

The City Council of the City of Charlotte, North Carolina convened for an Action Review on Monday, February 26, 2024, at 5:09 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Danté Anderson, Ed Driggs, Lawana Mayfield, James Mitchell, and Victoria Watlington.

ABSENT: Councilmembers Tiawana Brown and Malcolm Graham.

ABSENT UNTIL NOTED: Councilmembers Tariq Bokhari, Renee Johnson, and Marjorie Molina.

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ACTION REVIEW

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

Mayor Lyles said so, I think that we have a couple of things that I would say. We have our Consent Agenda, and so do we have any reports or questions that have been presented to you, the staff, Ms. Marie?

Marie Harris, Strategy and Budget said yes, ma'am. I've gotten a chance to talk with Councilmember Mayfield on her questions and a couple of other folks, but does anybody else have any outstanding questions that I haven't covered?

Mayor Lyles said I don't see anyone with other questions. Do you have a handout for us?

Ms. Harris said yes, ma'am. It's at everyone's seat, if they want to look over that.

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ITEM NO. 2: CONSENT AGENDA ITEMS 13 THROUGH 45 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS REMOVED BY A COUNCIL MEMBER. ITEMS ARE REMOVED BY NOTIFYING THE CITY CLERK.

Mayor Lyles said okay. yes, agenda item questions. Alright, are there any comments? I understand we have one for a separate vote, as well as a comment that can be made before a vote on any motion.

Marie Harris, Strategy and Budget said yes, ma'am. We also have 45 that's been deferred.

Mayor Lyles said 45 has been deferred. The separate vote was 17.

Ms. Harris said it's Fire House 30. That's what you were referencing.

Mayor Lyles said yes, figured that out today. Was there an item for a separate vote?

Ms. Harris said no, ma'am. I had an item for comment on 17 for Fire House 30, for Ms. Watlington who was wanting to make a comment.

Councilmember Bokhari arrived at 5:12 p.m.

Motion was made by Councilmember Anderson, and seconded by Councilmember Driggs, to approve the Consent Agenda as presented with the exception of Item No. 45 which was deferred by staff.
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Mayor Lyles said Ms. Watlington, your comment on Fire Station 30, Item 30.

Councilmember Watlington said for the record, Victoria Watlington, serving At-Large. I just wanted to comment, because I know there's been a bit of conversation around how we go to business and what that means in terms of MWSBE (Minority, Women, Small Business Enterprise) support. I will be supporting this particular procurement item tonight, but I do want to lift up that, I absolutely expect to see a continued focus around how do we update our procurement methods, such that we can support more MWSBE in our community, being the largest city in the state. We look around at some of our peers and see that they have made great strides in economic mobility through MWSBE participation. So, I'd like to see us do more, frankly. So, just wanted to make sure that we noted that at the top of the year. Thanks.

Mayor Lyles said alright, very relevant comments. Thank you, Ms. Watlington. So, with that, we have the motion on the floor. Any other comments?

Councilmember Ajmera said so, Item No. 30 is for all-electric firehouse, and that's one of our first ones, so I wanted to highlight that. This further shows our commitment to our SEAP (Strategic Energy Action Plan) goals to transition towards low-carbon future, where we have a goal of going carbon-free by 2030 for all of our internal facilities. So, this is a bold step forward, and I appreciate the work that fire department and our sustainability staff has done to make this goal a reality step by step. Thank you.

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

The following items were approved.

Item No. 13: Governor's Highway Safety Program Grant For Traffic Safety

Adopt a Resolution authorizing the City Manager, or his designee, to apply for and accept a grant in the amount of \$50,000 from the North Carolina Governor's Highway Safety Program to conduct overtime projects focused on increased enforcement of traffic violations.

The resolution is recorded in full in Resolution Book 55, at Page(s) 067-068.

Item No. 14: Governor's Highway Safety Program Grant for Traffic Safety - Driving While Impaired Task Force

Adopt a resolution authorizing the City Manager, or his designee, to apply for and accept a grant in the amount of \$209,523 from the North Carolina Governor's Highway Safety Program for the Driving While Impaired Task Force.

The resolution is recorded in full in Resolution Book 55, at Page(s) 069-070.

Item No. 15: Governor's Highway Safety Program Grant for Traffic Safety - Law Enforcement Liaison

Adopt a resolution authorizing the City Manager, or his designee, to apply for and accept a grant in the amount of \$30,000 from the North Carolina Governor's Highway Safety Program.

The resolution is recorded in full in Resolution Book 55, at Page(s) 071-072.

Item No. 16: Temporary Traffic Control Services

(A) Approve a unit price contract with GDC, Inc. dba GDC Supplies Equipment and Contracting LLC (MBE, SBE) for Temporary Traffic Control Services for an initial term of one year, and (B) Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 17: Construct Charlotte Fire Department Firehouse #30

Approve a contract in the amount of \$10,313,000 to the lowest responsive, responsible bidder Swinerton Builders for the Charlotte Fire Department Firehouse #30 project.

Summary of Bids

Swinerton Builders	\$10,313,000.00
Randolph and Son Builders, Inc.	\$10,453,953.00
Miles-McClellan Construction Company	\$10,717,000.00
GW Liles Construction	\$10,753,267.00
JM Cope	\$11,019,025.00
Wharton-Smith, Inc.	\$11,215,810.00
Path Construction Northeast Inc.	\$11,320,250.00
Edison Foard, LLC	\$12,027,242.00
Cooper Tacia General Contracting	\$12,600,400.00
Batson-Cook Construction	\$13,475,768.00

Item No. 18: Construct Cross Charlotte Trail - Tryon Street to Orr Road

Approve a contract in the amount of \$4,774,592.99 to the lowest responsive, responsible bidder J.D. Goodrum Co, Inc. for the Cross Charlotte Trail - Tryon Street to Orr Road project.

Summary of Bids

J. D. Goodrum Co., Inc.	\$4,774,592.99
Blythe Development Co.	\$5,104,798.60
Sealand Contractors Corp.	\$5,320,000.00
United of Carolinas, Inc.	\$5,876,129.71

Item No. 19: Construct Tuckaseegee Road Sidewalk

Approve a contract in the amount of \$1,350,629.50 to the lowest responsive, responsible bidder United Construction Company, Inc. for the Tuckaseegee Road Sidewalk project.

Summary of Bids

United Construction Company, Inc.	\$1,350,629.50
United of Carolina	\$1,646,500.90
Nassiri Development	\$1,680,717.50
DOT Construction	\$1,971,522.30

Item No. 20: Landscape Installations

(A) Authorize the City Manager to negotiate and execute contracts with the following companies for Unspecified Capital Investment Plan and Storm Water Services Landscape Installations for an initial term of three years: Carolina Outdoor Maintenance, Inc. (SBE, WBE), Champion Landscapes, Inc., New Beginning Landscape, LLC (MBE, SBE), Roundtree Companies, LLC (MBE, SBE), Southern Horticulture Group LLC DBA Southern EEZ Landscaping (SBE), Taylor's Landscaping Service, Inc. (SBE), and (B) Authorize the City Manager to renew the contracts for up to one, two-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 21: CATS Blue Line Landscape Maintenance

(A) Approve unit price contracts for CATS Blue Line Landscape Maintenance for an initial term of three years to the following: Champion Landscapes Inc., Southern EEZ Landscaping (SBE), Taylor's Landscaping Services, Inc. (SBE), and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 22: Engineering Services for 6th and Graham Storm Drainage Improvement Project

(A) Approve a contract in the amount of \$1,180,000 with HDR Engineering Inc. of the Carolinas for the 6th and Graham Storm Drainage Improvement Project, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Item No. 23: Engineering Services for Hidden Valley Storm Drainage Improvement Project

(A) Approve a contract amendment #1 for \$800,000 to the contract with D&A Wolverine, PLLC for the Hidden Valley Storm Drainage Improvement Project, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract and this amendment were approved.

Item No. 24: RailPros Professional Services

Approve a contract for up to \$518,052.50 with RailPros Field Services, Inc. for the North End Around Taxiway Old Dowd Road project.

Item No. 25: Airport Arc Flash Testing Services

(A) Approve a unit price contract with Blackmon Services, Inc. for Arc Flash Testing for an initial term of five years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract as necessary to meet business needs.

Item No. 26: Airport Baggage Handling System Operation, Maintenance, and Repair Contract Amendment

Approve contract amendment #7 for \$631,716 to the contract with Siemens Postal, Parcel & Airport Logistics, LLC for maintenance, operation, and repair of the Baggage Handling System.

