the ultimate language that says, let's just step back and do a broad look. The County Commission has been very clear about how they feel about this. And so, I would say that I would encourage the committee chairs to have those conversations with County Commissioners. And perhaps start with a topic. Like if you really want to go down this road and there's a topic that you feel like we could all benefit from, take the word consolidation out of there, right? Because that just is it's a trigger word, at this point. But I do think that there are some areas that, you know, over time, it just makes a heck of a lot of sense to look at, if this is the most efficient way to run both of our governments? So, my substitute motion would be that we don't vote on this language. And that the co-chairs go back and work with the County Commissioners and if you can get an agreement, then we move forward to pursue specific areas. Maybe just start with one. So, again, my substitute motion would be not to vote on this language, but to ask the co-chairs to proceed to work with our counterpart on that commission.

Mayor Lyles said we have a motion and a second on the substitute motion, so we will now proceed.

Substitute motion was made by Eiselt, seconded by Council member Ajmera, To have the Co-Chairs of our Intergovernmental Relations Committee go back and talk with other colleagues on the other board and to determine if there is any specific interest on any topics that they would like to pursue to see if there are benefits or efficiencies to be created through a functional consolidation of any particular area.

Mr. Bokhari said We have very important information that would probably change Mayor Pro Tem's mind. On that motion, if we were allowed to say it?

Ms. Eiselt said sure. Go.

Mr. Bokhari said Mayor pro tem, that's an excellent point, and that's exactly what Braxton and I have been doing. As we have mentioned earlier, we've actually convened, Braxton and myself, from an intergovernmental perspective, with Danna Fenton, paired with two County Commissioners, which included Mark Jerrell, and two school board members, and both of those two bodies brought their intergovernmental relations people together. Braxton has been working on this for a long time before that meeting. I came in then and we had a discussion. And we laid out exactly what we were going to do. And we found general agreement, certainly, not approval formal, because again it goes back to the problem with this approach, that it's existed for decades, which individual colleagues, council members, and commissioners can't do this. So, we've got the go-ahead nod and we all agreed that we need to achieve formal adoption and mandate with our bodies so we can get to work in that way. So, we thought that before we saw the chairman's e-mail we totally understand now, why his premise was and what he said because it wasn't the reality of what we had done. But at the end of the day, if we don't do this now, we're in the same chicken-egg conversation that's happened for decades and made this not move forward. We can go repeat the exact meeting we already had that you recommended and they say, yeah. But until we get it and hand them the blueprint, for them to do it at the County and the school to do it there, again, we can't get to the starting line. We have to get to the starting line, it's complicated, but that's probably why this has never succeeded before. So, this alternate motion right now, won't achieve anything, just like last month, as we were forced into writing the language, other than delay another month to do what we've already done.

Ms. Eiselt said well, I think that Mr. Bokhari, the key difference is, Mr. Dunlap wrote this letter as if he is speaking on behalf of all of the County Commissioners, and with all due respect, you know, if he doesn't agree and the County Manager doesn't agree, but the majority of the County Commissioners do agree, then that's different, right. So, if you've got a public statement that can be made in conjunction with County Commissioners, you know, then it's their job to talk to their board chair about it. But this letter would indicate that nobody on the County Commission is in favor of this. [inaudible].

Mr. Bokhari said so, that's why it's still out of the blue. No expectation.

Ms. Eiselt said that's why I would still stand with the substitute motion. Go ahead and go back to the ones that you spoke with, and if you can get them to state that, publicly, that, yes, they think it's worth taking a look at, then I think that it makes it more palatable for us instead of feeling like we're sort of being, you know, we're bullying them into something that none of them, and I don't have you know, like you said, if you have spoken with the County Commissioners, then this letter doesn't necessarily mean that all of the commissioners feel that way. And I think that's important.

Ms. Watlington said this may show up as a friendly amendment to your motion or it may just be a question. It would seem to me; that I feel like there's a couple of things going on. I definitely can appreciate the fact that there's been a lot of work already done and one or two commissioners don't speak of the full County Commission. I don't necessarily read the letter that says no one on the county commission agrees. It does seem there is some level of consensus, if you will, making the assumption that the chair spoke to the colleagues. I would ask because I think it's in the spirit of what you offered, Mayor Pro Tem, I think it's easier for people to wrap their minds around specific things when there's

a pain point associated with it. I'll go back to the data. Have we not gone to find out what it is specifically that could be characterized as a gap? Whether it's duplication in funding, whether it is quality of services to the taxpayer. We talk about other priorities that we could be working on, whether it's transportation, whether it's affordable housing or economic mobility. Where does the effect or impact of the consolidation show up as a win to the taxpayer? That to me may be the place where both organizations can then say, hey, this is a loss here. We know for instance that we have affordable housing issues because of, delays in permitting. Those are very much more specific items that people can go to. So, I would almost think even before the elected are engaged, that could be a staff analysis to say, where are the places that line up to our priorities?

Ms. Eiselt said that was the idea.

Mr. Winston said that's the language. That's the language that was adopted, Ms. Watlington.

Mr. Jones said so, Mayor and Council, that's what I believe staff tried to do, initially. Because even tonight, I've heard permitting, economic development, solid waste, medic. So, what staff was trying to do was try to find a few of those items that historically, are discussed. Not saying that this is it. So, even if Council let's say moves forward and asks the staff to provide some feedback to the committee, to the Council, I truly believe some of these that you've discussed tonight, three of the four, which was in that presentation, permitting, ED, solid waste and medic would potentially be some that come up. And I think the way it was explained at the committee was this historically, these are the items have that been discussed and looked at as a starting point. But as the chairs have said, that was crushed for lack of a better word, and said, no, let's start off with a broad canvas. And you may come back to this place, but can you start off with the broad canvas?

Ms. Watlington said Mayor Pro Tem, your substitute motion is to go back to the original approach of finding targeted places that are quantifiable gaps.

Ms. Eiselt said, however, that they want to handle it. If they have conversations with commissioners, then carry on with those conversations, and both bodies, say, either we want to take a broad look at this or we have specific areas that we have been talking about, that we think, you know, we would like to pursue. However, whatever the outcome is that the county can get their head around it and agree to do that. If they, can't we know that? I would prefer that instead of voting on this language as a body.

Ms. Watlington said I want to make sure I understand the motion that's on the floor. You're asking, then, separate and apart from the county, us the city, staff go in and pull the data?

Ms. Eiselt said no, I'm asking our co-chairs to go back and work with the county colleagues for an approach. If we're going to do this, let's have an approach, or that the result is the County Commissioners publicly say we don't want to do this.

Ms. Watlington said but what is this?

Ms. Eiselt said any conversation around is there an opportunity to find efficiencies through consolidation of some functions at all. Because the way I read this letter is that if the county is a monolithic group, right Mr. Dunlap is saying that the county doesn't want to do this.

Mr. Bokhari said Can I offer a friendly amendment, Mayor Pro Tem, that could get us there?

Ms. Eiselt said sure.

Mr. Bokhari said I think what you've said now actually resonates we me because our plan was to keep working forward but now, that we've had this conversation tonight, paired with whatever originated the Chairman's e-mail, to get to this point, clearly, we're at a new spot that we were not anticipating. So, perhaps your amendment, if it included the same

language that passed through committee, but also, included what you're saying because now if we go now that this is out there if we can't get them to buy in, there's no reason to waste time.

Ms. Eiselt said right.

Mr. Bokhari said but if we can go back to the people that we've talked to and do twofold. we need the initial analysis by staff which has historically been lacking for decades, which our language provides for a little bit of work internally inside our own shop paired with we need to go have conversations, repair the bridges that may be burned from this interaction, and see if they are still willing as they were in our last session, to do it. So, if you would be willing to do both of those, I think that it's and, not or. We have to achieve both by next month and if one is missing, then it's over, and this will be if final stand for consolidation discussions forever.

Mayor Lyles said I've heard a couple of things and what I heard was Ms. Watlington said, is it better to do a choice of a menu of specific items. I heard Mr. Bokhari saying that that might be workable but this is Mayor Pro Tem's motion. I would like for us to have Ms. Johnson speak. We've heard from a lot of people, next Ms. Johnson to speak and then, the Mayor Pro Tem can consider revising her motion to be consistent with Ms. Watlington or Mr. Bokhari's as that goes forward.

Ms. Johnson said I just want to express concern over the process. It's not the issue of consolidation but we know how hard it is to get things changed on Council. It takes six council members to agree on something to get something on the agenda. And then for it to go to Committee, and it to be shot down before there's even a recommendation made because of potential politics, it's concerning. I would have liked to have seen the to approve what the committee chairs recommended and then when they when the recommendation was made, then we vote on it as a whole Council, like we do all other issues. So, it is concerning as a Committee member, when you work really hard. I mean someone could say, why are we addressing the source of income discrimination? We know that landlords don't want that. But that didn't happen. So, the process was flushed out, so it is concerning that this is being suspended, you know, midway before recommendations are made before research is done, there might have been touch points where it would have been effective or efficient. But we are shooting this recommendation down before it's even researched because of something that happened. Because of what we think that the perception might be. And with all due respect to the Commissioner Chair, it's not about this suggestion. It's the process, I think we should let the process work itself out the way that we do. That the Committees research things because that's what they do. That's where the work is getting done and they bring the full suggestion to Council for us to decide yes or no but to vote on something before the recommendation is complete is just concerning and it seems like a change in the process from the way that we normally do things.

Mr. Graham said so, the public policies sometimes goes into a slow cooker, right? There's no microwave solution to solving what we're trying to talk about, right? It won't happen in 30 days, right? It won't happen in 60 days, it won't happen in 90 days, even as simplistic as we think it is, there's a lot of moving parts. I'm still searching in my mind in terms of what directive this Council gives the Committee. That's where I'm, to do anything. Let alone outreach in a formal way to the County Commission, right? So, when you talk about process, Ms. Johnson, I go back, not with the delivered, but what did we instruct the committee to do? And the last meeting we had was a Council briefing. And we talked about it for the first time and we had a lot of conversation around the dais about what needed to happen. And I even throughout, again, the terminology of a quiet campaign, right. I.E., a lot of informal conversations that needed to happen amongst both members of both bodies, because people can talk to anybody, they want to talk to about any subject they want to talk to, even consolidation. But it is also important that the heads of the governments talk, too, i.e., the Mayor, and the Chairman. and the Chairman and the County Manager and the City Manager because there's intentional and unintentional impact based on what we're talking about, right? And so, I'm just a little concerned that we're way out there in the deep waters, and we don't have a paddle, Right? Because

we're just kind of thinking that, you know, this is a good thing to do and again, I preface my statements that I would want to go full steam ahead on a broader issue, right? Understanding that the support is not there. I'm politically astute to know that the support is not there on the county to do consolidation. And I'm not sure that the support is there to even do some of the functional stuff that we're talking about. And two members of the Council or two members of the school board and two members of the County Commission, when they get together, it's an opinion. When four or five members of the City Council get together, it's a discussion. And six is policy. And we're still at two. And I'm not sure whether or not we've given the committee a charge other than to come back with some language in an informal way, nothing really formal, to say, okay, yeah, we've got some interest, bring us something back that we can react to. Not to bring it back and talk to other members in a formal way. And I think that Ed makes a really important point and Mr. Bokhari and Mr. Winston, it was a public meeting, right? So, I'm pretty sure they heard that the City Council is talking about consolidation in the Intergovernmental Relations Committee, and Chairman Dunlap, who I know, is not a fan of the topic. [laughter] right. Heard about it. And responded. On behalf of his board. And that's why I said at the last meeting, it's the leadership has to kind of say, yeah, this is something that we want to do, and if it's six of us directing the Manager to do something, that's one thing. If five of the County Commissioners direct Dena to do something, that's something. But I'm not sure that they have five and we have six to do anything. Other than explore. To explore. Right. And I thought that's what we were going to do. Just kind of throw out our fishing rod in the water to kind of see if we caught something. Sometimes you get nothing.

Ms. Eiselt said that's the idea with the substitute motion. I think the idea was to explore. And with all due respect to our beloved City Manager, and the County Manager, we as an elected body do have the right to explore things that maybe the leadership didn't propose.

Mr. Graham said six of us, yes.

Ms. Eiselt said six of us exactly, but it has to start somewhere and I do very strongly believe that we are the elected representatives. So, if two people start an idea, and you can get more on board, then, okay, right. You know, it doesn't always have to come from the top-down. I think we're used to it coming from the top-down, which is part of the problem with the four-year terms, two-year terms, I'll put my plugin.

Mr. Graham said but my point was it needs to come from the bottom up and I'm not sure if that's happened.

Ms. Eiselt said I think it did, whether you don't agree with the approach or not, two people talking to two people on the school board and two people on the county commission, is a start, right?

Mr. Graham said it's an informal conversation, it's an informal conversation.

Ms. Eiselt said it's an informal conversation.

Mr. Graham said yes.

Ms. Eiselt said and this attempt was actually to back away from three specific points and from my recollection in the meeting, it was to say, well, wait, wait, wait, we're not saying we want to do this, this, or that. It was just to continue to explore it in very broad terms and from what I'm hearing, is that you know, I think what you're saying, Ms. Watlington is you can't just explore it, you have to have a few things to chew on, right, that staff has to do a little bit of work on. That to me is very different than let's put together a whole plan and tell County Commissioner we're going to do that because no one would support that and that's not the way to do it.

Mr. Graham said I think the waters really [inaudible] right now.

Mayor Lyles said I'm going to ask the clerk to read back the Mayor Pro Tem substitute motion, please.

Ms. Eiselt said I can restate it if you want me to.

Mayor Lyles said would you be Mayor Pro Tem?

Ms. Eiselt said sure. I would say that the substitute motion would be to have our co-chairs of the intergovernmental committee go back and talk with other colleagues on the other board, and to determine if there is a specific interest of any topics that they would like to pursue, to see if there are benefits or efficiencies to be created through a functional consolidation of any particular area.

Did everyone hear the motion?

Ms. Eiselt said this isn't the language, don't worry about that, but my intention for having that substitute motion is not to vote on this language but just to leave that language, [inaudible]. Right now, it's just basically sending it back to the drawing board.

Mr. Phipps said so, when you say go back to the other colleagues, are we talking about because I'm confused as to whether or not this that the county had a similar discussion in their Intergovernmental Relations Committee, or not? So, are we saying to go back to the colleagues, two or three people that you talked to before, or do we need more of a consensus?