Item No. 27: Airport Baggage Handling System Operation and Maintenance

(A) Approve a contract with Vanderlande Industries, Inc. for Baggage Handling System operations and maintenance for a term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 28: Airport Public Address System Maintenance and Support

(A) Approve a contract with Ford Audio-Visual Systems, LLC. for Airport Public Address System technical support, maintenance, and replacement hardware for a term of three years, (B) Authorize the City Manager renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to purchase additional software licenses, services, hardware, maintenance, and support as required to maintain the public address system for the term of the contract.

Item No. 29: Airport Terrazzo Maintenance

(A) Approve unit price contracts with the following companies for terrazzo maintenance for an initial term of three years: Sunshine Cleaning Systems, LLC, ABM Aviation, Inc., and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 30: On-Call Technology Services Contract Extension

(A) Approve a contract extension for two years with Intratek Computer, Inc. for on-call technology services, (B) Authorize the City Manager to renew the contract for a two-year term with possible price adjustments, and to amend the contract consistent with the purposes for which the contract and this amendment were approved, and (C) Authorize the City Manager to purchase such additional software licenses, maintenance, support, services, and hardware as required to continue to receive these on-call technology services for the term of the contract.

Item No. 31: Bond Issuance Approval for Evoke Living at Ballantyne

Adopt a resolution granting INLIVIAN's request to issue new multi-family housing revenue bonds, in an amount not to exceed \$11,500,000, to finance the development of an affordable housing development known as Evoke Living at Ballantyne.

The resolution is recorded in full in Resolution Book 55, at Page(s) 073-076.

Item No. 32: Set a Public Hearing on Alverton Area Voluntary Annexation

Adopt a resolution setting a public hearing for March 25, 2024, for Alverton Area voluntary annexation petition.

The resolution is recorded in full in Resolution Book 55, at Page(s) 077-078.

Item No. 33: Resolution of Intent to Abandon a Portion of Alleyway between Scott Avenue and Fountain View Street

(A) Adopt a Resolution of Intent to abandon a Portion of Alleyway between Scott Avenue and Fountain View Street, and (B) Set a Public Hearing for April 8, 2024.

The resolution is recorded in full in Resolution Book 55, at Page(s) 079-080.

Item No. 34: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$747,839.38.

The resolution is recorded in full in Resolution Book 55, at Page(s) 081-085.

PROPERTY TRANSACTIONS

Item No. 35: Aviation Property Transactions - 4330 Keeter Drive

Acquisition of 1.689 acres (73,573 square feet) at 4330 Keeter Drive from Jharna Enterprises, LLC for \$3,100,000 and all relocation benefits in compliance with Federal, State or Local regulations for Aviation Master Plan.

Item No. 36: Charlotte Water Property Transactions - Mallard Creek Basin Improvements Phase 1 and 2, Parcel # 20

Resolution of Condemnation of 3,162 square feet (0.07 acres) in Permanent Utility Easement and 4,100 square feet (0.09 acres) in Temporary Construction Easement at 705-707 Pavilion Boulevard from Pavilion Partners for \$8,150 for Mallard Creek Basin Improvements Phase 1 and 2, Parcel # 20.

The resolution is recorded in full in Resolution Book 55, at Page(s) 086-087.

Item No. 37: Property Transactions - 5212 Sharon View Sidewalk Gap, Parcel # 1

Acquisition of 2,604 square feet (0.060 acres) Sidewalk Utility Easement, 1,144 square feet (0.026 acres) Storm Drainage Easement and 1,866 square feet (0.043 acres) Temporary Construction Easement at 5212 Sharon View Road from Mark B. Tcherkezian and Lesa B. Tcherkezian for \$120,000 for 5212 Sharon View Sidewalk Gap, Parcel # 1.

Item No. 38: Property Transactions - Rea Road Widening, Parcel #3

Acquisition of 229 square feet (0.005 acres) Sidewalk Utility Easement and 2,126 square feet (0.049 acres) Temporary Construction Easement at 5200 Piper Station Drive from Agree Convenience No. 1, LLC for \$29,050 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 3.

Item No. 39: Property Transactions - Rea Road Widening, Parcel # 5

Resolution of Condemnation of 1,822 square feet (0.042 acres) Sidewalk Utility Easement, 3,716 square feet (0.085 acres) Permanent Utility Easement, 320 square feet (0.007 acres) Storm Drainage Easement and 3,515 square feet (0.081 acres) Temporary Construction Easement at 7825 Ballantyne Commons Parkway from Peter J. Jugis, Bishop of the Roman Catholic Diocese of Charlotte, NC for \$110,125 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 5.

The resolution is recorded in full in Resolution Book 55, at Page(s) 088-089.

Item No. 40: Property Transactions - Rea Road Widening, Parcel #6

Resolution of Condemnation of 83 square feet (0.002 acres) Fee Simple Outside of Existing Right-of-Way 224 square feet (0.005 acres) Permanent Shelter Easement,

3,796 square feet (0.087 acres) Utility Easement, 2,315 square feet(0.053 acres) Sidewalk Utility Easement, 7,232 square feet (0.166 acres) Temporary Construction Easement at 8015 Ballantyne Commons Parkway from Peter J. Jugis, Bishop of the Roman Catholic Diocese of Charlotte, NC for \$126,300 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 6.

The resolution is recorded in full in Resolution Book 55, at Page(s) 090-091.

Item No. 41: Property Transactions - Rea Road Widening, Parcel # 8

Acquisition of 869 square feet (0.02 acres) Utility Easement, 939 square feet (0.022 acres) Sidewalk Utility Easement and 991 square feet (0.023 acres) Temporary at 11508 Falling Leaves Drive from Syed Rehan Haque and Jenna Kelley Haque for \$169,000 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 8.

Item No. 42: Property Transactions - Rea Road Widening, Parcel # 12

Resolution of Condemnation of 7 square feet (0.000 acres) Fee Simple Outside of Right-of-Way Property to be acquired by Easements: 945 square feet (0.022 acres) Utility Easement, 435 square feet (0.01 acres) Sidewalk Utility Easement and 1,249 square feet (0.029 acres) Temporary Construction Easement at Williams Pond Lane from Peter J. Jugis, Bishop of the Roman Catholic Diocese of Charlotte, NC for \$17,675 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 12.

The resolution is recorded in full in Resolution Book 55, at Page(s) 092-093.

Item No. 43: Property Transactions - Rea Road Widening, Parcel # 13

Resolution of Condemnation of 3,633 square feet (0.083 acres) Utility Easement, 30 square feet (0.001 acres) Sidewalk Utility Easement and 23 square feet (0.001 acres) Temporary Construction Easement at 7940 Williams Pond Lane from Peter J. Jugis, Bishop of the Roman Catholic Diocese of Charlotte, NC for \$47,075 for Rea Road Widening (I-485 to Williams Pond Lane), Parcel # 13.

The resolution is recorded in full in Resolution Book 55, at Page(s) 094-095.

Item No. 44: Property Transactions - Regional Solids Conveyance Phase 1A, Parcel # 5

Acquisition of 3,950 square feet (0.091 acres) Sanitary Sewer Easement and 4,042 square feet (0.093 acres) Temporary Construction Easement at 1402 McCorkle Road from Sandra Johnston Kelly and Eric M. Kelly for \$28,698 for Regional Solids Conveyance Phase 1A, Parcel # 5.

ITEM NO. 3: ACTION REVIEW AGENDA OVERVIEW

Marcus Jones, City Manager said thank you, Mayor and members of Council. We have two items on the Action Review tonight. A Spectrum Center update for you, and also you have asked in the past where we are with our ARPA (American Rescue Plan Act) funds. We want to do this comprehensively and look at all of the federal funds that we've been receiving since the pandemic. There's about \$300 million worth of funds that we have received from the federal government with two-thirds of that going out into the community in various methods. So, Mayor, what I'd like to do, if there aren't any questions, I'd like to turn it over to Tracy Dodson to talk about the Spectrum Center update. One thing I do want to say before I turn it over to Tracy. We did talk in general about how we would move forward with this, and so tonight we'll provide a presentation update to you. If there're some additional questions, I'm recommending that we have those at the March 4, 2024, ED (Economic Development) Committee meeting, with the goal of being able to get this across the goal line by the end of March 2024. Again, the concept, talk to you tonight, talk to you next Monday at the ED Committee meeting, with the goal of finishing up at the end of March 2024.

ITEM NO. 4: ACTION REVIEW ITEMS

Tracy Dodson, Assistant City Manager said great, thank you. Good evening, everyone. Here to give you just a quick update. It was a couple years ago that we were in front of you on this. So, we'll remind you what the 2022 agreement looked like, and then actually what the new proposal that came in in late 2023. We've been working on it since it came in with the new ownership, compare them, and then let you know our recommendation to move forward. So, in 2022, you approved \$215 million for Arena improvements, as well as \$60 million for a Performance Enhancement Facility, which we call the PEC. If you remember when we made this vote, there was about \$173 million of work that was obligated in the Arena. Doing the additional work, plus the investment in the PEC, allowed us to extend the lease from 2030 to 2045. Also, in 2022, we talked about the PEC potentially having two locations, one at the CTC (Charlotte Transportation Center) redevelopment, which you see in the yellow box at the bottom image, or the red box which was the gravel lot, and 50 percent of that gravel lot was part of that 2022 agreement.

Going into a little bit more detail on the 2022, I mentioned the \$275 million, but the City was going to be building the PEC under that agreement. So, we were responsible for construction delays. We were responsible for providing parking, some that was designated solely to the Hornets, some that were shared, from like an office user to them on the events and evening events. As I mentioned, the two locations on the PEC. The city would own the PEC, and the Hornets would have leased it from us, and then we would have shared in the PEC naming rights. As we dug into the 2022 options, option A, which was at CTC, had the \$60 million towards the PEC, had incorporated the PEC into a mixed-use development. If you remember, we always said that was a transit development first. It was about a 78,000 square foot facility. It had 350 parking spaces, that I mentioned, and it required a delivery by Q4 (Fourth Quarter), 2027. Option B was half of the gravel lot. They had a first right on the remainder of the lot. The requirements of the facility and the parking were both the same.

Now, as we move into the new approach, and this really came about with the new ownership. They had a bigger vision, and they came to us in the last part of 2023. They had a bigger vision for a bigger world-class facility, they wanted to actually invest more, and they desired to control the development, so that they could get an earlier delivery. They are targeting now to have a Q4, 2026 delivery. They also requested that they shift some of the \$60 million that we had committed for the PEC, over to the Arena, which is our owned facility. In addition, the PEC was going to require 60 percent, not 50 percent, of the gravel lot, because it was going to be a larger facility, as I mentioned deliver it earlier. Then, they also asked to have the development rights of the remainder of the gravel lot. This was to do additional development that would contribute to the vision of the district that we've talked about. The last piece was that they wanted to keep, and not share, the naming rights specifically to the PEC.

So, that's a lot. Let me show you how we start to compare this when we look at it. It's important to note that the investment from 2022 to 2024, was still the \$275 million. We're shifting \$30 million from PEC to the Arena but remind you that the \$173 million was always obligated under our original contracts. The 2022 proposal had the Hornets investing in the cost overruns in the Arena, that remains true, but now you have a much more significant investment from the Hornets around the PEC from \$70 to \$100 million. So, you're getting the total Hornets investment is the cost overruns in the Arena, as well as the investment into the PEC, and you can see there the total project jumps from approximately \$275 million to anywhere between \$345 million and \$375 million. The gravel lot development rights were 50 percent under the old agreement. Now it's 60 percent plus the additional development rights, so essentially, it's the whole block, and now you have an estimated tax revenue from that new development that would be generated, whereas before when we owned the facility, that was not the case. Again, as I mentioned, we think that the development of the remainder of the lot would contribute to the larger district vision.

On the far right, you'll see, I tried to kind of simplify a little bit, what are the trade-offs? So, under 2022, we're relieved from the parking requirements and the maintenance repairs, cost overruns or late fees. We gain 250 parking spaces for our City employees, which we currently use on the gravel lot. In exchange, we're providing the additional 50 percent of the gravel lot, and the City does not share in the naming rights. When you total all this out, we really come out about \$5 million in the better, between 2022 and 2024. So, with this, there are funding adjustments of where the sources are coming from. We would love to use \$30 million from tourism funds to put into the Arena. Part of this comes from more affordability in the fund. When we were in front of you in 2022, we were coming out of COVID, and the funds had not fully recovered the way that they have now, so there's more affordability in the fund. The remaining \$30 million for the PEC, we're looking at new rent, that was a part of the 2022 agreement that's coming to us from the Hornets, as a possibility, as well as still the possibilities for sponsorship revenue. It's just that our timing has gotten somewhat disconnected with the delivery of all the pieces within the district.

So, our staff recommendation for this is to pursue this new proposal. It decreases the City investment in the PEC and increases City money in our City-owned asset. The value of the Hornets give exceeds the value of the gravel lot, as we kind of talked about. The longer schedule at CTC creates risk for the penalties. This expedites development potential and tax revenue for the gravel lot. Ultimately, we are driving more tourism opportunities, and more development can contribute to the district vitality, as we've mentioned before. Lastly, as the Manager started, tonight we're really here with getting some direction, getting some reaction from you. As the Manager said, next step would be to continue this Council discussion next week, and eventually coming back to you to vote on the new PEC agreement. With that, I will stop for questions.

Mayor Lyles said so, this is the time to get questions out, and be prepared for the committee meeting. I hope that this would be a meeting, Mr. Mitchell is the Vice Chair, that others can certainly view the public, as well as people in the community, but I would also say any Council member should have the opportunity to participate in that review as well. So, if that's okay.

Councilmember Mitchell said first, kudos to City Manager and to Tracy. I think in our last conversation, this was one thing the Council wanted to see, was something in writing, and I give Councilmember Ajmera credit. To see the side-by-side comparison of 2022 to 2024, this is very easy for me to read and follow, particularly when you look at slide, and Tracy you can go back to slide, I think, seven. I think slide seven is very telling for us, that it is a better deal and put in a better situation when the new owner is going to commit between \$70 and \$100 million, and more important, the tax it would generate is \$18 million. So, I look forward, Madam Mayor to your point, inviting all Council members to the public to March 4, 2024, committee discussion. Thank you, staff.

Councilmember Mayfield said thank you, Ms. Dodson, for the presentation. I just want to make sure that, as these conversations are happening, that we also get to hear whether it's at the committee meeting from our City Attorney's office, because I want to make sure that we are having our legal representation on the front end versus staff and Council signing off on something. The language is where the meat is at. So, I want to make sure that we have a chance to hear from our City Attorney whether he has any comments now, or at least at committee, so that I can know, for me, where we are with the logistics legally and what the expectations, because even though I've been around for many years, we approved a lot of things, saying we were initially obligated to have \$173 million obligation. Well, at the end of the day, \$173 million from \$245 million is still \$72 million that's out there. Now, we talked about where it would be allocated and how it would work. I would just like to know that our legal representation is at the forefront of all these conversations and not on the backend.

Mayor Lyles said I think that you and I must have been on the same page, because I had a long conversation with our City Attorney this morning and talking about what we should be doing, and I guess the question is, and I think that we had planned to have a

conversation tomorrow with Legal, the Manager, and ED, to see where we are and to go through, but I have to remind all of us, we should always remember that the City Attorney signs off on these contracts, and there's a reason. I'm going to turn it over to Mr. Baker, but I think that what we're trying to do is make sure that you get the proposal, and then if the Council clearly understands what the options are, or has questions about it, the City Attorney will address the questions, I believe, at the committee meeting, as well. Is that where we will be, Mr. Baker?

Patrick Baker, City Attorney said that is correct. As the conversation goes today, we'll certainly be writing notes about things. The main thing is to make sure that the Council has a clear understanding as to what it's being asked, so that there is no coming back a year later with, "Wait a second, you didn't tell us this or that," and that's the communications that I've had with the City Manager. In particular, making sure that he and I are on the exact same page in terms of what's being disclosed, so there's clarity as to what this deal is, as opposed to a situation where we're showing you the highlights, and you may not quite understand some of the other aspects of the deal.

Mayor Lyles said alright, so that's to be prior to the committee meeting, the Manager, we need to get our legal team all signed up, okay.

Councilmember Ajmera said I agree with Mr. Mitchell. I appreciate Tracy and her team for providing all the details, side-by-side comparison, and also providing agreement. We have updated terms that was part of our package that is very helpful. So, this was our homework for the weekend, and I took notes. I have 12 points that I want to mention. So, number one is including local apprenticeship programs that we have in our City. How we can encourage our local apprenticeship programs to be part of this renovation process?