Mr. Bokhari said I can address the first part of that and Julie will have to address the second. The first part is we've had conversations with the two. So, if this passed, Braxton and I would go back and have those exact same conversations, but obviously now under a scenario that we have this conversation in public, and see are you guys still on board for that? And ultimately, what we need to do, you know, the whole premise was exactly what we're doing right now is so hard and it's never been done, they said, well, if you guys are successful and get the mandate there, then we'll kind of be able to point to that and do the same thing so we can get it into our intergovernmental body and so on and so forth. So, ultimately the starting line is when all three bodies have a mandate. Not to do any specific thing, not to have any outcome preordained, but to say we're at the starting line, and every committee, now, is able to start working. And maybe committees aren't the best way intend to do this, just the failure in the past has always been because there's been no mandate, no staff support, and no top-down buy-in. So, this gets us there and nothing else beyond that.

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

Mayor Lyles said I want to say, just a few things. We have had successful consolidations, and they took time and effort and lots of conversations. The last two were CMPD. It used to be Charlotte Police Department and now, it's Charlotte-Mecklenburg Police Department. And one that was really, really important, was the Parks And Recreation. So, to say that this has never happened before is something that I think we need to learn from and say, what is really out there is truth and to look at some of those processes. I believe time changes things, too, and people do things differently. When I was in the private sector doing consulting, we had a saying that said that if you want a great result you have to have a good process, good data, and the right people in the right room. I would ask you, this process that we're talking about today, if we want a great result, we ought to look. Do we have a good process? Do we have good data? And do we have the right people in the room? I think we have fallen short in this conversation in achieving all of those three things that make this work and be possible.

I also want to say to our citizens that are watching to those elected officials and boards and towns, school board members, elected officials that are watching, and our residents that this is what it feels like when we have a passionate decision to make or decision that we make that we feel passionate about and I would hope that in the shortness of some of our conversation that you look at it as something that we really want to work toward and try to achieve. There is no boogie man out here that is doing something behind anybody's back. It's just that when we're doing this kind of real public work it makes a

difference to how we approach it. To all of us, let's figure out in the next couple of days as the two people that have taken on the responsibility for this work that we make sure that we continually communicate with them so that we're all trying to get to a place that we can achieve something successfully and duplicate what we did in the past. Consolidate the police, consolidate the parks. What's the next big thing? Thank you very much.

### **Safe Communities Committee Update**

Mr. Egleston said to the community safety committee, you guys have got the report. I'm not going to read it all to you given the time. We have continued to work on Vision Zero. We talked in the last meeting about the thresholds and the petition process on some of our neighborhood traffic calming strategies and tools that we have for folks. There's a suggested policy change that we will be hopefully voting out of our committee at our April 5th meeting, which is our next meeting that would remove the petition requirement and make these things neighborhood request based and implement an opposition-only policy to request for people and neighborhoods to have things like traffic circles, four-way stops, speed bumps, and other tools that we have in our toolbox to make our streets safer. So, we also are expecting previously discussed tonight. At the April meeting, the Council will be sending us some of the city ordinances that were previously discussed tonight that might be pulled out of vote later this month by council members who want to have a deeper discussion on those particular issues. So, we anticipate some of those coming before us as well. But I can leave it there?

**Councilmember Newton** said I just wanted to briefly comment on the Vision Zero conversation. I'm very supportive of the proposed changes. Having said that, I want to plant a seed as well particularly as it pertains to multiway stops. The eligibility requirements for multiway stops and speed humps are essentially the same. I think that's worth us taking a deeper dive on the eligibility requirements for multiway stops. The reason why I say that is because I can see scenarios, I know what exists where communities and neighborhoods don't qualify for speed humps but the streets are still dangerous and possibly appropriate for traffic-calming above and beyond simply speed limit reductions. So, from the standpoint that maybe we can look at a scenario where multiway stop eligibility requirements are slightly relaxed, I think that makes the city as a whole safer.

Mayor Lyles said I think that we got a couple of constituent letters about that, Mr. Newton. I think that Ms. Babson said that she would be looking into that as well. I think this is an overall review, Mr. Egleston around our Vision Zero. So, it's in the queue.

Ms. Ajmera said thank you for providing a report on those measures. How is the traffic enforcement coming along to address reckless driving and drag racing on our streets? I know a lot of constituents have written to us about that. I would like for to us get an update on that.

Mr. Egleston said Ms. Ajmera, we did. Trying to recall the timing. That might have been at the meeting before last but we did get an update from CMPD as well on some of the efforts that they've done in two corridors that you and Mr. Newton are familiar with as am I. The Independence Boulevard corridor and the Plaza, which are two areas again, and as we have done all along, all of these decisions are being may on data and not anecdotal evidence. But we want to know where statistically we have the most challenges in our community and we want to address the problems there, first and foremost. So, there have been some initial efforts by CMPD. Those will continue and they will move around as needed throughout our city. But a section of Independence Boulevard and the section of the Plaza were the first two places where we had a big focus on nabbing folks who are driving recklessly and excessively speeding. Thank you.

Ms. Eiselt said I will make this brief as well. We have three updates on our February 14th meeting. The first one, John Lewis, CEO of CATS gave us some updates on Envision My Ride which had three key recommendations to improve bus service which was structural, frequency, and reliability. Structural being, as you know, moving from the hub and spoke



to them to more of an efficient grid system. Mr. Lewis emphasized that we really needed investment in our bus system to be able to fully do that because that involves new vehicles, more operators, mechanics, and so on to be able to get there with structural improvements and reliability as well. So, structural frequency and reliability are the three key areas for Envision My Ride. He referenced the CATS pass app, which was launched in August 2021 and has 31,000 users. Still trying to get detailed information about whether that real-time app actually does have GPS locations on the bus. So, that we know if it's actually real-time and gives us the right information in terms of where that bus is and when it's coming. The UDO staff provided comments on the UDO on the first draft. We can still receive comments on the UDO through mid-March. The second draft will be released in May and then there's a public hearing on the second draft which sometime in June with the goal of the Council adopting it in July.

People can see the comments. There have been over 700 comments on the first draft and everybody can see those comments on the website. Each specific comment is reviewed and commented on and then posted back on a rolling basis. There were some public meetings, opportunities for the public to weigh in on issues of the UDO, and the top areas that there were comments received on and opportunities to talk about were short-term rentals, heritage trees, and neighborhood-1 zoning district regarding allowing for single-family housing and parking. I'm sorry, parking minimums, maximum.

And then the third area was the Strategic Mobility Plan and an update on the Strategic Mobility Plan and how it will be applied in the land development process. We specifically talked about the streets maps which is a vision for all of the arterial streets and the relationship there is between the streets map and the UDO because that's pretty important. The streets map defines the dimensions of the street cross-section including things like the number and the width of lanes but also things like shared use space, pads, planting strips, and sidewalks, and depending on the zoning category and the particular street type it also defines the setbacks and the street frontage that are to be established. So, the UDO and the street map inform development, land use, and character that support the mobility expectations of the UDO that are needed to support further growth.

Mr. Winston said that was a great report, Mayor Pro Tem. It was just one point that Mr. Lewis made during that tap committee and something I think I mentioned since, but he made it very clear. If we want to improve our bus system, we have to invest in drivers and mechanics.

Ms. Eiselt said Yep.

Mr. Winston said and that is something we on Council can do. There's not some confusing puzzle that we have to figure out. This is dollars and cents and I know drivers; bus drivers have definitely been on the front of our minds as of late. And what this Council can do is very clear from that TAP (Transportation Action Plan) committee meeting. It's to invest in our drivers and our mechanics to increase the dependability of our bus system. Thank you.

Ms. Eiselt said yep. Thank you. We got to continue to beat that drum for sure because it is about operating costs, but the investment is, to your point, about mechanics, drivers, and buses. And we're talking to really fulfill the goals of the Envision My Ride. That's like \$100 million in just capital requirements to get down to that 15-minute headway. So, it's hard to do it incrementally. We can't get there incrementally and I think that's the point you're trying to make, too, Mr. Winston.

Ms. Ajmera said on the CATS update, are we going to get any recommendations on investments in our people or is that going to be part of the budget discussion?

Mr. Jones said the overall investment would be a part of the budget and discussion. However, I know Mr. Lewis is going to give the Council updates about where we are in terms of operations well before that time.

Ms. Ajmera said got it. So, we are prepared for the budget discussion because it is very timely especially now because reliability has become an issue. Obviously, safety is an issue for our bus drivers and we got to get a handle on that before we ask our residents for more money for our bond referendum.

Second, on the UDO My question is on the 2040 policy map. Has there been any conversation about the timeline? I know we have gotten a few emails from neighborhood leaders about providing additional time for feedback. So, has there been any communication on that to give them additional time?

Mr. Jones said and that will be the next presentation, the detail. Yes.

\* \* \* \* \*

#### ITEM NO. 4: CHARLOTTE FUTURE 2040 POLICY MAP UPDATE

**Alyson Craig, Deputy Director Planning, Zoning & Development Department** said good evening. Mayor, Manager, and members of the City Council. Thank you for the opportunity to be here tonight to talk about the 2040 Policy Map. As you are aware, we've had three drafts of the map out. The first was released on October 13th. The second on January 18th, and the third on February 21st. Our schedule currently requests the adoption of the map on March 28th. Our presentation tonight focuses on some of the comments that we've received since the third draft of the map was released. They're not site-specific in nature. Some comments were raised at the public comment session that was held on February 28th and also, in dialogue with staff and Council. I can put the comments that we have heard in three buckets. There are some that are saying that there's been great improvements in the policy map over the three drafts and they appreciate the work and effort made by staff at this point, but really know what they want to understand is what's the bigger picture. What happens after the map is adopted? Does the rezoning process change? What happens with the UDO? What does community area planning look like, and what do the future alignment rezonings look like after the UDO is adopted? Alysia is here to put these pieces together and Dave is joining us here tonight to talk about how the rezoning process could change after the map is adopted.

The second category of comments that we've heard thus far have been about whether or not there's been an adequate engagement. Once the map is adopted, will there be an opportunity to provide changes? There are 281,000 parcels in the city of Charlotte and while we've had staff teams working on this for months and we've had numerous engagement opportunities, there still is potential for there to be some inconsistencies in the map. So, it's really in the community area planning process that begins once the map is adopted where we have an opportunity to zoom into those granular details. So, in Alysia's presentation, she's going to describe the community area planning process as well as a map amendment process that can be identified at any time by the community or by staff.

So, finally, the third bucket of comments that we've heard so far is questions around intensity and whether the map is putting enough density in place to support our growth. So, we began the policy map process with modeling to understand what kind and how much growth is coming to Charlotte. Looking at housing and jobs and what is expected here. So, the map is intended to be a geographic allocation of that growth. So, Alysia going to bring back some of those early discussions so that Council and the public understand how these growth allocations influence where the map is today.

**Alysia Osborne, Planning Division Manager** said you can advance to the next slide. I think you guys know how these things all connect. We had a little bit of conversation about why this map is important. We talked about that in our previous presentations about it being the first step in implementing the comprehensive plan. It being the map to place to map these place-based policies from the comprehensive plan. Then also it also being a map that provides or uses a new land use classification tool called place types. Using a new place type designation or new classification tool called place type. But tonight, I want to shift a little bit and talk about why this map can't wait. The map is equity in action. The equitable growth framework you adopted in the Charlotte Future 2040 Comprehensive

Plan provides us metrics in measuring how we meet our areas of greatest needs and opportunities within our community. It actually looks at where there are gaps in access to housing, jobs, goods, and services and how a place type designation can address that need or gap in need or opportunity. The map will modernize our land use policies for our entire city at one time and provide updated guidance for parts of our community that hasn't seen land use plans in almost 20 years since the 1990s. So, it will do that all at once. What this map will also do is serve as the framework for the Unified Development Ordinance and future community area planning which we'll talk about a little bit later. Think of the map as the foundation, the policy map as the frame of the house and then the UDO as the details of the floor plan, and the community area plan process as a process to refine the details of the policy map to identify investments and to keep and grow the value within our city. Essentially the 2040 policy map is very critical in moving forward and establishing policy and development standards for our community.

We've also talked about the three-step process for creating the map. On this slide, you see the inputs that were established or used within the first, second, and third steps of the process. What I want to call your attention to is the equitable growth framework. Again, it's how a change in the policy designation or place type can address the need and opportunity as we grow. There's a citywide approach to mapping the place types that was equitable. We wanted to make sure that if we applied the place type in one part of our community that in a different part it was applied in a similar fashion. We also use our planner's knowledge, talking to our colleagues and others who have planning initiatives like Corridors Of Opportunity, our Silver Line team, and others who are planning in our organization to make sure that we align with those recommendations as well. We also use market support and feasibility analysis. That helped us to ground or make sure that our recommendations were rooted in reality. Although a snapshot in time, it is kind of a check in our recommendations to make sure that they're real and Alyson mentioned our growth projection and allocations for the city. I will talk about that in the next slide.

So, for Charlotte-Mecklenburg, we have a growth allocation number from our regional growth model that says Charlotte will grow by 144,000 households and bring these many on the slide 193 or around about new jobs in that community. The purpose of the policy map is to say what types of land uses are needed; can we assign those growth projections? So, what you see here is a grouping of place types in terms of activity centers, workplace types, and live place types. So, it shows where the growth allocations are for our region and how the place types respond to that. So, the next step in the process was to take those numbers and use some software called community viz to test those designations to make sure that our place type designations not only meet the growth allocations for our city, but also the goals and the visions that is outlined within the comprehensive plan as well. So, it's quite the balancing act. The question we've gotten from a lot of residents is about how can we, can we change the color of my parcel from N1 to N2. Some of those were revisions, quite frankly, are easy to make and then there is others that are harder to make because it's a more data-driven process. So, it's a combination of data, our growth allocations, hearing from the community in terms of their knowledge about what's happening in their neighborhoods, and also listening to it our partners who are also planning as well. So, it's quite the balancing act to produce that map.