Ms. Dodson said well, local apprenticeships we had not considered into the work so far. We obviously have the MWSBE commitment that we've done, but we can talk to the team about where we are in local apprenticeships as well.

Ms. Ajmera said yes, so I would like to advocate for, in addition to the MWSBE commitment, that we have local apprenticeship commitment as part of our updated terms, because we have workforce development initiatives, and we've got to ensure that we have our local workforce being part of some of these opportunities.

Councilmember Molina arrived at 5:30 p.m.

I know, Tracy, you mentioned that focus on transit doesn't change. That is our number one priority. So, I think going back to that point, with this new proposal, we have to figure out a way to ensure that we have a plan for our transit station renovation. So, when I say transit, CTC specifically.

So, on one of the slides, you had shared with us the PEC naming rights, where you have \$30 million under the PEC 2024 column. So, we are going from \$60 million to \$30 million, that's part of the proposal, and in this proposal, the City will not be owning the PEC building. It will be owned by the new ownership. So, why invest \$30 million if you don't own the building?

Ms. Dodson said so, I think we're trying to stay whole to our commitment of the \$60 million. When the ownership shifts, we got comfortable with moving some of that over to the Arena, because that's our owned asset, but we still felt like we have that commitment to the PEC, which is a part of keeping them here until 2045.

Ms. Ajmera said yes, I get that there is a longer-term commitment to 2045, and that was part of our original deal. So, why not have all towards Arena versus the PEC, when we have Arena as part of our ownership? You don't have to answer it today, if that's something you need to take time to, but I'm trying to wrap my head around an asset or the building that we do not own, but we are committing \$30 million towards it. Then, I

know in the original deal we had in 2022, we had the naming rights for both the Arena and the PEC, is that right?

Councilmember Johnson arrived at 5:32 p.m.

Ms. Dodson said no.

Ms. Ajmera said we never had the naming rights for the PEC?

Ms. Dodson said no. The Hornets have always owned the naming rights for the Arena. What we were looking at future revenue potential in was, district naming rights and things like that, around the Arena, part of which was the PEC. Now, in the 2022 agreement, we had it where the City and the Hornets would share specifically in the PEC naming rights, 50/50. So, when they made the switch, they asked to own all of the naming rights for that. We can still look for revenues out of the district naming rights, and things like that, like we had originally contemplated.

Ms. Ajmera said so, we had 50/50. So, the \$60 million originally that we had anticipated from the naming rights, was it \$60 million in 2022?

Ms. Dodson said yes. We thought over the course of the lease extension and the district, that we could generate the \$60 million.

Ms. Ajmera said right. So, out of that, now we are giving up the naming rights for the PEC?

Ms. Dodson said yes, which was just one piece of how we calculated the \$60 million.

Ms. Ajmera said okay. So, I guess I just need to see the math where we look at what we are gaining versus what we are giving. So, we have 50 percent gravel lot. So, this is not just where the money is being used and where the money is coming from. It's more than that. We are providing the development rights to the other half of the gravel lot, that we didn't have before, which is worth roughly \$16 million. Then we are also giving up the naming rights on the PEC. So, I see there is a math somewhere that shows the net gain is \$5 million towards the City, but I'd like to see the math that, here's the \$60 million that we are giving up, as part of the gravel lot, half of that, and how we are getting to \$5 million. I think that's what I'd like to see as part of the math. So, [INAUDIBLE] I appreciate the commitment of \$70 to \$100 million towards the PEC by the new ownership that we didn't have before. I think that is important. I certainly appreciate that, but I just need to see the math.

Also, there was a slide on the naming rights, where we had \$60 million anticipated. So, in future, I think we need to be conservative as we factor in the sponsorship numbers, because I remember when they had a presentation back in 2022, Ed and I used to serve on that committee. Well, Ed still does, I do not. The naming rights proposal just sounded too good to be true, and now we are seeing that we are not going to meet those projections, and we are having to tap into our tourism fund capacity to address the request. I think we need to keep that in mind moving forward. Also, have there been any conversations on the rent payments for the PEC as part of the overall equation, the new proposal?

Ms. Dodson said we have not discussed rent payments in the PEC, because they would own the PEC. In the 2022 agreement, there was an increased rent payment from the Hornets, but not on the PEC. Now, they will own the PEC, and what we're looking at, our investment potentially being, like an operating agreement, operating fee, that would cover that remainder of \$30 million, but they're not paying a rent on the PEC.

Ms. Ajmera said, yes, but yet we are paying \$30 million towards it?

Ms. Dodson said we had originally agreed to put \$60 million into it, and now it's \$30 million, yes.

Ms. Ajmera said okay, yes. So, as I said, I appreciate the increased investment from the new ownership. I'd like to see the math behind how we arrived at \$5 million total net benefit, but that's about it. Thank you so much.

Ms. Dodson said thank you.

Councilmember Driggs said I had a lot of the same questions as Ms. Ajmera. So, for my own reference, I created my own kind of reconciliation, and therefore, Ms. Ajmera, I can show you those numbers.

Ms. Ajmera said I'm sure we all do.

Mr. Driggs said no, but I've got it, 4.73 to be exact. What I will say about this is, it is still in my mind, kind of confusing to try and take these various data points and consolidate them into an overall understanding of the deal. So, for my own reference, what I did is, I created a spreadsheet expanding on that one, that has all of the numbers in it, and it does foot down to the \$5 million, and I won't go into much detail about that. I'm happy to share with anybody that is interested. There is an issue about ownership, it's true, and the only thing I will mention is, our ownership of the Arena has not been a great prize, when you get down to it. So, owning more assets that basically obligate us and don't pay us, is a questionable sort of benefit of ownership. That's why, in my mind, I'm not too troubled by the idea, "Great, you guys own it. You own it, you pay for it, you pay property tax on it," and we don't have another day like the one we had a couple of years ago, where we get handed a bill for maintenance and upgrades. So, I think that's an issue we can work around, but Ms. Ajmera, you're absolutely right to point it out. I was concerned about that as well.

When you go through the itemized list, you've got parking, you've got the gravel lot. We had offered \$16 million for the gravel lot before, and now we're offering the rest of it. What does that look like? When you get through all of that on one piece of paper, you come down to a \$5 million favorable variance. What that number represents, in large part, are obligations that we would have if we just stuck to the 2022 agreement. So, we are avoiding liabilities that would emanate from the 2022 agreement, and that is a lot of the value that the 2024 agreement brings to us. So, we do provide the gravel lot, but we get back some parking, and when you go down through that step-by-step, you can actually replicate the \$5 million, because I mentioned this slide doesn't. Like it says \$5 million in the corner, but where's that in the numbers? I can show you what that number comes from.

Also, in addition to the \$5 million, there is a property tax prospect, over 15 years, that we wouldn't have under the 2022 agreement, so that deserves to be recognized as well. So, my conclusion is, the situation isn't great, I would say, to the extent that what we're learning is, that there are some obligations we have as a result of the 2022 agreement, and I don't like that, frankly. The truth is, that those commitments are now being mitigated by the new deal, and when I look at the overall sort of public interest here, and the benefits of this new proposal, working with these new owners, and I look at the numbers, my bottom line is that I'm inclined to support this based on what I know so far. So, if people would like to see in more detail how I got there, I'm happy to circulate a copy of this or talk through it with you, but it is possible to get all of the numbers, everything you've heard about, on one piece of paper and see how they add up. Thank you.

Councilmember Anderson said I actually agree with Mr. Driggs and his points about removing risk in this new deal, so we're not obligated to some of the details that were in the 2022 deal, which I think is a plus. The other piece that I liked, Tracy, that you had on slide seven here, is the fact that we are giving up the gravel lot: however, in return, we're getting potentially two tax entities that will be on the books. You have estimated a 15-year lease term of \$18 million potentially from tax being generated, but of course, that can go out in the future as well, so there's additional dollars potentially to be had there. My question is around the line item that says, total Hornets investment, cost overrun \$70 to \$100 million. I believe when we spoke to that last time that we were

discussing this, we were unsure where that \$70 to \$100 million, how that would be allocated to either the Arena, or the PEC, or both. Do we have any clarity on that?

Ms. Dodson said so, their answer is that it's pretty much all going to the PEC, because we're reducing our investment in the PEC, they're increasing, and they're taking that \$30 million that we've moved over, plus the additional investment. Now, having said that, there's been some inconsistencies that I've challenged them on with different work that's going on in the Arena, when you really get into the details, and waiting to hear back on that.