So, how will the policy map be used? So, in the next series of slides, we will talk about that. We're scheduled for tentative adoption on March 28th, the end of this month. But looking at the map becoming effective three months later that gives staff some time to address some policy changes internally, and some of our processes, but what it will do is retire our current land use tool. I think just in conversation with some of our residents they had no idea there was a current land use tool. That was the adopted future land use map. The issue with it and I'm sure you guys are aware is that, is that a lot of the policy within that map is 20 years old and so were our policy map if adopted on the 28th will do is update that policy. It will also be used to help us make rezoning decisions and capital decisions and Dave will talk about the rezoning process a little bit later. But what it really does in the future is it establishes the foundation for us to continue our planning. Planning doesn't stop. So, we will monitor and track this map and the decisions that are made around it to produce an annual report and implementation dashboard that will be public

facing so people can hold us accountable. Also, look for use, the decisions that are made around the policy map to decide whether we need refinements or update the comp plan or just updates to the policy map as well and I will talk about that a little bit later. Also, it helps us begin our community area planning process which the community is very eager to start and we [inaudible] to talk about to begin this fall.

So, here are the types of changes or how changes will be made to the map or what we're thinking about. So, there's two types of ways that it can happen. A policy change is purely something that comes out of a community area planning process. Where we recognize that there's some inconsistency between what the neighborhoods' vision is and how it connects to the vision of a comp plan and so that can be a change recommendation. And then our annual inconsistency reports. That's where we'll keep up with the decision that are made around the policy map as well as any inconsistencies that may be identified by residents or partners. Those are the types of policy changes, and then the other way the map can be changed is through a regulatory process which is our rezoning. I'll dive into that in the next slide. So, we wanted to break it down into minor/major changes cause we know all changes are decisions around the policy map aren't the same. So, a minor change in the policy map would be identified by staff. And then of course comes before this body just like any other amendment to a policy would come before this body for a decision.

And then what we're looking at is to do those types of changes biannually. The reason we're thinking biannually initially is that we want to have time to track trends. Are those inconsistencies or changes that are being recommended part of something larger that we need to address citywide or are they specific to a certain area? So, the recommendation would be to do that biannually. And then another way that a change can be made is by staff or a partner. Like, say, for instance, the county or some of our other MSDs who lead planning processes as well or a specific strategic plan like the playbooks within our corridors of opportunity work. Just those recommendations can be a part of a policy change decision. And we're thinking that can be done bi-annually as well. Then to the regulatory changes, it can happen through the request for rezoning. So, we're thinking and Dave will get into the details of how that will happen, but as part of the rezoning process, the policy map change can be done if approved by Council as well. That goes for the same, a big change or minor change.

So, here are the level amendments. A minor change really means if it's something that is consistent with the recommended place type adjacencies. There's guidance within the comprehensive plan that says these types of place types are recommended to be next to each other to create a comprehensive place, and if the change implements the goal within the comprehensive plan. The major change would be if the amendment is inconsistent with the place type adjacency. Say there is a recommendation for M&L next to residential. And a request for an amendment or if it does not implement the goal of the comprehensive plan. Those would be amendments that we would look at to have more discussion around because we're not only changing what is recommended within our adoptive policies and guidelines but require something that needs a broader discussion for an amendment process. I turn it in today to point out some of the changes or considerations for policy for the rezoning process.

**David Pettine, Planning** said as a lot of you know, we will be using this map for what we see every third Monday of the month on rezoning nights. The policy map will serve as the foundation for our staff recommendation and for us to evaluate the rezoning requests that come in. So, in order for us to implement this in a consistent manner, you know we are looking at a rezoning policy that we are going to use as an interim policy as we continue to work into the area plan. While we are going through that process and just [inaudible] provide us more of a consistent approach to implement the policy map as well as the goals of the 2040 plan. So, some of those things that we are considering in the policy will include tools for evaluating inconsistencies between requested rezonings and the place type identified on the map. For example, as Alysia alluded to if somebody wants to come in and the place type is a residential place type on the map but they want to go to an activity center or commercial place type, you know, we'll take some of those tools that are already embedded in the 2040 plan and use those as a basis for evaluating that request

and evaluating whether or not that would fall into the two categories that we talked about. That minor category or a major amendment to the policy map. The way we're kind of looking at those currently and again, this is something we're continuing to work through and refine a bit as we get close to adoption here. You know, minor amendments as we mentioned earlier will be made through the standard rezoning process. Those will be things that we want to see that aren't a very large change to what that place type would be. If it's residential to another residential type of change. You know, we probably would consider that minor and do that through the standard rezoning process where we if that rezoning got approved and then the map gets approved concurrently and automatically as a result of that action. But if we see some of those major amendments where we've got, let's say, a residential piece going to something that's non-residential like manufacturing and logistics or commercial, you know do we need a separate map amendment process that runs concurrently for to us better evaluate what for us to better evaluate on the change of surrounding land use, how it interacts with other place types on the map and get a better understanding, like I said, of us before we make that recommendation and before we do it in that process of a Council potential adoption of that rezoning petition that would then change the map. So, just trying to get as much information to make informed decisions as we have the larger, more significant changes from one place type to another. That's where I think we will start to get into having that understanding and you'll see that during that implementation once the policy map becomes effective, and we start using that for our rezoning analysis, so.

Ms. Osborne said now shift a little bit to talk about what happens after the policy map gets adopted, kind of big picture, some of the next steps. so, this slide shows a tentative schedule. Seems like from now until the next two, or three years. We're envisioning having the policy map and the ordinance adopted this spring and summer. We will produce a summer as well, a comprehensive plan annual report. That's our tracking and monitoring mechanism and we will provide that to this body as well as the community and the public. Also, we want to launch or relaunch our community planning academy. With a lot of the progress, we've made and the platforms that we created for community engagement, we want to make sure that we leverage that and provide more opportunities for people to be planners year-round and not just when we have a major initiative happening. We also want to create a community area planning tool kit. So, neighborhoods can be their own advocates and begin to prepare themselves for when we get to them for a community area plan. And then we'll start the community area planning process in the fall and the winter. Along with the alignment for the rezoning once the UDO is adopted.

So, here's a slide that is a page taken straight from the comprehensive plan that shows our planning approach for moving forward. The four tiers, the comprehensive plan is kind of that overarching, broad vision, our north star and we have the second phase which is our more citywide, countywide plans around like the playbook, our SEAP Plan, our Strategic Mobility Plan, and then the third bucket or third level of planning that we want to start this fall is our community area planning, which helps to provide the more granular, detailed look at parcels and investments in supporting the vision for the neighborhoods and the entire city.

In deciding where and how we approach; we have key prioritization criteria laid out within the comprehensive plan. It essentially helps us decide on where we focus first. We know we have 15 planning geographies that were established in the comprehensive planning process, the reuse map, the place types, and engagement, and we can manage the process and focus directly on some areas and collections of neighborhoods. We want to use that same structure moving forward with the community area planning process. So, here are some of the metrics that we want to use and establish which areas go first. We want to do them in groups for sure. Not just one planning area but maybe three, four, or five if we can. Right in the direction of population and employment change. Access to amenities, goods, and services using our equitable growth framework to help us to decide on what areas we need to focus on first. Also looking at major public infrastructure investments, where are those happening, and do we need to prioritize those areas based on the information and investment that we know is coming? Also, that's not here but also a consideration is the recommendations from our three committees, the NEST (Nuisance Enforcement Strategy) Committee, our equitable Development Committee, and our

Community Benefits Task Force. What are those groups telling us about the importance of staying in place, providing equitable investments, and also how the community can be more engaged in the development of their vision as well as development happens? This is a snapshot of some of the criteria we will use for community area planning.

Here are some of the key elements of an area plan. I know we haven't done them in a while but project initiation is very important. It's the preplanning phase where we take some time and really dive into some data to help us decide where we should focus first. Looking at the boundaries in more detail and developing the community engagement strategy, developing our area planning teams, our interdepartmental and interagency teams to make sure that we are leveraging resources as well as planning opportunities. Then the next four parts of it are what we do a lot of the time in our planning initiatives establish the vision and goals and look at the place type. Really refining those on a granular level. You have been receiving emails about a parcel and two or three parcels and this is the process where we will focus on that more to make sure we are being very intentional about looking at the block, what's surrounding it, and what kind of opportunities we can provide on an on a more granular level. Then not only the place type but what are the investments around infrastructure to help us achieve that vision within that place type? So, those are the key elements of a community area plan.

So, here is our adoption schedule moving forward. What's important between the last map that was released on the 21st? We have been really listening to the community. having one-on-one listening sessions with individuals and groups of neighborhoods or whomever wants to attend those. So, folks are signing up and really taking advantage of that opportunity. It's not just us listening but it's dialogue, back and forth about what the recommendation is for their interests area, and what the map says about it. How we got there, and what they can expect for revision if a revision is made at all at this point in the process. It's a very transparent conversation. I know we received a lot of emails about those, but in most of the emails that you have gotten, folks have signed up for one-on-one conversations to have with us. If not the same day or within the week. So, we have those on Tuesdays and Thursdays between 2:00 and 4:00. If that doesn't work for some people, we make accommodations to make sure that they are heard throughout the process. We then are going to the planning commission next week and the planning committee to discuss this process as well as the recommended revisions to the map, what those changes are and if we're not changing some things based on a comment, why aren't we changing it and if that is something that will be addressed through the committee area planning process. So, we'll take those comments and then bring this body a map, as well as the planning committee, a map that shows what the recommended changes to the map will be for the final draft. There will be parcels or areas identified and an accompanying table that explains what the revision might be and why the change was made or why not. So, that information is available to you all. You also have in your briefing books that we have been sending out every two weeks. The last one was sent to you all on the 25th that has all the comments we have received throughout this process by phases. This last phase of comments are also in your briefing book. It shows what changes were made based on the last draft and if there were any changes that we're thinking may or may not be made. This week, in your packet, you will receive a one-page kind of key information or highlights for your district that shows what comments were made, what category each comment fall in terms of parcel-specific or something bigger than that, and also the percentage of place types within your districts so how much of your district is Neighborhood-1, Neighborhood-2 and so forth for the rest of the place types. So, you'll receive that one-pager this week in your communications. With that, I will pause for any questions or concerns.

**Councilmember Driggs** said Alysia, thank you. A lot of what you've just told us is responsive to questions I was asking about how we adjudicate those things. I have to confess, I'm still a little overwhelmed in terms of trying to figure out step by step at each point in time where we're going to be. I will give you some examples. So, at what point in time do the area plans that we have now have no further effect? And I ask that because on one hand, we've got place types and Mr. Pettine just said that we would refer to place types as we process, but on the other hand, we do intend to create new area plans. So, at what point in time are we no longer referring at all to area plans, the existing ones?

Ms. Osborne said so, the map of the current area plans and policy map will be retired three months after the adoption of this map. So, July.

Mr. Driggs said but at that point, we won't yet have new area plans because those are going [inaudible].

Ms. Osborne said in the Fall. We start those in the Fall.

Mr. Driggs said right. So, now here I am in July and I've got a rezoning, what will be the kind of reference?

Ms. Osborne said the policy map will be the map that you will use and the considerations that Dave talked about if there are any inconsistencies between now and when we start the area plans. Because what we do know is that there are some very site-specific issues that this larger, citywide map and initiative may not take into account, but Dave's creating an interim policy between when we finish our updated community area plans and when the policy map is adopted that will help us to make sure that your decisions are consistent with the goals within the comprehensive plan if that makes sense.

Mr. Driggs said right. I hope that does happen like that. But in any case, three months from the scheduled adoption date or the actual adoption date, and for those three months, any petition that we consider will still be looked at by staff through the lens of the existing area plans.

Ms. Osborne said yes.

Mr. Driggs said right? Because people who are preparing to submit need to know what they're being required to abide by.

Ms. Osborne said yeah.

Mr. Driggs said but we know, as you pointed out, that in many cases, that's actually irrelevant because that plan, I mean, half of our rezoning are inconsistent at this point, right. So, okay. Then let's assume I've got an R-8 right now. At what point in time, for how long can I develop R-8 by right at that location?

Mr. Pettine said that R-8 will be in place until we have UDO adoption, and we have new zoning districts and those zoning districts translate from R-8 to whatever that would translate to in that crosswalk then. But until then, you would have the R-8 zoning district in place until we adopt the UDO and do any translation zonings and then if there's any other rezonings needed as a result of that. But currently, until all that changes, we won't have new zoning districts until the new UDO gets adopted. So, this would still be a place type.

Mr. Driggs said exactly. So, we have to adopt the UDO and then we have to go through the step that we did for TOD (Transit Oriented Development), basically taking every parcel and giving it a new name, right? A new category. In the meantime, the development will continue to occur as indicated by the existing zoning categories. I'm a little concerned in the midst of all of this about how long it's going to take somebody that wants to develop a location to kind of get through our process. Do we have confidence that we can be timely in terms of dealing with petitions?

Mr. Pettine said yeah. So, in terms of dealing with petitions, I think we'll continue to plug along as we have. I don't think we'll see a lot of slowdowns or necessarily an impact to those. I think the rezoning side will get a little bit sticky when we start having new zoning districts and we have petitions that were submitted prior to that. But as far as by right development goes, you know, that's going to continue to plug along. That translation zoning that will happen after the UDO is adopted and becomes effective, it's a little bit different than the TOD alignment which is a mass rezoning. The translation is taking existing districts that we have now like the R-8 and taking it to a district that translates directly to it in the UDO. So, that shouldn't be real hiccups in that right process and there

shouldn't be significant hick-up in the rezoning process either. It's understanding if we have a petition that's submitted, let's say in October later in the Fall this year, and then we know the UDO effective date, let's just say January one just for easy reference, we will have to make sure that the zoning district they're applying for and would be approved is aligned with what the UDO is in place. So, there shouldn't be any real gap. It's just going to be a matter of getting things caught up and getting things to translate to the right district name from current zoning to UDO zoning.

Mr. Driggs said Mr. Pettine, you know more about this than I do and I would suggest you're very brave. I see a huge amount of work here. And I just hope that we're not going to slow down the whole process because when it takes us longer to deal with a petition that translates into making Charlotte more expensive and less competitive. So, we want to try and ensure that this is an environment that is friendly to investment and job creation. I guess the last thing I will say is, we will discover as we go forward and you know, my attitude is let's adopt the map. You know, let's adopt the UDO, but I think we're going to discover that there are a lot of situations that we need to kind of deal with because it was impossible to plan for everything. So, I like the fact that you explained to us how some of that will be handled. But I just hope that we are also going to have some flexibility. And by the way, I should know. I was very encouraged by the fact that some representatives of the developer community told me that they were quite satisfied with the map and that they saw based on their own review of their properties, more than 90% kind of acceptability if you will. So, we're on target. We're doing okay, but 10% of all those parcels is still a lot of parcels you know. So, we need to deal with that and I think you described how we're going to deal with that. We're going to see if a policy change is indicated or whether we just change a few words. But I guess I just want to emphasize it's not really a question that we've got to make sure that the store is open while we're redecorating. Thank you.