Ms. Anderson said okay. I know that there's been investment in the Arena, but there's other spaces that the Arena could potentially have additional investment that would unlock the opportunity to have larger events, tent pole events, that we could have here in the City of Charlotte for the first time. So, I'm hoping that you'll continue to work and negotiate with them on that particular aspect but thank you for this information and for the quick turnaround.

Ms. Dodson said thank you.

Ms. Mayfield said Ms. Dodson, I did forget to ask, what was our previous community commitment? So, with the spaces that we invest in, there's usually a commitment for community access. I think you know it, but if you don't, then that will be helpful. Do you remember what the previous?

Ms. Dodson said 12 days.

Ms. Mayfield said do you know how many of those 12 days were actually utilized?

Ms. Dodson said I do not think in my last conversation with CRVA, (Charlotte Regional Visitors Authority) that we're utilizing a lot of those days, and I will point out that, when we did the 2022 agreement, it does specify things like going after college tournaments, CIAA (Central Intercollegiate Athletic Association). It does call out things like that in there as a part of the 12 days, but I don't think that we're using a whole lot of those days.

Ms. Mayfield said so, that, Mr. Manager, is a different conversation for any of our facilities. We need to ensure that those days, because I know, Councilmember Mitchell, because I get the followups from where groups have reached out wanting to access, and running into quite a few obstacles to access. So, one, we need to know why days are going underutilized, and what can be done to mitigate that. Also, thank you for providing that additional information, because nowhere in the paperwork do we talk about what that community commitment is. If we're looking at selling what was once an asset, because we say the numbers work out, and they will now have full responsibility, along with that 15 year, it will be helpful if we can have a very clear commitment on actually utilizing all 12 of that community partnership days and/or looking and see if we can increase that, because now that we have all the major sports here, we have a number of colleges and high schools, imagine if we were able to hold some championships or different things. That right there could be a different conversation when we talk about community benefit, but we need to get to the core of why have days gone underutilized and make sure that we fill that gap to make sure they are utilized. If anything, I want us to say we ran out of days versus they're not utilized, but it would be helpful to know that language of what that commitment is to our Charlotte and regional community.

Mayor Lyles said I would add, it's not just the sports, it's the graduations and things like that. So, Ms. Molina and Ms. Johnson came in and we talked about questions that we have.

Councilmember Bokhari said I would just comment for the public, we've had discussions, just for full a context. This deal came before us, as you've seen in 2022. The reason why I ended up supporting it then, a bit grudgingly, was that a prior Council

kind of handed us a bit of a challenge, and it wasn't, what do we want to do based on nothing or some kind of tethering investment option with the Hornets, it was spend \$173 million, because you contractually have to and you get nothing, or spend a bit more and be able to negotiate some benefits into that. We were able to take that unfortunate situation and turn it into something that made a little more future sense, not kicking a can down the road for another Council. Then, ultimately, with new ownership, now have an opportunity to get more investment in from this leadership, who wants to invest more, who wants to do more, really by just requiring us to move some things around, which either ends up net neutral or to the positive in a small amount. I've said before to staff and others, directionally, this makes sense to me. There are two things I need to do for my own vote, and diligence wise that's left. One is, because we've seen the side-by-sides and in greater detail to date with numbers, they add up to me. The question is, what assumptions went into sizing them? So, I have one diligence point to go in and say, what value was placed on this versus that? Some are softer than others, and I don't expect any surprises there, but I haven't done that work yet. So, I have to complete that before that's done.

Secondly, and most importantly, this point is, what is the will of the hospitality community and industry locally? With Mohamed and others in leadership in that area, I look forward to publically hearing from them and what their will is in relation to a tax that largely sits on their backs, and then I can personally, in my own way, come to my conclusion on how to vote there, but I think it's important for the full context, because this is a long story that has been around for a bit, as to how we originally were in this position, and now what we have to do.

Councilmember Molina said I'm actually pretty neutral. I've actually already talked to staff. That's kind of how I like to do it, gotten my questions asked, and I've spoken to Manager Jones, so I'm at a pretty good place.

Mayor Lyles said alright, so the Manager, if we go to next steps side, I'm going to just say, that what I have heard is that we have some questions to address, and the staff has those questions. There's some things that people would like to see, but I think before we start doing much more of a deeper dive into it, we need to have some direction for it to proceed. So, I'd like to see hands of those that are ready to proceed for the information requested tonight, as well as the committee meeting to be held next week.

Ms. Mayfield said so just for clarification, I thought this was just a report out, it's going to go to committee and then it comes back. You need what from us tonight?

Mayor Lyles said well, I was saying, do you have any additional questions that you want to ask, or anything else, because we're giving the ED Committee a list of these things. I think Ms. Ajmera said she had 12, but I only have five, so we're going to have to go back and look at that and see where the other seven are, but I think that what I'm just saying is that you've heard the additional information. So, Mr. Jones, I think that would be in committee discussion?

Marcus Jones, City Manager said yes, thank you, Mayor, members of Council. I guess to test it a little bit tonight, I didn't hear anything that would say this is horrible, let's not move forward. We're going in the right direction, and I think that's important for our partners to hear that, and there will be some additional questions at the committee meeting next week, and then with the opportunity to potentially move this thing forward at the end of next month.

Mayor Lyles said okay, everybody agree with that? Alright, thumbs up, at least that much. Alright, so thank you very much. Ms. Dodson, I think that ends that part of the agenda for tonight. What's our next step, Mr. Jones?

Mr. Jones said okay. So, Mayor, the last item that we have for the Action Review is just the update on the American Rescue Plan. I do believe that you have Shawn's presentation in front of you, and we'll start with that.

Shawn Heath, Assistant City Manager said good evening, everybody. Shawn Heath from the City Manager's office. As Manager Jones alluded to, during the pandemic there were two major pandemic relief bills that were passed by Congress. First was the CARES (Coronavirus Aid, Relief, and Economic Security) Act, and then second was the American Rescue Plan. The CARES Act came about in March of 2020, and you can see the City of Charlotte received about \$155 million under the CARES Act. Originally, the disbursement deadline was December 31 of calendar year 2020, that was changed at the very last week of the year. So, most of that \$154.5 million, substantially all of it, was spent by the City of Charlotte during calendar year 2020. With the America Rescue Plan, there was a much longer runway given to states and cities and counties that received funding. So, the America Rescue Plan passed in March of 2021. We received two installments, first in May of 2021, \$70.8 million, and then in May of 2022, \$70.8 million. Both the CARES Act and the America Rescue Plan provided a fair degree of flexibility in terms of eligible uses. So, in the gray boxes there, you can see there were a number of investments in City operations. Those really focused on investments in buildings, including HVAC (Heating, Ventilation, and Air Conditioning), from an employee safety perspective, investments in technology really, for example, enabling a remote work environment, and then investments in employees. So, for example, during the CARES period in particular, premium pay for first responders was something that was done.

In the light green shaded areas, if there's a headline here on this slide, it's what Manager Jones referenced earlier this evening. Of the total CARES Act and ARPA funding that we received under these programs, over \$200 million was devoted to community facing investments that was about two-thirds of the overall allocation that was received. This slide takes both the ARPA-1 and ARPA-2 installments and bundles everything together, and there are really two primary points here. One is, if you look at the dark gray shaded rectangles on the right part of the slide here, this is how the community facing investments were distributed across three broad categories. So, community vitality was a bit of a catch all category, but just to give you an example of some of the key programmatic areas in that category, digital Inclusion, the umbrella center, not for profit operating grants, various investments in food security and food access, and then some youth programming as well. In the jobs, business development and MWSBE, a whole range of programs there that fall under Tracy and Danielle Frazier's leadership, and then with housing and anti-displacement. There were about a dozen investments associated with that \$47 million. For example, Peppertree as a NOAH (Naturally Occurring Affordable Housing) project on the east side of town. The expansion of the Charlotte Rescue Mission, and housing support grants, which you'll recall from a few months ago in organizations like Freedom Fighting Missionaries and Heal Charlotte. So, those are just three examples out of about a dozen in the housing and anti-displacement space.