**Councilmember Phipps** said while it's encouraging to see the developers pretty much are in agreement with the mapping, we have some constituents that are not so pleased and are calling for a delay in the vote. So, I forwarded you an email last week from one such constituent that was concerned that the outreach might not be as even as it needs to be. So, I was wondering, I had proposed the question, have you all done any kind of metrics to assess how the outreach has been going to certain communities? This constituent is complaining that the outreach seems to be more focused on connected communities, maybe not so much on those communities that are still very much trying to understand this process. So, has there been any kind of metrics or an evaluation done as to how we're penetrating the community in certain areas to determine that we have received the requisite amount of an appropriate amount of penetration in terms of connectedness to the certain community as compared to one another?

Ms. Osborne said yes. I would say to that comment, Mr. Phipps, and thank you for the question, I think that our primary goal is to make sure that everyone, no matter who they are, or where they are has access to the information. And so, we meet people where they are and by doing that, we have used the same platforms that we used during the comp planning process. That is, providing those one-on-one conversations, using next door, using our neighborhood leaders. I think the email you received was from one of the neighborhood leaders that we've been working with as well as had a conversation with them later that Thursday. And also providing hard copies of the map and ways that people can participate if they're not connected to the internet. The way they learn about it is through next door, word of mouth. It's just kind of organic in how things have happened and certain parts of the community. What I will say is that I think that particular comment was related to how there seemed to be a lot of comments in one part of town and not so much in the other. And what I will say is that we have worked more closely with folks in the wedge area to make sure that we're adding those areas of opportunity. I won't say that they're completely satisfied with the map. But I do know that the foundation is being set to get to the community area planning process where they really want to roll their sleeves up and get into the conversations about investments, about jobs and households, like how, do we provide and meet their needs and it's hard to guarantee that in this large of an initiative. But what it does is set the foundation for future work and conversations for community area planning, which I know a lot of our residents on the west side,



northwest and southwest, and the east side are really interested in having those more granular conversations. This is the foundation. We talked about the comp plan being a living document. This is where we start to make that real and say, it's not going to be 100% perfect. It gets us to a point where we have a solid foundation, but there will be iteration planning continues, and we'll start to have those more intimate conversations that I think people are really, really wanting to have.

Mr. Phipps said thank you. That's encouraging. So, my next question is directed to Mr. Pettine. And Mr. Pettine, you described the zoning process and change as minor and major and you said that the administrative process will be accompanied by like a consent item that Council would have to approve, which is encouraging. But I want to know, in those instances where you might because in a lot of ways even when we worked with other high-profile changes like the TOD, it seems like when we get petitions coming before us, we get the phrase like, you know, if it is inconsistent, we get the phrase that it's reasonable and in the public interest. Are we going to get rid of that phrase? I mean, is that phrase going to be a thing of the past? Or is that going to be the caveat by which we wiggle room for us to deviate from the plan?

Mr. Pettine said yeah. It's an excellent question. I think the first part of it, you know, is when we make rezoning changes to the map or whether we change the map through the rezoning process, there will be legislative decisions. We can't do those through a consent agenda type item as much as we would love to try and get through that decision process a little bit, the consent agenda for rezoning decision is something that wouldn't be effective for us. So, we still would have to do each one through that legislative decision-making process. But as you mentioned, you know, that language that's in there, reasonable and in the public interest, that's part of our consistency statement that the state requires us to make that basically says that the petition is either consistent with the policy map and that says it's, you know, within that framework. But if it's inconsistent, we still have that consistency statement for us to explain, are there other reasons that weren't envisioned during the place type mapping process or during the evaluation of that petition, that we can take into consideration that still have the public interest in mind and even though the petition may not be consistent with the place type recommendation, there is still a justification for approving it. So, that consistency statement is something we'll see. We tweak the language, and we may be able to look at the language a little bit. It will say the same thing because the state requires us to make that statement of consistency for each zoning decision we make.

Mr. Phipps said thank you.

**Councilmember Ajmera** said I want to follow up on Mr. Driggs' question about the rezoning process. I didn't quite follow it. So, for rezonings that have already been filed but not yet considered, would the policy maps still apply to those?

Mr. Pettine said so an easy way to essentially look at the timeline if we're looking at a July 1st effective date for the place type map that we're going to potentially adopt here at the end of March, the July public hearings that we have for rezonings will use that map for our recommendation process. Because essentially that map will now be effective. All those areas plans this we've been using for the last 37 years will be retired. So, those July hearings will be evaluated under the new place type map

Ms. Ajmera said so, everything after July, all the way till?

Mr. Pettine said until we adopt something new.

Ms. Ajmera said got it. Okay.

Ms. Osborne said then the UDO adoption is scheduled for March. I'm sorry July.

Mr. Pettine said the UDO is I think July.

Ms. Ajmera said I'm sorry. so, before the UDO gets adopted, would we use the policy map?

Mr. Pettine said yeah. That's the gap in between those. Let's say July one, if we have that policy map in place, we use that as far as our land use recommendation, but if the zoning districts that people request would be under the current ordinance. We won't see new zoning districts being requested until that UDO is effective. Like I said earlier, just for a clean date, January one, let's say. So, you'll see place-type recommendations in your rezoning analysis starting in July. You'll see new zoning districts being requested that are consistent with the UDO districts that are adopted once that document is in effect. So, we'll still have a little bit of, you know, a gap between new zoning districts versus new place types but we'll be using those new place type recommendations starting in July.

Ms. Ajmera said after the UDO gets adopted.

Mr. Pettine said so after the policy map gets adopted, let's say, March 28th as we've got it scheduled, when we have that in effect on July one, when you see, you know, the staff recommendation that's going to be based on the policy map. But the zoning districts will look the same as they do now. The zoning districts won't be new zoning districts until the UDO is adopted and in effect, which, again, let's say for a clean date, January.

Ms. Ajmera said got it. Okay. So, I was looking at this breakdown between districts. So, this is great, Alysia. This is very helpful and this is what neighborhood leaders were requesting. When I met with neighborhood leaders like Ricky Hall, Ms. Janet, and Jordan, Sylvia, was really from a diverse group of neighborhood leaders who reached out to us. They had raised a concern that Mr. Phipps also talked about is just the inequity in the feedback we had received, our engagement. I see here in District 1, that we got 378 comments versus the lowest in District 4 being only 11 comments. You can kind of see like District 1 follows District 7 where you got 80 comments, and District 6 got 58. Some of the lowest feedback came from Districts 4, 5, and 2. So, I know the neighborhood leaders when I met with them they also sent us an email requesting additional time where we do intentional outreach to communities where we have not heard much from and being intentional about the outreach. I know some of the feedback sessions that you had directly with some of its neighborhood leaders who actually offered to help. So, have we considered addressing this gap we are seeing among districts, and have we considered pushing the timeline to ensure that we are being intentional about community engagement?

Ms. Osborne said so, the numbers that you have, and thanks for that question. The numbers that you have in your one-pager are just for this phase. That's the highlight of what has happened in this phase of the engagement. There were three.

Ms. Ajmera said do we have anything from the prior [inaudible].

Ms. Osborne said in the briefing in your briefing book, has all of the comments by each phase. And we can break it down by district.

Ms. Ajmera said by the district.

Ms. Osborne said yeah, we can.

Ms. Ajmera said so, if we can get something like this, this is very helpful, and I think this is what that group was asking for who reached out to council members including me. They want to see the level of feedback from all districts. So, if you can help us pull together this for the first round, it will sort of give us an overview about whether we need to consider pushing it by a few more weeks to ensure that we are getting additional feedback.

Ms. Osborne said I will say that we did push back the schedule from February to March, to allow for more participation. Pushing back this schedule, what it does is it delays the other processes thereafter. So, pushes back the UDO, it pushes back community area planning. What I will say is that our listening sessions are designed to provide that

feedback and we're talking to the very people that have sent you the e-mails saying that they haven't been involved. Those are the folks that are signing up for the listening sessions and bringing their neighbors to talk to us about these issues. And in those conversations, we talk about why something is a place type, why it's that, and why did it change or didn't change. And what's the path forward? And we have been able to share in every public presentation, and as well as in those conversations, what the engagement has been like. I think the level of engagement that might be expected and I'll just be honest about it, is the level that we have in the comp plan. One, that was three years, massive, lots of resources, and most of the engagement happened within the last month of the project. And we know why. But this project is more, this part of the process is more technical, it is a map. It's hard for people to grasp the concepts of a map as opposed to the very visionary principles within the plan. What the community area planning process will do is make that connection very clear for them. They can see where I am, in my neighborhood, and how all of the stuff that's being planned around me, is what it really means for me. And how they can participate in the conversation around investments. It's hard to have that city-wide. So, I think, I'm almost certain that that conversation will happen during the community area planning process. But if we keep delaying, we won't get to that. But the point of this process is to meet people where they are, and have our doors open. We have the maps in the libraries, and they have our numbers if we need to come out. We have been open to conversations where they are and we continue to do that as we did with the comp plan throughout this process. And we've also asked them to help us to push the word and out they've had some difficulties, too. And the question is, how can we bridge that gap? But I do know based on the experience and then in talking to them, they want to talk about the very granular details and that happens in the community area planning process. But we'll be happy to provide those numbers to you all, in terms of engagement, as soon as we can. Hopefully this week in your packet, to accompany that one-pager.

Ms. Ajmera said yes, that would be very helpful. So, I agree, when we talk about community area plans, that's where we talk about neighborhoods and granular levels of investments and that's where people can connect dots. But what really concerns me is this engagement where you have, you know, 378 comments from one district, versus 11 from another district. That is that's just the huge gap. But who knows? That might change if I look at the numbers from the first draft, it might have the same numbers.

Ms. Osborne said right, right.

Ms. Ajmera said but that is concerning.

Ms. Osborne said and a lot of that 380 in that one district is the same neighborhood posting, 30 people posting the same comments ten times. I'll be honest. So, it's the same neighborhood posting the same thing over and over again to boost the numbers to produce the conversation that we're having today about inequity. And so, the way we have been able to process it is by saying this neighborhood has this issue. These number of issues. And not disregard the content.

Ms. Ajmera said right.

Ms. Osborne said but understanding that the comment, the one comment in this neighborhood holds the same value as this comment in this neighborhood. So, that's the way we have been processing them. I just wanted to be honest about the 308.

**Councilmember Winston** said Ms. Osborne just made one of my comments. I think it is going to be important for the council members to talk to our constituents and really decipher between the lines of the numbers. We can't delay this process anymore. Because delaying this process is going to delay getting to the parts of the process that our constituents need to be engaged in and want to be engaged with the most. We really do have to be the translators between staff and the community, and the community and staff. We know that it takes a little bit of organizing sometimes to get a chain letter out to get 300 responses versus 11 unique individual questions and concerns. So, we can have our academic discussion about equality and equity on two different matters. But I hope

we don't delay processes that are very, very easily explainable to our constituents of why certain disparities exist and whether or not there are actual disparities, other than as Ms. Osborne said copying and pasting the same comment over and over and over again. Again, I would like to give some props to the staff in this presentation. You know, putting this very dense data into very easy-to-read visuals and breaking that down into visual tables and graphics is much easier to deal with. I think this is a good first step or a good step. I wouldn't say first, second, third, or 15th. But this is a good step. I hope that you are taking into consideration some of the feedback because again, this body is representative of the community-at-large. So, if we are better able to decipher and explain from these graphics then, so will our constituents, and will help continue to move this work forward. But Mr. Jones, I've got to give the staff props, in the midst of continuing to push this work forward, they are looking at different ways of communicating it and the work done over this past month is a great step that should be built on. Thank you.

**Councilmember Newton** said I have the same concerns as some of my colleagues regarding community engagement. I've had community members outside of my district contact me and ask about being more engaged with this process. And so, I assume you're having one-on-one meetings, so we can get those folks in touch with you, right? For those types of as well.

Ms. Osborne said absolutely. And they can use our e-mail address at cltfuture.com, 2040.com, that's the e-mail address we've been using for the past four years. So, they can still reach us at that to establish or schedule a one-on-one session, or go on our website, at Charlottefuture2040.com and schedule a one-on-one session for an individual or for their group. And we have been scheduling those pretty easily and having some really good robust conversations around the map.

Mr. Newton said got you. Do we have a plan? So, I'm assuming that we believe that we will be able to meet with all of those folks before March 28th?

Ms. Osborne said yeah. If they contact us to schedule a call, that's fine, or if they're having a neighborhood meeting, we've gone to those, we go to those pretty frequently as well to meet with those groups.

Mr. Newton said okay. There'll be folks probably coming from my direction. I'll follow up with you on that list, yeah if that's okay.

Ms. Osborne said sure.

Mr. Newton said I can't recall. I think I heard something to the effect of a date for the adoption of the UDO that we have planned. So, July, the reason why I ask is it's my understanding that municipal general elections this year, are in July. And so, I think it's important. Am I right in saying that? So, I think it's important that we be mindful of that because if we don't hit that date, we're going to likely have some council members that are going to need to get up to speed. So, I just wanted to put that out there, because then, we might find ourselves in a situation where it's probably more prudent to wait a little bit longer thereafter, but that's all I have. Thank you.

**Councilmember Johnson** said as the representative of District 4, I'm happy to pull together some precinct leaders and neighborhood leaders for some type of meeting that we can have where you all can attend. If that will help with the engagement? I've said before those presentations are not engagements. Or inclusion. So, I think that's part of the problem if we've got 800 comments from about 850,000 people, even in the districts where there's a lot of comments, still seems to be a lack of interaction or public knowledge. I'm happy to see a more simplified presentation and information on the government channel. We've been asking for that for over a year. So, you all are the experts. You all really talk this language, but when you have a 2040 Plan, a UDO Plan, a Community Area Plan, all separate documents, with different approval dates, this information can be quite overwhelming, even for us, and let alone our constituents who don't sit through the, you know, through the entire presentations. So, I really think that we have to take into account when you say meet people where we are and understand the

lack of total engagement in the city, I think we have to understand that. But as a representative, I'm willing to do, you know, my part to help you engage with the community. But I really think that we need to take a look at the comments versus the population. And one of the concerns that I have shared before is this is a very, very important part of the process. The place mapping process, because we know that public interaction is going to be reduced in the zoning process once the place types are developed. So, I think that my colleagues, we should really consider that. If the residents are truly engaged. And what more can be done? That the government television station, thank you for utilizing that, Alyson, the simplified documents, and we've got to really find a way to give the people the information that they are seeking. So, you know, people want to understand what's in it for me? How does this apply to my home, how is this going to affect me? So, if we start communicating like that so that it's more simple to understand, that might perhaps that would increase the comments.

Ms. Osborne said we look forward to working with you, Councilwoman Johnson on scheduling some meetings for your district. We welcome that and thank you so much.

\* \* \* \* \*

#### **ITEM NO. 5: UNIFIED DEVELOPMENT ORDINANCE UPDATE**

**Alyson Craig, Deputy Director Planning, Zoning & Development Department** said **Laura Harmon, Planning Division Manager** said so, as you're aware, the first draft of the UDO was issued on October 7th. We extended the initial comment window from closing in January to closing on March the 18th to allow time for additional community input. And we had a number of meetings with various stakeholders during this time period, and we also planned listening sessions on four particular topics that had generated a number of comments in our comment portal. And these listening sessions were scheduled, including short-term rentals, parking, heritage trees, and neighborhood one zoning districts. So, tonight, we wanted to do something a little bit different and bring three of these topics to the Council, explain what the UDO currently proposes for each of these topics, talk about what we've heard in the listening sessions, what we're hearing in the comments, and allow time for you to give us feedback and your thought on those particular issues. And so, with that, I'm going to turn it over to Laura Harmon. She's online and she going to walk you through these topics in an overview of some of the engagements that we've done recently.

thank you, Alyson. We've been talking about the schedule tonight. But just to remind you, as currently planned, we anticipate a second draft being released in May, a public hearing in June, and then coming for a decision to Council in July on the UDO. Which is the bottom line of this multi-project schedule. So, a little bit about what we have been doing as far as comments go. We have on our website a public comment portal, we have received to date, 750-plus comments, from outside of the city organization, on the first draft of the UDO. The staff is reviewing and considering each comment. So, we're going through and responding to each comment. It's taking us a while, so we have a number that are still in progress. We're posting the comments and the responses to the comments on a rolling basis. And you can see that on our website. We will be glad for you guys to take a look to see what we're hearing back from folks. And just note that it gives us a little bit of time. We have some comments also on what like some of the topics we're talking about tonight that were not responding to yet because we know we need more feedback.

So, in the listening sessions that we've had, that Alyson mentioned, we have had three out of four, and for each of these topics, we've had two sessions. We've talked about heritage trees, short-term rentals, and the neighborhood zoning districts, and on Thursday evening, we have a session on parking. The way these are set up is that staff does a brief presentation and then we're really there just to listen to and gather comments from the folks who want to speak. We've had a lot of folks who join us who choose not to speak or are really there to listen. But we also have gotten a lot of great comments out of this, it's been really helpful as we're looking at what we need to change. What do we need to adjust, and where do we think we shouldn't make changes?

So, tonight, I wanted to talk to you all about three of the topics that we've had listening sessions on, briefly talk to you, and then have you guys talk to us. We'll start with short-term rentals and see how it goes. This is a new use that is established in the UDO. You've probably, especially district reps heard the pros and cons about what's happening with short-term rentals in our community. They are allowed in the Neighborhood 1 and Neighborhood 2 zoning districts. As well as virtually any zoning district that allows residential in the draft UDO. So, pretty broadly allowed, our current ordinance does not explicitly deal with short-term rentals; it is not a named use. It treats these as residential homes, and residential units. So, there's a restriction on the number of people that can live in a unit or that they can't be event facility. That's what our current ordinance is doing. So, it's a little bit not quite tailored to short-term rentals. So, we have proposed and we're looking at getting feedback from you all, in addition to the feedback we've gotten. We proposed some standards for short-term rentals as well as defining them. Including a 400-foot separation distance. Something we've gotten a lot of feedback on. But separation distance between these rentals, requirement of getting a zoning use permit, so we would know where they are located if there's any issues with these. Clarifying that these cannot be event facilities. And making sure that there is a local manager if there is an issue with the short-term rental, someone that is easy to access. That is part of the zoning use permit. So, what we've heard back. And by far we have gotten more comments on short-term rentals than anything else in the UDO. It's really been pretty amazing. But people that currently operate short-term rentals, have expressed concerns about the ability to operate under the new standards. Can they continue to operate? Many of these are operating this as supplemental income for their families. What will this do to their ability to have to own short-term represent rentals and operate them? And more of our comments have been from the operators, than the neighbors of the short-term rentals. But where we have heard from the neighbors, there's been concerns about the adverse impact of some of these, noise, and so forth. Maybe some people are using these inappropriately as event facilities and also a concentration of these at times in neighborhoods. So, a lot of feedback from a very divergent perspective. Some folks are a little bit more in the middle. Others at either end of the spectrum.

We'd really like to hear feedback from Council on this and the two other items we're bringing forward on these questions that we put together. Should we allow these in the neighborhood 1 and Neighborhood 2 districts? And to remind you, Neighborhood 1 is more of our traditional neighborhoods that are currently primarily single-family, but also, with duplexes and triplexes going forward. Neighborhood 2 is more of our townhomes and multifamily areas. So, should we allow these in these areas, with or without restrictions? Should there be different standards when the owner or tenant is on-site with the short-term renters? So, you could either rent your entire home and have just renting your home, but not having someone on site or you could be an owner for example, that rents out a part of their home for short-term rentals, and they are also on-site at the same time as the renters. And finally, should we have separation distances between short-term rentals in any case? Is that something that we want to pursue or is that something that maybe is not something that we want to move forward with? So, we really want to stop at this point and ask the Mayor for some help in having a conversation about short-term rentals and getting guidance from Council as we're looking at frankly making some probable revisions to the short-term rental proposal.

**Mayor Lyles** said you picked certainly a hot topic. I mean to start with.

**Councilmember Driggs** said It seems to me on short-term rentals there's actually a reasonably clear distinction between a lodging type of thing, where a family goes and wants to stay or traveler goes, and commercial use for properties. I mean, the complaints I get, it sounds like the offending properties are noisy every weekend; they're right in the middle of single-family neighborhoods. So, is there any way that we can write the rules around short-term rentals to recognize a difference between a property that is intended to be rented out in its entirety, for parties, with all of the cars parked around and the noise and stuff, and the other one which is a lodging situation, like an air BNB? At least use to be. It's not clear to me from these descriptions that we've really made that separation yet.

Ms. Harmon said I'll be glad to quickly answer that. We have in the draft, we say that they cannot be event facilities, and they are limited to six unrelated individuals. I think I have the number right. Unrelated individuals being there. So, if someone is using these parties or events, even under our current recs, that is not allowed. Easier to say that than to get the enforcement right and having the right people there at the right time to deal with that issue. But that is the intent is that these really be used for lodging and that is the way that the draft is written.

Mr. Driggs said because enforcement is clearly an issue and I have heard that too. The police go around and I mean, unless they drag somebody away, or whatever, the party continues. So, I just don't see in this summary, something that makes it clearer. You're saying that in essence, it's a code violation if these parties are taking place already. Is that it?

Ms. Harmon said Yes. One thing we have added in the UDO that may help with that is that if you have three verified violations at a short-term rental you would lose your zoning permit to be able to continue to operate a short-term rental. We don't have that in our current regulations. And I do think that it's going to be really important that planning works with police and housing and neighborhood services to deal with enforcement and particularly, it's challenging. The police are usually who get called because it's not happening during the hours that housing and neighborhood services is doing most of their enforcement. But I think that's a challenge that we're up for and seeing how we can make this work. We don't just want to have the regulations on paper, we want to have them enforceable as well.

**Councilmember Ajmera** said I have gotten feedback on short-term rentals, both where we need tighter restrictions, and on the other side, where we don't. Certainly, this is a topic that there is a reason why we've gotten the most comments. So, I like that there is some teeth to it. So, let's say if there are more than three verifiable violations, then you automatically lose your permit. I think that addresses the concerns around noise. And inappropriate use of the lodging for event space or parties, right? So, I think we're addressing the concerns here. So, I'm good on that side. I worry about the spacing requirement. We had a constituent who sent us an e-mail and talked about how the distance, separation distance that's required creates tension among property owners in the neighborhood or in the community. So, how would that work, for example, right now, let's say if there is a rental right next to each other, for the short-term, how would the spacing requirement work? Would one person lose the permit or whoever is the first to file the per to request permit? How would it work?

Ms. Harmon said now, that's a great question, and I think as we're looking at whether should we keep the separation distance or not, we focus more on that. But we also know that we would basically have to someone who is an established short-term rental, we would have to have a grace period where that separation distance would not apply. For this to work because you can't tell someone, we don't think anyway, I know you've been operating right next door to someone else, but they came in for their permit first. So, we've talked about having a time period, or something, where folks could come in and in that time period, not be subject to that separation if we maintain that in the UDO.

Ms. Ajmera said yeah. You know, as long as we address the concerns around noise, and around appropriate use of the lodging, I don't understand what would separation distance do. I think it's hard to implement, it's it creates tension among property owners that live nearby. I got an e-mail from this constituent who talks about how short terms give them additional income to stay afloat because they cannot afford to pay their property taxes and mortgage. So, this is an additional income for a lot of people who live on fixed incomes. So, there needs to be a balance, right. Where sometimes regulations are too much. Where it doesn't really address the underlying issue. But I think with this permit, if there are more than three verifiable violations where you lose a permit, I think that really is a good step, where it addresses the underlying issue. I don't think we need a separation distance. That's just my take on that. So, okay, help me understand this second bullet point, where you talk about where the owner or the tenant is on-site, with short-term

renters. How would it work for like one, let's say if the lodging provider only has one unit, and do they have to be on-site?

Ms. Harmon said maybe to clarify, I have an extra bedroom in my home, I rent that out. As opposed to I'm not at my home at all and I rent the entire dwelling out. So, you're renting the entire dwelling out, the whole home rental or you're staying there and you rent out a room or two. Is the difference between the two? Does that help at all?

Ms. Ajmera said yes. Yes, it does. So, what would be the different standards? So, let's say if it's just one room, then they don't need a property manager? Is that what you're proposing?

Ms. Harmon said that could be if we were to pursue separation distances, and I definitely heard your perspective earlier. But if we were to pursue them, we could say, you don't have a separation distance if you are residing in the home and you're just you're renting a portion of it out. So, it really depends on kind of what our base standards are. And it may not make sense to have different standards depending on where we end up with our base standards.

Ms. Ajmera said yeah, I just think it creates an enforcement difficulty. I mean where you got different standards, one for someone that just rents a room, versus the whole unit. I just think that what we got in there where you got verifiable violations, you lose a permit, boom. That addresses the underlying issue. We don't need to go overboard and try to put more regulations where it creates additional hurdles for lodging providers who are just trying to make ends meet. You know, some of them live on fixed incomes. [inaudible] gains there [inaudible] a space. So, thank you.

**Councilmember Eiselt** said I think I don't know if this is a way to address that issue, but I still struggle with the fact of the three violations. Because if you are living next door to the party house it doesn't help you much at 1:00 in the morning. Isn't there a way to say in the ordinance, you've got to have a local contact? Because that's been the problem with some of Mr. Driggs' neighbors in his district is that nobody could find the landlord. So, the police don't know who to contact. Can we make that a requirement that there is a contact that is local?

Ms. Harmon said that's a great point, and that that is in the draft. They have to be within 30 miles, is what we have called local, and they have to be available. 24/7, not some corporation who doesn't answer the phone after 5:00.

Ms. Eiselt said right. They have to be available when these units are being occupied.

Ms. Eiselt said okay. Thanks.

Mr. Winston said so, I want us to all remember, you know, that these short-term rentals, air BNB, whatever you want to term them as this is what is called a disruptive technology in a disruptive industry and that's what we're dealing with. And this is an industry that ten years ago, we couldn't have imagined pulling up an app and staying in somebody's spare bedroom or renting out somebody's house, whether it be their personal house or the business aspect of this. So, I just want us to keep in mind those disruptive technologies until they become ancient you're going to deal with this type of disruption. So, in many kinds of ways, what we come up with, I'm sure, we're going to have to adjust as business models kind of adapt and become more mainstream and less disruptive. It's the nature of disruption. But we should try to get this right. I do believe that short-term rentals should be allowed, but there have to be a restriction, right. If there's no restrictions, you know, I see a level of disruptions, you know. What would hold back a developer, for instance, of developing homes, just to be short-term rentals if they figure out a business model that can kind of bypass, I'm no expert here, lodging laws or, you know, the rules that govern hotels and so on and so forth. So, we certainly need to figure out some types of restrictions. Yes, there should definitely I believe, be different standards of rentals when the owner or tenant is on-site or not. Again, my extreme example of a potential of a developer developing an entire community that is just short-term rentals. I don't think that



would be a very good thing. But to Ms. Ajmera's point, you know, folks that are living and earning extra income, they should not be denied that ability to earn income by taking advantage of disruptive technology, if they can do that responsibly. I am certainly concerned about this idea of separation distances. It reminds me of these ideas of minimum lot sizes and necessary setbacks. It creates inequities that will exclude people from being able to participate in economies, but for the place they are in life or who they were born to, or the zip code that they were born into. And I certainly want to avoid that as much as possible. But, you know, what kind of keeps coming up, to me in my head, short-term rentals is a business. And when we go in and invest in businesses, you have to incur certain costs of doing business. And you have to adapt business models to that. But I think that goes above and beyond just simply thinking of it from a planning perspective but we have to think about that to create the rules. So, one, do we have any kind of benchmarks to what is fair when regulating these businesses? Some type of way of measuring the effect that our potential regulations would have. Hoping not to necessarily rehash old conversations that we had tonight, but if I am not mistaken, it is the county that regulates business permits. And the ability to be permitted to have and operate certain businesses in Mecklenburg County and therefore Charlotte. Has there been any conversation with the county on how we might work together or think about this or we're not just doing this in a siloed fashion to understand how we could permit the current and future, again, future business models being this is at a very [inaudible] stage of this type of business? How we might think about adapting and adjusting the rules and regulations to businesses that we want to succeed but obviously need a certain level of regulation for the public and common good.