ARPA funds must be obligated by December 31, 2024, and then expended by December 31, 2026. So, just a reminder, as I made some of those examples in the various community facing investment categories, all of those would have been projects or programs that staff brought to City Council over the last few years seeking direction and guidance, and then ultimately a vote on your part in order to allocate the funds, so we could get to work putting the money to work. One question that I get fairly often is, "How much is left?" So, the sole purpose of this slide, and this is taking in the total balance column, the same information from the previous slide, across those investment priority areas, what is the unallocated balance as of today? So, just for example, housing and anti-displacement total balance was \$47 million, unallocated balance is zero. So, all that means is that, over the course of about 12 to 18 months, we've brought in specific investment opportunities in the housing and anti-displacement category that Council has approved, and now we're in various stages of implementation for all of those projects. You can see the only unallocated balance inside of that original ARPA amount of \$141 million, is \$3 million in the jobs business development in MWSBE space that's been earmarked for workforce-related investments. So, as Danielle Frazier continues to work on, and then ultimately activate, the workforce development strategy, that this provides her a little incremental capacity to move that forward.

The very bottom row here, one thing that Manager Jones mentioned in calendar year 2023, is that there is ARPA interest accumulating on the unspent ARPA balance. It was a little over \$4 million, I think, the last time it was discussed in a Council meeting in 2023. The current balance sits at about \$6.75 million today. The unallocated balance, so to speak, is \$5.7 million, and the difference between those two is a \$1 million Council-approved investment associated with the Corridors Business Opportunity Hubs. That was a November of 2023 Council vote. One thing I would mention, as we're leaving this slide, keep in mind there are really three stages of making an ARPA investment. First is going to Council with the idea and receiving approval, so that's the allocation stage. Second is getting to obligation or encumbrment, and then third is actually spending the money. Going from Council to allocation, to then the obligation, to then spending the money, can sometimes take a bit of time. It really depends on each investment and what level of program design was necessary. Some of our investments went through formal RFP (Request For Proposal) processes, which can take a bit of time for all the right reasons. Then, we have contracts or MOUs (Memorandum of Understanding) in place for these investments, and that can take a bit of time as well for all the right reasons. So, allocated, obligated, and then dollars out the door, are really the three stages of putting this money to work.

Next steps. So, in March 2024 and April 2024, what we will do at the staff level is a scrub of all of the ARPA projects, the open projects with unobligated balances. The purpose of that is really to ensure or confirm that any project that's been allocated, but has an unobligated balance, that we feel like we have a clear path to get to the obligation by December 31, 2024. If for some reason, we identify some projects where that does not appear to be the case, then we would bring those back in for a conversation on how to potentially redeploy the funds. I don't have any news to break on that this evening. That's really going to be the focus of what we're doing in the March 2024 and April 2024 timeframe. In some form or fashion, we'll do quarterly updates with Council over the remainder of the year, depending on what we need to share and what, if any, actions are required by Council. Those will either be in written form or back here in Council meetings. Then, at some point in 2025, we'll provide a funding impact update. Keep in mind, since the expenditure deadline is December of 2026, once we get to January 1, 2025, that doesn't mean every single dollar will have actually been spent, but obviously, there'll be an interest in having a sense for, how many households, how many small businesses, how many nonprofit organizations, how many workforce development partners, have been positively impacted by the ARPA funds that the City of Charlotte has put into the community? So, that was a real quick tour of where we're at today. I just wanted to give you a sense for what's going on and where we're headed. I'm free to answer any questions.

Mr. Jones said so, I know there'll be a bunch of questions. Just a few things. One, thank you, Shawn and Theresa and Ryan, the whole team, that's been monitoring the use of these funds. Two, I don't know if people say thanks enough to the Council. I want to say thanks to the Council, especially with the CARES funds. That money came as a surprise, and I think it was only for cities with more than a half a million people. So, I think we may have been like 45, 46 cities that got it. What you did is you said, "Let's get this out into the community," and so you were able to get a lot of funds out into the community. Those two-thirds going out into community versus one-third staying in for City operations, is somewhat unique. Most of the other cities used that money for their own operations, as opposed to getting it out into the community where it was needed. I'm going to try to preempt Mr. Driggs. So, I think there's a question that's going to come up. You guys were very, very good in trying to make sure that you utilized these funds in a way that were one time in nature, and not something that would not be unsustainable in the future. So, just the thought process around that, is very good.

I will tell you that I know that there are things that we left on the cutting room floor, whether it was change pleas, or there've been some conversations about carrying some other opportunities that are out there. One of the things I would say is, as you continue to talk, as Shawn had laid it out, sometimes they're RFPs, sometimes they're not RFPs. So, I just don't want there to be a big, let's say, piling on of something that's good, in terms of what we're trying to do, but bring it up to your attention. Last thing I'll say, is

that clearly, we're not going to spend every dime of some of these, let's say, initiatives, and anything that while it's been obligated, there's a balance that's going to come back, and that balance is going to provide you with another opportunity. So, I just tried to create a little bit of a runway for the discussion, that a lot of great things have happened, and a lot of great things have happened in the community.

Councilmember Johnson said I just want to say thank you, Shawn, and thank you, Mr. Jones, for the fiduciary and just the diligence and the oversight of those dollars. For those of us who were on Council during the pandemic, Councilmember Watlington and I, we went into the pandemic isolation like 90 days after we were elected. So, that was just a very stressful time, but we were flexible, and we adapted, and it was just an honor to be a part of that and to see those numbers. Just thank you. Thank you for the work. I mean it was an honor to do that work, to maintain the City during that time. There's always something, I'm always reaching out to Shawn for some need, but I look forward to continuing to work with you, and to continue to get things done. Thank you.

Ms. Molina said although I wasn't a part of the 2020 Council, from the time that I've come on until now, I'm very happy with a lot of the decisions that we've made around the ARPA funding. What I find now, however, and Shawn you and I we've talked about this, we have more community members who are interested now in accessing this funding as a result of hearing that we've awarded funding to others, and I could ask constantly like, "Hey, is there money in the City to help us do said thing that's going to benefit the community?" So, now, I think the challenge is going to become, as we look at how we make decisions for these dollars going forward, what is the will of the Council? Are there certain buckets? Are there certain intentions? Are there certain deliverables that we're trying to fulfill? I know it will be an array of needs, because we have so many, and I don't know if we should do it on kind of a case by case. We feel good about this one basis going forward, especially considering the amount that we have left. So, I'd like to think about some level of rationale, like from a Council-based position, and how do we execute on the remainder of these dollars, as we look forward to the deadline that's coming forth and working with my colleagues here on the Council to see what those thoughts are?

Mayor Lyles said I think that's a great idea, to have the Council look at priorities, look at programs, and come to some decision before we actually start talking about the money. That would be very helpful. We'll see where we can do that.

Mr. Mitchell said just a follow up. Shawn, kudos to the work your team is doing, but I would like to see, as the Mayor just mentioned, that when you bring back all those projects, if you can make sure the projects are related to one of our priorities. I think that would keep us focused on the work we did in January 2024, that we're committed to our priorities. So, if you could show that bucket and where that project aligns, I think it would be helpful for us to make sure we're focused on what we committed to.

Ms. Ajmera said great work by the entire City of Charlotte team. I remember I was on Council with Councilmember Johnson, Watlington, Driggs, and others. There's just so much amount of funding to distribute in such a short timeframe, and I remember we had Ad Hoc Committees, there were three committees. So, I felt like, it was like a gold rush, having to get this funding out in no time. So, to have been successful delivering these dollars out the door in very short amount of time, speaks a volume to the team that we have. Couple of comments. At our last Budget Governance and Intergovernmental Relations Committee, Councilmember Mayfield actually asked for this report, and I know she had specifically asked about the list of organizations and how ARPA funded, how far we have come along. So, this is really good.

In terms of allocation, you walked us through three phases, Mr. Heath, allocated, obligated and spending. So, allocation is done. We only have \$3 million that's already dedicated or earmarked for workforce development. So, really Council's job is done. Now, we are looking at the obligated, to ensure that all the funding is on track to be spent, otherwise, we'll have to send money back to federal government. So, I

appreciate your team's leadership in being proactive, to ensure that we are going to have all these funds that are obligated, be spent by the deadline.

Mr. Jones, thank you for mentioning it again, that this is a one-time spend, because this was a very special scenario where we got so many funds from the federal government. So, I know there are organizations that are coming to City asking for additional dollars. So, I think we need to be mindful of that, that this was just one time. We do not have that kind of funding available, in order for us to continue that, to be good stewards of our public dollars. I think that message needs to be very vocal in our communication as we go through this obligated and spend discussion, because organizations need to create a plan that they are able to sustain the operations of this one-time spend, without having to come to City for additional funding. With that, great job, thank you.