Ms. Harmon said we can certainly reach out to them; we've really focused on the zoning permits because that is what we manage from the city's side. So, we've had a group of folks that have been from multiple departments, that have looked at this, and worked on the first set of regulations and we'll work on the updated set of regulations. So, we can certainly reach out to the county to see if they have any additional feedback but we really have focused on what we control. Which is it is challenging enough as you're trying to deal with short-term rentals and how you would enforce the small minority of short-term rental owners to are problematic.

Mr. Winston said well, so, I guess I would ask that question to Mr. Jones because we certainly have been dealing with short-term rentals outside of the planning lens. But it seems like we're attacking it from the planning lens because that does seem like where our jurisdiction lies and our only real ability because we can't write state laws, and we don't regulate businesses. So, Mr. Jones or Mr. Baker, or whatever staff might have more insight into that conversation, because if we have communicated with the county, it seems a bit of a fool's errand to try to simply regulate this through our planning and zoning processes without having a really comprehensive look at how we're going to deal with short-term rentals. Mr. Jones and Mr. Baker, has there been any type of conversations about how we can legally or effectively work with our partners that do regulate business around us that has been around for many years now?

**Marcus Jones, City Manager** said I hope as I pose this to the planning that when we do have these discussions and you talk about other departments, it's not limited to just the planning lens, correct? So, we can go deeper, but I don't want to leave with the impression that it's just a unilateral discussion. If I have that correct.

Ms. Harmon said that's correct. And just to add to that, we have been working with the county on the regulations of the UDO, and the county staff. We have not heard anything back from them on this topic. Not to say that if we reach out to them they wouldn't have feedback, but, [inaudible] heavily involved in the UDO process.

Mr. Winston said absolutely, absolutely, but we're talking about this specific topic. What I'm hearing is that we have approached these short-term rentals topic from a unilateral standpoint because we have no feedback from the county as the best way to regulate and permit this emerging business that has real effects for our constituents and, you know, our citizens and their homes.

Mayor Lyles said Mr. Winston, I think we have done a lot of work across the state, Asheville, Wilmington, Newbern, all of those are approaching and have the same direction. In part, that might be something that they have done, because a lot of this does come in terms of municipal areas where this is a business that is driven by, you know, travel and tourism and hospitality industry. I'm assuming, Alyson, it's been consistent with what's going on across the state right now. I don't know about the business part of it. That compares it more to what you say, you know, you have to have a business permit and all of that. I think that's a good question that we need to ask. If that is going on, any place else, or should it be going on in Charlotte? Something we can explore further.

Mr. Winston said Mayor, but I think that if we're saying that we're proposing that we are going to regulate short-term rentals in our city, we can't honestly say that if we're not having that conversation with our county counterparts and whoever regulates hotels and motels in Mecklenburg County.

Mayor Lyles said yeah.

Mr. Winston said I think it's pretty obvious that whatever is going on in different cities and throughout the state, we can learn from that. But if the intent is to create regulations, to deal with what's happening on the ground here, shouldn't we be having those conversations?

Mayor Lyles said that's what I said, I think we should, but I think we could have that and should have that, yes. That's what I was saying, sorry, I didn't say it very well.

Mr. Winston said I would just say before we kind of go on that the next steps on deciding the route that we're going on short-term rentals, we have to have that conversation because we can give as much feedback as possible. But to have an actual effective effort on this, which is said, this is the highest question topic in the UDO, we have to give it a full look and a full answer. And we have not started that at this point in time. I hope we can get there.

**Councilmember Bokhari** said I think I think Councilman Winston when he opened with his first thoughts, hit on something really important there. Which is how we go about trying to solve this problem. I'm just a big believer in if you can't logically come up with a mechanism or an approach for enforcement, it doesn't matter what you craft inside of these things, it is absolutely going to be destined for failure. That's whether it's, you know, short-term rentals or community benefit agreements. It literally does not matter. So, I think he also, though, hit on something that's important, is these disruptive technologies out here, may end up being the key. So, I would ask staff to go back and look at it with a different lens, maybe not so much how we can have ordinances and regulations from a governmental perspective, that we clearly see has been nearly impossible to enforce today and no indication that is going to change. See if these companies control at least a large chunk of the volume of this; air BNB, VRBO. All of those folks and go up to them much like when did when we had big challenges, upfront many years ago with the rollout of scooters and sat down with [inaudible] and [inaudible]. Instead of, you know, one, trying to create big regulation on our side, or two, trying to give them a list of demands, we said, here's what our problem is right now. And I guarantee you, if you solve it here, you can probably go sell it to every other major city on the planet because they're probably experiencing the same thing. It might be smart for us to not make this so much a sole UDO approach, as it is let's break down these components because we don't want to become some huge database repository where big government, everyone has to register that this, and here's who come. They, if they're in the systems, have all of that. They literally have it all and they don't even have to give it to us or share it with us. They can build some controls in place that solves probably what is the number one issue that we've been getting feedback on. So, staff, Mr. Manage, I hope you guys will take that. I am glad to help as I'm sure others will brokering those conversations. So, we propose it to them in a way where an innovative disruptive startup. It's designed to do these things, can take it, and build something that makes impacts that we couldn't even begin to fathom on our end.

Mayor Lyles said you know; I look at this t and I think about a person that Mr. Bokhari and Alyson and I know very well. He buys a house and young kids and he has a fence, that has three units of air BNB rentals on it in one lot. The house, the garage, that then they built something on top of and built another unit. I am concerned about enforcement. Because we can't get our zoning board of adjustment to enforce even the most simple you have too many units on it right now. And how do we get there? And I don't have an answer because I do believe that the disruptive technology of this industry is a good one for a lot of people. And it works for a lot of people. But when you have lighting that shines at night right into your bedroom. You've got a ranch house and a two-story air BNB and the people are coming in and the lighting is there on the street light pole, on a big pole so that people can come in, cars are coming in and out and all of that, I think that the people have an expectation of peace and quiet in their neighborhoods. They have an expectation that they'll be able to get up in the morning and be able to sleep through the night. And so, I understand that technology is changing. And I understand that this may be hard. But I'm going to just say, that when you look at other communities that are dealing with this, that's national. It's not just Charlotte. It is a local issue. Mr. Winston referenced, that in Asheville, investors have done communities completely with air BNB. They have already done that. That's not a new thing. They have bought places and clustered them together. And we have to remember, that when something like that happens, it just increases the price of housing for those that want to live here. It increases the lack of home ownership that we want people to have. So, how do you balance that? How do you make this something that we can live with? I don't know the answer. But I cannot believe that we can't have some regulations that impact those that are harmed or feel harmed in a real consistent way through this ordinance, because it is land use. I mean, it's kind of like the discussion we had about, you know, what did you think your zoning was? So, when someone bought that house, we made a kind of a statement for them. That they were going to live in a neighborhood. Now, what we're saying to them, is you're going to live next to a hotel. They didn't sign up for that. So, I like Asheville where they grandfathered some, and they created districts with none. I think we ought to be figuring this out and it may take a little bit longer time, but this right now is a very difficult situation. I think that there's some models that we have to figure out to make it work. If we talk about the quality of life, for the people that live in this city, what are we doing? What are we doing if they have to have this kind of activity next door to them? And we have no way to stop it. I would like to see what we're doing consistent with what's being done at the state level right now. And across the state as people in communities like ours are dealing with it. Okay. So, Laura, do you think you've got enough comment on that?

Ms. Harmon said we did. Yes, we'd love to go on to trees. I want to mention that Tim Porter is on the line with us as well. he'll be talking on this conversation. So, the draft of the UDO again, we're talking about a draft, as you all probably all know, has a standard for a permit for removal of a healthy, native North Carolina tree, greater than 30 inches in diameter at breast height. So, a pretty big tree. Mitigation is allowed if someone wants to remove a tree, but they have to have a permit, and Tim can correct me if I'm wrong on that. If the tree is dead, diseased, or hazardous, it can be removed without a permit, because there's those trees out there that are an emergency to be removed. What we've heard so far on this new concept is that some folks, talking about the impact on new development and the cost of mitigation when removing a heritage tree, or in some cases for a larger site, multiple heritage trees. And that it would in some cases make development very difficult. On the flip side, we have gotten a number of comments with people who are very encouraged by the proactive approach that we're taking to preserve our tree canopy. So, again, another topic where we're hearing really from two different, very different perspectives, and wanted to hear some feedback from the Council.

A few questions to get you guys thinking. Should these large trees on private property be regulated? If so, should the regulations be different for new development and the expansion versus the expansion of an existing building? If a heritage tree is removed, what type of mitigation would Council recommend, fee, replanting, or other? And with respect to our tree canopy, would Council like to suggest alternatives to regulating heritage trees? So, with that, we will leave this with Council, and again, Tim is here to help answer any questions.

Mr. Driggs said so, Ms. Harmon, you mentioned that some people have raised objections based on the cost or how this could affect development. I'm wondering if the preliminary findings from our impact study reflect that. I mean, are we taking on board the input that we're getting about how these tree requirements could affect development? So, the heritage tree provision is part of the economic impact analysis. We haven't gotten the results of that specific regulatory item yet, but it is part of what we're studying.

Ms. Craig said So, we will get the result?

Mr. Driggs said thank you.

Ms. Ajmera said Laura, I know that staff had hosted a listening session on the heritage trees. What kind of feedback have you all received?

Ms. Harmon said it really wasn't. I'll ask Tim to go into more details. It was a combination of this is great, so glad you're doing this, and this is really going to be impactful for the development or changing what's going on, on it on a site. We don't think you should be doing this. I mean, it was really, Tim, I don't know if you want to jump in and give a little bit more flavor to that.

**Timothy Porter, Chief Urban forester** said sure, I think that's a good explanation. It did really range across a wide spectrum. There was also some comments on this is an overreach restricting property rights in general, don't place the burden of managing tree canopy on, you know, property owners, may not be going through land development permitting. That's another area I think we heard a number of comments on. But was very much a broad spectrum of feedback. Very good discussions, especially in the evening session between tree advocates and development industry professionals.

Ms. Ajmera said thank you. So, I know that the Council, not the current Council, but Council, our predecessors had adopted 50 by 50 goals. Which was 50% tree canopy by the year 2050 and we have lost almost 8,000 net acres between 2012 and 2018. We are close to I think 43%. Correct me if I'm wrong. Is that correct? 43 or?

Mr. Porter said yes, that's correct.

Ms. Ajmera said so, certainly, that is concerning. We know that we are losing our tree canopy at such a fast pace. And when you talked to residents who move into our city, the first thing that they talk about, like when you tell them, well, what do you like about our city? Oftentimes they'll say, well, the rich tree canopy. That is very rare for an urban city that's like ours. And it is a difficult problem to solve where we want to continue to preserve and protect our tree canopy, but at the same time, allow more development so that we can have more affordable housing. The feedback that I have received from some constituents is where this permit that is \$1,000. Isn't that what is proposed in the draft, Tim?

Mr. Porter said well, no, just a point of clarification. The permit fee is proposed that \$150. The mitigation fee. So, technically, the difference there. The mitigation fee starts at \$1,000 as proposed and that mitigation fee can be reduced, if qualifying property owners and developers receive a permit, replanting trees on the property, can be reduced down to \$500.

Ms. Ajmera said so, mitigation is \$1,000 and \$150 is the permit fee. well, I think you all know my passion for our trees and that's an issue that keeps me up at night. So, just to summarize what Tim said, \$150 for the permit or the review and \$1,000 for the mitigation, is that correct?

Mr. Porter said that's correct. The mitigation can be reduced down to \$500 with some additional tree planting.

Ms. Ajmera said so, from the report, that was presented to us, on the tree canopy, very clearly shows the majority of the tree canopy lost is on the infill sites where single-family

homes already exist. And this clearly addresses the issue that we have on hand as to how we protect the tree canopy. I feel serious about tackling the tree canopy. There is no way around this.

Ms. Eiselt said I'm not sure I understand your point. Are you supportive of the ordinance?

Ms. Ajmera said no. I'm supportive of protecting our heritage trees and having restrictions around it where we have a mitigation fee or the review fee. I don't know if there is any way around it, any other way. If you are serious about being that ling our tree canopy, we have to consider this. The other thing is planting. Planting is a serious issue. We currently have a nonprofit that does the majority of our planting efforts and that's Tree Charlotte. Do we have any resources just for the planting? Cause currently is the fees that we have those developers pay in lieu so that we buy or we acquire land, but we don't have anything to support our planting efforts. I would like to see that baked into our overall UDO effort. I think that's where I'm trying to get more alternatives as to how we address the planting efforts through our UDO. So, do you have some suggestions and recommendations for that?

Mr. Porter said I do and thank you for the question [inaudible] ideas on how to approach our tree canopy and multipronged approach. So, the purpose of the UDO is a requirement for infill development for tree planting. This is an area we currently don't regulate in addition to heritage trees. Right now, it's written as a tree planting requirement. There's a tree planting requirement to plant street trees. One tree for every 40 feet of road frontage for a lot that mirrors exactly what we do for single-family subsidy visions and commercial developments in multifamily residential. Everything we regulate now has to preserve existing street trees and we're proposing to do that now in infill areas which you're correct, Ms. Ajmera. The majority of the canopy loss was in the incremental and individual lot part of the residential bucket which was surprising to us. Large-scale single-family development with mass clearing is typically thought to be the primary driver of canopy loss. But actually, it was these individual lots incrementally that was driving it from 2012 to 2018. So, in addition to the heritage trees, we're proposing a tree planting requirement and the heritage tree. That requirement has a tree planting component for mitigation and I think there's a great opportunity with both of those regulations to pursue and talk to our great partner Tree Charlotte who has such a great impact on, you know, the planting and on the private property side. That was one of the original motivations to help that group develop back in 2012 knowing that at the time of adoption, 50 by 5. But Council at that time as an organization knew we needed help to connect with the community or the rallying cry but also to get into the areas that we don't really proactively plant. So, I think this is a great time to revisit that original intent with Tree Charlotte and in fact, I have a meeting tomorrow morning with Jane Myers, the Executive Director of Tree Charlotte to talk about the partnership. It is a great opportunity to connect on these two regulations to see if we can partner with especially property owners, and residential property owners to see if there's a way to better support tree planting. [inaudible] guidance and Tree Charlotte may be a great partner to move the needle forward in that area.