Mayor Lyles said thank you, Ms. Ajmera. That's a really important consideration, that we really have to look at, what are we trying to have in our priorities and sustainability as a result of it? So, I think Shawn is really fully aware, that as we go through this process, it needs to be with a look towards the best way to get the work done, but also to do it in a way that's most sustainable.

Ms. Anderson said Shawn, thank you for the presentation. It is really remarkable when we look at the dollars and how they were allocated to areas that are our priorities. So, specifically, \$47 million for housing and anti-displacement, and \$32 million for business development and small businesses. I think those are significant dollars that go to real issues and challenges in our community. I also wanted to just highlight the other hand-out that you had, where you did a highlight of the ARPA nonprofit support and CARES support. These things just happened actually, really immediately over the last year or so, where Heal Charlotte was awarded \$2.25 million, Freedom Fighting Missionaries, West Side Community Land Trust, and one of things that I get really excited about is seeing the investment in the food security and access, because it's a reality that we have food deserts throughout the City of Charlotte, and these two organizations work directly to mitigate that issue. So, kudos to the team, and kudos for having this presentation, because I think this does actually give us a blueprint of how we can pivot very quickly to infuse dollars in the community, when we weren't necessarily meaning to do so. So, great work and thank you.

Mr. Driggs said so, looking back, I remember when I got a phone call from Mr. Jones, who said, "Mr. Driggs, \$150 million just landed in our account, but I'm not sure why," and my immediate thought was, "Hurray, sidewalks for District 7." It's good to remember that initially, there was uncertainty about exactly how this worked, what you could use it for, when you had to use it, and they said, "You can't replace revenue with it," so we thought alright. Then, I remember we had one conversation, you said, well let's [inaudible] PPE (Personal Protective Equipment), that's \$3 million, and maybe some A/C (Air Conditioning) improvements, HVAC improvements, that's \$6 million, and we kind of wondered, what are we supposed to do with \$150 million? Then, we determined that it was possible to offer relief to the community with it, and that was a major turning point. You may also recall that there was initially some impatience, "Why aren't we getting that money out? Why aren't we getting it out?" We took our time, and we did it right. So, just want to especially recognize that. We can look back now on how we disposed of those funds and feel good about it. I think the thing that I would say right now, as we look ahead, we're not going to be able to do the things that we were able to do during ARPA. So, even though I fully appreciate your comment about, "We didn't make commitments," people may have gotten a little bit used to this, and we're going to have to live within our means. So, that will be our challenge going forward, but I think this chapter, in which we were able to do the things that we did with this money, is a credit to the City. Thank you, sir.

Ms. Mayfield said Shawn, Theresa and Ryan, thank you for everything that you've done. Thankfully for me, I was on vacation when ya'll had to deal with all of this during that time period. So, I would like to know, and you may or may not be able to answer this question. Whose responsibility is it for the businesses that received some of those dollars through support, their check in for their balance statements, for lack of a better

word? Does that come through the City, is this what it would pass through, or is that the federal government? Because, unfortunately, we've all seen a number of articles over the last year or two of companies that were tagged for not spending those government dollars appropriately. So, are we tracking that?

Mr. Heath said yes, as the recipient of the funds, ultimately the compliance obligation falls on us. What that compliance obligation looks like really depends on the nature of the investment. Just to give you three quick examples. So, for Peppertree, for the NOAH that I mentioned before, when we made that \$8 million investment, the way that we structured the contract really looked identical to what you would be accustomed to with the traditional Housing Trust Fund investment. So, contractually, there was an obligation that the deed restriction be in place for X number of years, a certain AMI (Area Median Income) mix, source of income protection, and then we have an Asset Management Team that would monitor the compliance with those contractual requirements. With Housing Support Grants, like what we're doing with Freedom Fighting Missionaries and Heal Charlotte, we have explicit contractual language that outlines what the funds are expected to be used for, and then those nonprofits have reporting requirements to provide us with information on a periodic basis that demonstrate that they're using the funds as intended, and it's our obligation to review those reports.

Then, for something like the Community Resilience Fund, which is included in the handout that was at your desk when you sat down, those are really by design, meant to be operating grants for nonprofits. So, we weren't funding specific programs. We're really providing support for salaries and rent and utilities and that sort of thing, but in each instance we have a contract and an MOU in place that outlines the eligible, the intended uses of the funds, and they have record retention requirements. So, that's just a long-winded way of saying, ultimately, it's on us as the recipient to adhere to the requirements, but exactly what it looks like depends on the type of investment that was made.

Ms. Mayfield said so, for the ARPA funds, thank you for that overview. I'm thinking about specifically the CARES Act part of it, because we were able to support quite a few small businesses. So, I want to make sure that we, the City, have put ourselves in a strong position where we have checks and balances in place, in case any of those individuals that figured out how to write the right language to get access to funding, that that funding actually went to a viable business and not to friends and family.

Mr. Jones said Shawn, I think you may have been at Housing when this happened. So, Councilmember Mayfield, funds went to the Foundation for the Carolinas. They got dispersed, and then we had an audit done from the internal auditor on that. We did find a problem here or there, but with all the money that went out, it was not that significant. So, we did have that review.

Ms. Mayfield said so, we've had one and we don't need to do another one, since all of the CARES Act money is allocated and gone since we really funneled that through Foundation for the Carolinas. Our focus is really on the ARPA dollars?

Mr. Jones said well, I would say. Well, I don't want to get in front of Shawn. I just know that one area was a big concern. There was a bunch of questions about loans versus grants, and I don't want to dig that up again, and so that's why we intentionally had Greg go in and do a review, but there are other reviews that happen depending on how we put the language in the contract, and things of that nature. Have I got that right, Shawn?

Ms. Mayfield said so, if Madam Chair doesn't mind or BGIR (Budget Governance and Intergovernmental Relations Committee), I just think it would be helpful for us to at least get an update on where we are, just to ensure that, not only do we stay in compliance, but that our partners stay in compliance. As far as the ARPA dollars, as a few of my colleagues have already mentioned, there is going to be conversation. I mainly see it for those that received the larger dollar amounts. Thankfully, mine's not in this group. So,

I'm not going to be fussing about that one, but those that were able to receive a substantial amount, if they haven't already started reaching out, will be reaching out soon as we have Budget conversations. So, as consistent as we all can be, that ARPA dollars were a one-time opportunity, and possibly look at how we can support you in identifying other ways for funding ahead of time, might be useful. This is a wonderful presentation of just continuing to show stewardship of dollars that come through our City, and also continues to align why we have a AAA bond rating and why we qualify for so many grants and are set up for financial success, even with all the growth we're seeing.

Councilmember Watlington said thank you to everybody who was around in 2020. A couple of things for me, as we think about what to do with these remaining dollars, and I'll start with a question, as I think about where I might like to lend my support. As we think about things that really would allow us to best leverage these dollars, whether it's dollars for private investment or its value at projects for things that are already existing, where a little bit of additional incremental dollars will make a significant change, or projects that are ready to go now that we can avoid future increases, because of the time value of money, land purchases, things like that. That's where I'm really interested to see how we can leverage these dollars, or even things like consultation or consulting dollars for data collection. We've talked many, many times about getting the data, about our MWSBE spend on past major project investments in economic development. That's one that I know we keep going back to, because we want to find out. Things that hang around year over year are the things that I would love to see us consider how do we use this pot of money to go ahead and do and/or something that's going to allow interest-bearing on what we invest. So, that is actually my question. I look at the interest that we earned, that's now a significant amount of money. Obviously, we don't have the principal there, but is it possible, or do we already have accounts that we are able to invest dollars in, and then earn interest and spend that as a revolving fund?

Mr. Jones said so, I would say Councilmember Watlington, a couple things. One is, there's no clock on the interest money. So, you can take as long as you want to decide on that. Shawn, I apologize, as I'm repeating something you said. Back in October 2023, September 2023, when we brought it to your attention initially, we were concerned about safety and having money for things that were related to public safety in general. So, we're getting to the point where we're going to get a Budget in front of you with a bunch of initiatives and things of that nature, but I guess to get to your point, I think having it there gaining the interest is fair, and you can be nimble with it, so that if you do have some projects that are top of mind that you want to implement, I would just recommend, until we really have a plan, to leave the interest where it is now.

Ms. Watlington said right, and building upon that, rather than spending all of it, once we decide what it is that we're interested in, it will be great if we could leverage those dollars to continue to earn interest, so that we can continue spending for projects that would obviously be smaller in size, but just somewhere that we could be generating additional review. Does that make sense?

Ms. Jones said yes, absolutely.