Ms. Ajmera said that's great. I look forward to what comes out of that conversation. Other example that we have often heard is some of the policies that the city of Atlanta has adopted and [inaudible]. What does that look like and have we explored that?

Mr. Porter said we have explored that on a very surface level as part of the tree canopy action plan initiative which was a companion project to the comprehensive plan. What was decided by staff and stakeholders was that it was more appropriate to look at the canopy-neutral strategy as part of the upcoming tree canopy goal of the urban forest master plan update initiative which we hope to kick off late in their calendar year. And that's where we plan to really dig into that concept and other concepts for our canopy goal. I can see the extending to every area of the city, regulatory, strategic programs, and capital projects, having essentially a canopy-neutral footprint approach. So, that is our plan, Ms. Ajmera to explore that in great detail and other strategies during our upcoming canopy goal and urban forest master plan project.

Ms. Ajmera said I know I shared all of this when I was doing the UDO review. I had shared some of this feedback, but some feedback has come afterward were few groups have

reached out and they had suggested where some cities have done this where we often see where there is, you know, 60, 80 acres where's it's all clear cutting, right. And we have soon some of that as we are growing at a very fast pace where some cities have a requirement, let's say, a higher requirement for tree save depending on how large the development is. And that was proposed by one advisory board member who serves on Tree Canopy Advisory Board. That where there might be sort of staff requirement for, let's say, for certain tree canopy goal for, let's say, under 10 or 20 acres or higher tree canopy goal for acres that are more than 20 or 30 acres, and that's something I would like us to also look into and see how does that look. And also considered the point that Mr. Driggs had mentioned, economic development. What kind of economic impact would it have? So, I would be interested in exploring that. But those are some of the feedbacks that I have received on our tree canopy specifically on heritage trees. And I think I covered everything. That's all I have. Thank you.

Ms. Eiselt said I'll just be really quick with this, Tim. But Alyson, I would love to see something in there that compels tree companies to ask to see a permit before they cut down a tree. Much like contractors do when they worked on a house. Thank you.

Mr. Winston said short answer pretty much for me yes. I will try to be a little more to add to it. My frustration with the way that we've approached tree canopy, in general, is that it completely seems to be completely quantitative, right. We talk about this 50 by '50 and heritage trees are, I think, a great example of why we also have to have qualitative discussions about this and not just quantitative. We know that not every tree is made equal. These older trees, heritage trees, can't just simply be replaced by planting new ones. Also, I think the quantitative approach really takes away some of the conversations that we could be having being that Charlotte is pretty uniquely positioned. We are an urban forest. That is a designation that not many cities have throughout our country. Especially in large cities like we are. So, I wonder if we approached it a little differently if we looked at how other forest communities deal with issues around heritage trees. Like, for instance, forest communities obviously have to remove trees when they're dealing with things like fire mitigation, right. And every tree that has to be removed obviously isn't going to be a sapling or a young tree. Sometimes they're going to have to deal with heritage trees. So, I wonder, what types of processes are out there where we can combine the qualitative approach in terms of how much economic impact is going to be missed, or what is the coverage of our overall tree canopy? How do we match that with the qualitative approach of making sure our forests is healthy, making sure our forest is sustainable, and making sure that our designation as an urban forest remains in perpetuity? I don't know if we have actually defined that we want Charlotte to remain an urban forest and I wonder if we looked at it on a more qualitative approach, it might give us more options and more guidance on how we deal with heritage trees. Especially as we potentially look to regulate them on private property. Does that question make sense?

Mr. Porter said It does and thank you very much for that. I think that is a great point and two things come to mind one of the other strategies that we are looking to review and pursue during the canopy goal initiative later this year is exactly the blend of qualitative and quantitative. That is what industry consultants are recommending now is to have scalable citywide regional and neighborhood scalable quantitative and qualitative strategies that aren't just regulatory that blend in, you know, community programs, regulatory and maintenance driven strategies. During the tree canopy action plan process, we did conduct a peer analysis with our consultant looked at Raleigh, Atlanta, Austin, Texas, and Washington DC to see how they approach from a regulatory perspective, heritage trees. A lot of analysis results from that effort us craft the current proposed heritage tree requirement, which I admit is written intentionally with very strong preservation and intent behind it. That's why valuable feedback from this Council and the community is really to are us to find the right fit and balance. Another part of that proposed requirement that I think is important to note tonight is any mitigation fees collected during that heritage tree permitting removal process would go to support a program called the canopy care program or the large tree assistant program is another name that's been used and that would go directly to help residents maintain other large trees that are still there are across the city with a specific intent to look at low-income areas to make sure that as the city is pushing tree canopy preservation so much, we're trying to be more

comprehensive in our strategies. So, preserve and plant where we can but also take care of our canopy. So, that's a part of the qualitative approach to this is to provide assistance to the community where there are still existing heritage trees that may need a little extra TLC (tender love and care) or maybe they need to be removed and there's some funding available to do that with a replanting requirement.

Mr. Winston said just to be clear, I would like this council member and it looks like that storm might be hitting you a little bit. This council member wants to see heritage tree regulation that helps us maintain our forest designation. It should also be noted, right, that a sapling planted today, hopefully, some of them we would want to be heritage trees at some point and time in the future, you know. Queens road looks like that today because it was planned for 100 years ago. So, as we think about regulating these heritage trees, let's not just think about those large trees that are on properties right now, but how do we create something that can be put on trees that are planted today or ten years from now when they will, hopefully, become heritage trees because, if not, you know, we're not being serious about maintaining our designation as a forest. Thank you.

Mr. Porter said thank you, Mr. Winston, for those comments.

Mr. Bokhari said Yeah, I was just going to say that I think, obviously, the topic of heritage trees is very important. It's very important to the character of my district and the entire city. So, I don't take that lightly at all, but I can't help but feel like we're picking out paint colors for the house we haven't built yet. You know, in the UDO, one of the biggest things I was waiting for was the meaty conversation of how do we deal with conflicting ordinances that have been Frankenstein together over the decades that now create all these challenges that we're experiencing. So, while a very important but tactical issue of heritage trees is what we're debating, I would think that we should be spending a lot of the time right now on when the tree ordinance and the sidewalk ordinance are in contradiction of one another, which one wins? Because the answer cannot be we've established some kind of champion or czar that then makes the decision and sensed it back. The stated goal of the UDO is to provide certainty, flexibility, streamlining, and simplification of the ordinance. If we are not streamlined and simplified in what we roll out and the same contradictions exist and it's somebody makes a decision and says, okay, well, you can't physically do both of these on the site. So, I'm going to decide trees in this case, that doesn't make number one occur which is a certainty, and right now, without certainty in the development community all the way to when somebody wants to renovate and as an individual their house, if they don't have that it slows them down and brings them through our process. Ultimately, brings us to problems in the 30% overhead that we put on housing and building in this community which then relates. And I hope you see it, all of these topics correlate. it slows us down in the overhead from what we put on the building and all these topics correlate. [inaudible] the decision we make here will impact and will impact the affordability of housing. So, it's not as simple as just saying this is what we do. I believe that the topic when that time comes when we figure out what we do with heritage trees is going to be very important. But it certainly takes a backseat to us saying, how are we going to in a way that provides certainty of the market and streamlines and simplification of this ordinance, how are all of these things going to play out? And I hope we have an answer coming and a big debate and discussion much like we are having right now on this more niche topic of what the answer is going to be for that and this [inaudible] go-forward model and how it's not going to be a czar that doesn't provide that certainty that the market needs.

Ms. Harmon said I was going to just jump in and try to say, we have in the UDO and we would be open to places where you guys think there are still gaps but we have tried to identify the likely conflicts. We're not going to hit every one of them and be able to write every caveat into the UDO, but streets and trees are a big one. We know that and we have actually worked on working that under what circumstances do the trees win and under what circumstances do streets win? So, we have worked on doing that. I would be glad to have an additional conversation. I just didn't want anyone to think this isn't something we had been thinking about.

Mr. Bokhari said It's a great point and I appreciate you clarifying that, Laura. I would just say that Mr. Manager this is where the rubber's going to meet the road. This topic. I highly recommend that we have a session very much like this with the Council where we can dialogue on what that approach is. I know they've been working on it, but really, that interpretation because I bet you, when we start having conversations as a Council, there will be some people that say the trees should override and some people say the walkability and sidewalks should and countless others. So, I just think that is if we don't do that as a Council up front and it gets rolled out and then we're in comment period afterward, we're going trying to do be in a situation like we were last year.

Ms. Harmon said this is our third and final item for tonight. I think we've had some conversations on this before. Just wanted to get a temperature check. Just to remind everyone, the UDO does have a three-tier approach to parking requirements with the tiers related to the zoning districts. So, our tier 1 is we have minimum requirements and no maximums. These are more auto-oriented areas and it's a more traditional approach admittedly. Our tier 2 is where we have both parking minimums and maximums for the zoning districts and that tier and tier 3 is where we have no minimums. We only have maximums and I would say we have no minimums for most uses. There are a few where we have added those because of the external impacts of some uses in the parking demand. Particularly when next to residential. So, that's the approach we have now. We got some feedback at committee, Transportation and Planning Committee. We'd like more feedback from you guys. What we're hearing so far, we will have a session on this on Thursday is we're requiring too much parking, and in certain circumstances, we're not requiring enough parking. Probably getting the theme here that we're getting a lot of perspectives, different perspectives as we go out to the community. And again, we have that session on Thursday. So, we had just a few questions for you guys to see if we could get some perspective on the next slide. Does the tiered parking requirement approach work? In other words, having maximums or the least amount of parking, when you're in a very urban environment, versus being in an auto-oriented environment, having the most amount of parking and not having maximums. Basically, the way this was designed was parking requirements would be tied to the anticipated demand for parking in an area and the desired development context. Does that work? Some communities are looking at things a little bit differently. What uses, if any, should have minimum and maximum parking requirements? And is there an alternative to the tiered parking approach? So, we would love to hear your feedback on this.

Mr. Winston said yes. I do not think the tiered parking requirement approach works. I have been adamantly against parking minimums. I don't agree that we should have necessarily parking maximums. I think we should be planning for this disruptive stage of transportation while people are dependent, quite dependent on personal vehicles right now, that's not necessarily where it is going. I think parking should be a market-based approach and I think what we're seeing right now is if we try to overregulate this, you know it's not going to make much sense. You know, if the market is going to support less parking, we should allow for it. If the landowner, property owner decides that they want to put a lot of parking and they think they can make that work, you know, so be it. That's somebody's private property. I think we really get into a strange quandary where parking minimums, suppress certain types of development that we want and need but also parking maximums could be prohibitive in certain potential developments as well. And I think, again, where the market is going, we're definitely not going to need many open-air parking lots. The need for parking decks will be reduced. But if we try to create some defined pinhole for every development to reach into, I think we're setting ourselves up for failure. Thank you.

Mr. Driggs said so, I think I agree with my fellow economists on this one. It feels like we're overmanaging it. Nobody wants to put more parking in than they have to because it's a cost, right. So, I don't see what the danger is if someone would create too much parking. There is a need for a minimum because if somebody tries to economize and relies on on-street parking or on the ability to invade neighboring parking lots or something like that, we wouldn't want to allow that to happen. But, I don't know which tier is going to apply where and therefore, I can't comment on the tier system. We are pursuing a strategy of trying to reduce dependence on cars and with that, I hope the demand for parking would



go down. We can't try to accelerate that too much by just limiting the supply of parking. So, as far as I'm concerned less is more in terms of trying to impose rules other than the minimum. Thank you.

**Councilmember Phipps** said yeah, I was reading this morning in the business journal where the ULI people were talking about the Silver Line and they said that they were surprised that the population density in uptown was so low. They said it was like 12,500 people. But there's 70,000 parking spaces. I don't know if that includes South End or not. But it seems like every new tower that is projected to go up right now in South End is going to be coming with some sort of structured parking or whatever. So, I don't know where this is leading. But it seems like we're gurgling in parking spaces and you know, I think we had a situation when South End was being built out where we had the light rail going through and we had a lot of parking decks to use the Sustain Charlotte's term, we had a lot of cars behind bars. So, this is going to be a vexing issue, I think. I don't know how we're going to solve it. But it seems like, I don't know, if the institutional investors when they're building these office towers they want to sell, maybe they're saying they got to have structured parking in them to make them, you know, attractive or not. I know we tried to do an experiment in one of those communities and I don't know if it was Seversville or Smallwood or something where we had the development go up that had no parking which, you know, didn't make any sense. We had all these places that had the light rail going through it and we had like an abundance of parking. So, I think we've got to do something but how it works out, I don't know. So, I don't think there was a question there. I was throwing it out for my colleagues.

Mayor Lyles said I think you made your position pretty clear. I think that Laura, you've heard. This idea of trying to manage this in the tier just needs some work.

Mr. Bokhari said I think that was a head-scratcher of a comment. I just to like address it because I don't know if you've driven around and tried to park in South End or Uptown or countless other places right now, if you have, you know that these parking spots aren't for looks and despite all the numbers, it is still very hard to find a parking spot, and we're not fully recovered from the pandemic at this point, which we're on the way towards. So, I think Councilmen Winston and Driggs's points were spot on and valid. I would go further as to say that we shouldn't be dabbling in parking minimums or maximums. Government trying to come in and say, well we want more spaces for people or less spaces is irrelevant. These folks in the private sector are spending countless millions of dollars and they're not sitting around the table like this spit balling it. They have very detailed models that they go through and they make a gamble with that money on this is how many park spaces we need to address the market demand and when they're wrong on that, they fail. So, I think that if someone wants less parking and they think they can pull that off and people will live there or work there, more power to 'em, but they're the ones that are going to make that wager. And for those who want decks and things like that that on the other side we villainize as well, they're putting that money in place so they're meeting market demand. I think we need to be really cautious, staff, as we go forward in trying to think that we know an outcome that we want to happen in this city as an elected' s desire and thinking that we can tell the market that. Again, it relates to affordability issues. As we put more red tape and bureaucracy on things. I'd much more prefer us to take an approach of here's what we want to achieve. We lay that out and if we really want something, incentivize it in a certain way to occur, but t we certainly don't regulate it with ordinances that add costs and we do what we're supposed to be doing which is investing in the infrastructure that is crumbling all around it.

\* \* \* \* \*

## **ITEM NO. 2: HOME PROGRAM - REQUEST FOR PROPOSALS RECOMMENDATIONS**

Deferred

\* \* \* \* \*

mmm

### ITEM NO. 3: EASTLAND UPDATE

**Marcus Jones, City Manager** said Brent Cagle is going to give you a pretty quick briefing on two items related to Eastland that we thought is time to bring you back information.

**Brent Cagle, Assistant City Manager** said yes, thank you, sir. Good evening, Mayor and members of Council. I would like to give you just a brief update on some of the efforts that staff had been making over the last week or so related to the open-air market that existed at Eastland mall and to the DIY skate park, also that existed at the Eastland mall site. So, you may be familiar that the Eastland mall site was permanently closed as of last week, March 4th. That left a gap for the open-air market vendors to be able to find a new space to relocate. I have been working together with other staff to have informal discussions with the open-air vendors with their representatives and with other sites that may be able to accommodate the open-air market. I'm happy to say that while we don't have a final solution, we do think that there are some alternatives and we continue having those discussions and should be able to provide more updates to the Manager and to City Council over the next, I'm going to call it, 7 to 10 days, as we continue those discussions both with vendors or their representatives and with property owners who may be able to accommodate a relocated open-air market. Related to the DIY skate park, again, the solutions are slightly different but the city is we've been having informal discussions, again, with some of the skate community. Actually, a few were here this evening. I see that Mr. [inaudible] has since left. But we have been having a few conversations with some of the skate community about their desires and what would look like a solution. So, a couple of things. We do have some alternatives. Right now, in the city side, we are looking at we're really doing a search for remnant or existing city properties that are remnants that could be utilized possibly utilized to relocate the location. The other side of this conversation with the skate community is what I'm going to call the Asheville model. Asheville has a very similar skate park. It's called foundations skate park and, again this skate park is leased by the skate community where they have formed a 501(c)3, and this 501(c)3 leases the property and it's an organically grown skate park where the skate community has come together to support and grow the facility. So, we are looking at that and we are having those informal discussions. Again, right now, we don't have final answers but we are looking at the properties and having those discussions as we move forward and we will be better prepared to come back and provide you with more information as we understand the situation and understand what the possible properties the city may have for a new relocated skate park.

**Councilmember Graham** said so, are we getting into the park business? I mean, so I understand the scenario. So, what type of conversation has Mecklenburg County, a common theme, right, who handles parks in reference to this, right. I see everybody shaking their heads. So, help me understand

Mr. Cagle said yes. I personally had conversations with folks at the county to understand. So, the county does have skate parks. There is no doubt about it. There are two skate parks that the county owns and operates. And so, we have had some conversations with them about their skate parks and about the conversations that they have had with the DIY skate park folks. Again, I think that there is the DIY skate park folks, Again, the DIY skate park and I apologize, DIY is actually the name of the skate park at Eastland. So, when I say DIY, I'm referring to the name. The DIY skate park is something a little bit different than a county-run facility. And that is very important to the skate community. We've learned that as we've had those discussions and the county has the same understanding as well.

Mr. Graham said so, what's the difference?

Mr. Cagle said the DIY skate park is not a county facility and it has been able to grow organically by the skate community. They feel some ownership in that, in that they have put their time and energy into it and it is literally truly their place.

Mr. Graham said I'm just being the devil's advocate, right. If so, the city's role is?

Mr. Cagle said so, using the Asheville model, the city's role would be if we can identify a remnant parcel that would be adequate and would be willing to consider leasing the property for their use. We would be the lessor.

Mr. Graham said again. I'm just being devil's advocate, right I think it's kind of funny because, not because not funny because plight they're in but in terms of the direction we're going in as a community, right. I think we got to, it goes back to the conversation that we had earlier, that I don't want to reopen it at all because that's where we're still here. But it's all in the presentation and these conversations need to be had at some point, right we keep tripping over ourselves. And so, I understand that we have to solve the problem that we inherited, right. It's on our property. Everyone knew four, five years ago that this day was coming. I'm just asking the question out loud. What type of business are we getting into? Do we want to get into that business?

**Mayor Lyles** said I think we're getting into a leasing situation. Parks and Rec, you go on the website, you want to book a picnic, all of that. And I understand what you're saying. And I get that part, but I also think part of this is beyond just leasing the site. They actually have to be accountable for what happens on that site. Think about a lot of these places where we do have, I thought we had some similar kinds of situations in the city where we might lease a space or donate or something like that, to make something happen for the community, and this, especially a unique community. We may not think it may not be unique. It's unique for me, let me put it that way.

Mr. Graham said I get what you are saying, Madam Mayor. I definitely understand it. I am there with you as well. But it just begs the question.

Mayor Lyles said yeah. I think those are really good questions so that everybody understands what the relationship is.

**Councilmember Ajmera** said so, continued progress is not enough. We need more. We had entrepreneurs, small business entrepreneurs that have been asking for us to do something about the open-air market for far too long. This is an issue that's been going on that does not have a solution for a long time. We have failed them. We have many immigrant community members who reached out to us. They spoke at our public forum last Monday and they said, Mr. Augustine Cruz, some of these vendors raised their families off the income that they have generated from that site. I will quote what he said. We want the city to respect us like they do larger businesses. We allocated funding toward Eastland redevelopment. We allocated funding to subsidize the retail spaces so incubators like those can afford to stay there so they don't get displaced. So, when you tell me continued progress, that's not enough. I need to see a clear breakdown of where the funding allocation, what the funding allocation was, how much was allocated toward the retail space, and where we are subsidizing some of the retail space. We've got to figure out a way to include those entrepreneurs in our Eastland redevelopment project. This is a catalyst for that site. So many immigrant families depend; depend on their livelihood depends on this site and we cannot displace them. They're not asking for handouts. They're simply asking to be part of this catalyst, that we have promised them and I'm disappointed. I have said this to Mr. Manager in my one-on-one. We've got to find a solution for this open-air vendor that's been there. They have made this site so special. They have brought traction. They have brought opportunities for the site. All of a sudden, now they're being displaced. They're not even part of the redevelopment. That's a serious issue. We talk about displacement all day long and here this is our site and we are not looking at how these members can be part of the overall redevelopment. We have subsidized large businesses but we cannot find a way for these small vendors to be part of that. That's a shame. We've got to figure that out. I'm sorry, but this is not enough for me.

Mr. Jones said Ms. Ajmera and Mr. Graham and Council, so we had a rough Monday last week and I commend the staff. Federico and Brent and Mr. Driggs said (Economic Development, and General Services and everybody for pounding the pavement, having conversations with people, and not turning our back when some people would even say it's not our problem. So, I commend the staff for coming in tonight to give you an update

to basically say, we are making this our problem. And we are doing more than just looking at sites. We're talking about potentially putting city dollars in spaces and places we have never done before. We're talking about taking some of these businesses and six months from now or a year from now or two years from now, they may have their own bricks and mortar. So, you know, we rushed to have the conversation, but I think we did ourselves a little bit of a disservice by rushing to have a conversation. Again, I commend the staff for listening to Council and rolling up our sleeves and trying to get solutions immediately.

Ms. Ajmera said to follow up on that, we know that these market vendors were asked to leave the site last week.

Mr. Jones said no, ma'am.

Ms. Ajmera said when were they asked to leave? Are they continuing their operations there?

Mr. Jones said so maybe we were too polite but my understanding is that it's as early as last September, there were discussions about vacating the site, and there's a lot of information we shared with the Council. I don't want to rehash it tonight. But I believe we have done a good job of communicating that Eastland was going to change dramatically and so again, this didn't happen in 14 days.

Ms. Ajmera said no, I understand, but some of those vendors were not communicated. So, they spoke at our public forum on Monday, and that's how we learned that some of these vendors did not even know until CMPD officers came on the site and asked them to vacate the property. So, some of these vendors, their livelihoods depend on this site. They don't have another site to go to. So, in the meantime, while we are trying to figure this out for a long period of time, they have no business left. This is their only source of income; that's gone. So, what is the interim solution? I mean, these folks will be out of business, right. They are so many materials or they said they have so much stuff that they have purchased, they have nowhere to sell.

Mr. Jones said so, I'll do two quick things. Also, [inaudible], but if you want to talk about it in much more detail. So, the relationship, my understanding, was not with the individual vendors. Brent, you can explain this better, but with someone who represented all of the vendors.

Mr. Cagle said yes. So, up until September of last year, there was a lease. The city entered into a lease with one representative who, quote, unquote, manage the site. He was the lessee. His name is Theo and his last name escapes me and he managed that. He charged rent to the vendors. He paid the city rent for the site. The lessee was notified that the lease would not be extended in September. Now, that being said that happened. The lease was not extended. Now, that being said, some of the vendors continued operating and the city did not say in September and October and November did not say, you know longer have a lease, you need to vacate the property. The development for the site is becoming more imminent and so we were notified we, being general services, were notified that the development for the site is becoming imminent. There were other concerns related to vendors operating with no lease and so the decision was made to ask the vendors to no longer utilize the site and they were unleased. Now, that being said, there may have been some vendors who were either there in September, before September, or maybe came after September who didn't know the history of this. That is very possible and I wouldn't dispute that. I don't know if that's true. But I don't know that it's not. So, what we are doing is given that the site is no longer available, we are, Federico and I and others in the city are working together to have the conversation with how can the city help to re-establish the open-air market at an alternate site. I will say the vendors are also very interested in this. They have some great ideas. They have brought forward very good ideas and I applaud them for that. And so, we have been having that conversation, really, over the last week or two. That conversation has been very fruitful. I don't have a 100% solution tonight to tell you this is what they would like, this is the ask, but we are very close to that, I believe.

Ms. Ajmera said I look forward to a day where we find an alternative location for these vendors because, in the meantime, they have no income. Right. Their livelihoods depend on this. They have made this place so unique. They brought traction and now they're displaced. Yes, you might have communicated to the person who was in charge of the lease. However, probably there was a communication gap between the main person or the point of contact and other vendors, and we clearly heard that at our public forum. When was the last day they were allowed to operate on the site?

Mr. Cagle said they were asked to leave roughly it was a Friday. I would need to check my calendar on the exact date but roughly two weeks ago.

Ms. Ajmera said so, it's been two weeks. They have nowhere to go. They are displaced and we talk about displacement all day. I hope that we find an alternative location sooner rather than later for these vendors. We want this development to continue because that is going to be the catalyst for the east side. I appreciate that. However, we need to provide affordable retail space where these vendors can thrive because we have provided so much subsidy to so many larger businesses, we've got to find a way to support our small businesses. Thank you.

**Councilmember Winston** said I want to second Mr. Jones' advice to us right here, right now. I definitely hear what you are saying, Ms. Ajmera. I want the public to know the voices that we heard on Monday did not go unheard. They did not go unheard by the city staff or City Council and they did not go unheard by the community at large. I don't know everything that's going on, but I can tell you for example, that a property owner reached out to me directly that wants to help. I got him in contact with Mr. Cagle. He said [inaudible], the staff is exploring many different options to figure out what is the best way to move forward. And Mr. Jones is absolutely right. They are taking a chance by giving us, especially in this public forum, really kind of stuff that is baking right now and that timer could go off very quickly. So, while I agree that we need to know more about how to prevent this in the future, I don't want to gum stuff up in doing kind of academic exercises right now when I do think they really have some real solid leads about how to not only correct us but make this situation overall better. Staff heard the community and staff is hearing us. Let's be in contact with each other and make sure we can push this over the finish line and not slow it down. That's all I'm asking.

Mr. Graham said Thank you council member Winston. You took the spirit of what I was going to say as well. In addition, today at the Economic Development Committee, we also talked about the corridors. We spent a lot of time talking about Eastland and the Corridors of Opportunity. I said it very clearly and I think of all the corridors, Albemarle Road has the most potential in terms of being really being an international corridor, an international community with a lot of vendors. We talk about the reduction of leases if possible of leases to make sure that some of the smaller vendors can stay in place when the development occurs at Eastland mall. So, I think just a lot of long-term thinking about how do we make sure that we don't lose the culture over there, that we don't lose the vendors who want to participate in the development over there, and that they can stay there and the leases are affordable. So, I understand the spirit of the councilwoman. I agree with you 100%, but I think this was five years in the making. This didn't happen overnight. Notwithstanding the fact that people are feeling the impact of it. That does not go unnoticed by me and certainly, I don't think it goes unnoticed by the staff. I was kind of being facetious about the skate park because again, it goes back to the earlier conversation, if we are going to have to go it alone, then maybe we should be in that business. That's the point I was trying to make.

**Councilmember Driggs** said so, have the vendors used that land free of charge for the last six months?

Mr. Cagle said the lease expired in September. Well so, let me back that up. They have not paid the city. I do not know if there was someone collecting rent or not at the site. I guess I want to be clear in what my answer means. The city lease expired in September at which point the city stopped receiving rent.

Mr. Driggs said right. So, the city at least I think was generous in allowing that land to be used, you know, with nothing to us and I don't think we should be maneuvered into a defensive because we established that empty land that way at a time when we had no other use for and we're still trying to figure out what to do with it. And we did figure out what to do with it. The only thing I will say is that we probably would not be in this position if we had planned better for the day on which we needed. We could have had all these conversations about where they go instead and it could have been orderly and we wouldn't have them with this gap. But I just resist the suggestion that it is our obligation to accommodate this need for space. I mean this is a commercial enterprise. It's like other commercial enterprises, and we may choose as a matter of policy to support small businesses and I'm in favor of that. I regret the hardship. I just don't feel that since we didn't even get any money for that land for six months that we should be exposed to this kind of criticism. Thank you.

Mayor Lyles said okay. Thank you very much, Brent. Keep us informed and keep us up to date on what the progress is.

\* \* \* \* \*

#### **ITEM NO. 6: CLOSED SESSION**

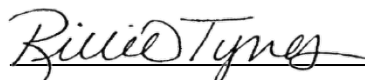
Motion was made by Councilmember Watlington, seconded by Councilmember Eiselt, and carried unanimously to go into closed session pursuant to NC General Statute § 143.318-11a3 to consult with the City Attorney to preserve attorney-client privilege between the attorney and City Council.

The meeting was recessed at 9:57 p.m. for a closed session.

\* \* \* \* \*

#### **ADJOURNMENT**

The meeting was adjourned at 10:39 p.m. at the conclusion of the closed session.



Billie Tynes, Deputy City Clerk

Length of Meeting: 4 Hours, 53 Minutes  
Minutes Completed: August 15, 2022