Mayor Lyles said thank you. I know Ms. Johnson would like to speak again, but before we do this, it is almost time to go downstairs to the chamber. Tonight, we have the same situation with the Palestinian community coming out to speak. So, I just want you to be aware that we've been working with CMPD (Charlotte-Mecklenburg Police Department) on how best to secure and be safe this evening. So, we are going to have people come in and speak. We have many speakers to come in. We'll have our 15 speakers, two-minute limit, but if we have a situation where someone is being disruptive, we will have police officers in the chamber, and they will be asked to be removed. There will be no like, go sit down or please stop, because that has just not been workable for us. So, I just want to make Council aware of it, that we're going to do this, because I do believe that we have to maintain our safety. We've talked about this with the Manager, he's talked to the Chief, and our officers that are here with us today. We will have to go downstairs, and we will have to walk through. Are they in the lobby,

or they're in the chamber and the lobby? In the chamber now. So, we need to go in around the backside and go in and be certain of everybody getting in there. Let's start off really soon, so that we can do this, because it is the public forum, after our ceremonial programs, and I will talk a little bit about conduct in the chamber as we are doing this.

Ms. Johnson said to follow up to what Councilmember Ajmera said, she mentioned the subcommittees. We had a lot of subcommittees during the pandemic, and I wanted to know, could we follow up? That might be an opportunity for our new employee that we hired that's going to be following up on different things, to take a look at some of the recommendations from those subcommittees, and kind of check in and see where we are. I'm thinking specifically, we had a subcommittee for the eviction expungements, and we talked about that, and that's still a very necessary kind of program that we need in our City. So, if we could take a look at that work and the recommendations from the COVID subcommittees, and make sure we implemented those and kind of follow up on those, that would be great. Thank you.

Ms. Mayfield said I had a clarifying question for what you were sharing. As the Mayor, you have discretion to move things around. Is there a possibility for those that are not speaking on one particular issue, for all of them to be able to go first, to help eliminate or to try to mitigate the outbursts that happen when only certain people get up to speak, those that are not speaking on a particular international issue, let them go ahead and share their concerns with us first, and then we hear from everybody else?

Mayor Lyles said we did talk about that and how to do it. So, we have five people that are coming for the animals, and that's our group, and then we have seven people on Palestine, and then we have another five people on, I can't remember.

Unknown said landfill.

Mayor Lyles said no, it's not the landfill. The City Attorney is going to take care of the landfill people for us. So, he's got a whole engagement thing, but the last part of our list.

Ms. Mayfield said but we also have something that's not related to any of those, I think. So, that's why I was wondering if you can make the executive decision and we support the executive decision of letting those individuals that's not talking about international relations, give them the chance to let them go ahead, call them down first, because nobody knows what's on our list, but us, and we have the discretion.

Mayor Lyles said no, they do, but we do have the discretion, but I've done this and that discretion part, nobody really believes in it. So, there will be people that are watching this, because of the way that they saw the list come up. There's a lot of things that people do, and so I think we go with our list, because if we start changing it, it just becomes more of a difficult situation. So, I think we're all ready to go downstairs and we will do our very best to make this a safe environment for us.

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ITEM NO. 5: CLOSED SESSION (AS NECESSARY)

No closed session occurred.

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The meeting was recessed at 6:26 p.m. to move to the Meeting Chamber for the regularly scheduled Business Meeting.

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BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, February 26, 2024, at 6:33 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Ed Driggs, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Victoria Watlington.

ABSENT: Councilmembers Tiawana Brown and Malcolm Graham.

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INVOCATION AND PLEDGE

Mayor Lyles said we begin our meeting with an invocation and expression of inspiration, and tonight, I'd like to begin to start this off with the recognition that this weekend, the City of Charlotte lost a long-time City Councilmember, Lynn Wheeler. Reflecting on Lynn's contributions to our community, one cannot help, but to be inspired by her unwavering dedication and profound commitment to public service. Lynn was a registered republican who believed in her party and her City. I think she always put the interest of our residents first and the party second. She was the essence of leadership, not through grand gestures or flashy speeches, but through her entire time as a Council member, she forged relationships, fostered collaboration. As a former Council member, she really made a big difference, and a lot of that we still talk about today. She was very active in our economic development work, and as well, she brought back our Coliseum from Tyvola Road and moved it down to our Center City.

While Lynn had faced a lot of challenges and setbacks, she never waived in her convictions and her support for the things that she thought were correct. So, first I'd like to say, let us honor her memory by continuing the work she started by bridging the divide, and by building a stronger and more united Charlotte for generations to come.

Councilmember Mayfield said for those of you that may be in the audience or may be watching that knew Lynn, that were around in Charlotte when Lynn served on Council for 14 years, mind you, and the fact that she was forward thinking. A lot of people will say that Arena vote is the vote where the community said, "We're going to go another direction," in which she was not reelected, but that never stopped her work in community. So, yes, most know that I am proud democrat, and Lynn was a very proud republican. Lynn was family for me for many years. We shared a lot together. I am thankful that I was able to speak to her earlier last week, and I was there with her and her daughter, along with Matthew Ritenour, and Kenny Smith was right there along the way, for me to say my goodbyes to her on Saturday, prior to her transitioning at 10:17 p.m. that evening. When we say that the work of public service does not have a party affiliation, the relationship that Madeleine Lynn Wheeler and I had was just that. We discussed politics. We discussed life. We discussed this beautiful City. We discussed her making a bold decision at a time where it was almost unheard of for a woman to be as bold as she was and to love this City as much as she had.

Yes, there are a lot of you in this space tonight to share your concerns. I am going to ask you, not to give a moment of silence, to be respectful, respectful of the process. We all get to share our thoughts, we all get to share our concerns, but I do not get to override your feelings for mine. The one thing, if nothing else, that I learned from a many years long-term relationship with someone who is older, from a very different social economic background, from a very different conservative upbringing and service to this community, is that there is space for all of us to have a voice, but we must be respectful in order for that to happen. So, Mayor, thank you for giving me a moment to honor my friend, and I know her good friend is watching with Daisy right up front, because those who know Lynn, know her baby was Daisy, who was spoiled rotten, her little puppy. To Lisa and to Gray, you have an amazing mother, and Lynn had said years ago, Lisa and I were joking about it, and she said she was going to go at 80. We

talked on Tuesday, on Thursday was her birthday, she left us on Saturday, but I know she is in heaven trying to interview everybody she can, and talking to Julian Bond again, and all of her other friends that are there, and she's healthy and no longer in pain. So, to the family that knew her, that loved her, I say thank you. You can find online, there will be a memorial service this coming Saturday at 11:00 a.m. Show up to give your love and support, but more importantly, in community, let's be respectful, because this service job is not an easy one, but she did it with grace, with power, with strength, and with love of this City. Thank you.

Mayor Lyles said thank you. So, one of the things that Lynn Wheeler would always say, especially to young women that were coming up, she would always say, "Just remember that Grace Kelly danced with Fred Astaire, and she did every move he did and backwards and with heels on." Alright, so with that.

Councilmember Driggs said that's Ginger Rogers.

Mayor Lyles said Ginger Rogers, sorry. Thank you, Ed.

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by all.

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PUBLIC FORUM

Mayor Lyles said tonight, on behalf of the entire Charlotte City Council, I ask that all speakers and audience members be civil and courteous. You heard Ms. Mayfield's plea. I hope that you will remember it and abide by it. Speakers are encouraged to address the City Council and should not respond to audience members. Likewise, audience members should not jeer, applaud, or interrupt speakers. All attendees, we ask you to be polite, respectful, and listen to each other, so we can ensure everyone has been heard. Since this time of our last meeting, we have had to establish a protocol for disruptions at Council meetings. So, what we do, is we call two people down, we have two podiums in front, and we call you in the order that the Clerk's list includes. So, what we're doing, if the speaker does not stop at the end of time allocated, which is two minutes, then we will ask you to leave the podium. What's different here, is that if the speaker does not stop, you will be escorted out of the chamber, because we are violating G.S. 143-318.17 if you continue to speak, and we will ask you, not once, we're going to actually say you have to leave if that's the situation that we're incurring for disruptions.

We are doing the people's work, and it's all the people. While everyone in this room has a purpose and intent to be here, there are people that are watching us on television, on the City's line, all of the operations that we have, it's online, or on the City's government channel, and we need to respect each of us as we do this work and provide everyone the opportunity to hear and have the City's business. So, with that, we're going to go ahead and start with our public speaking list.

Street Name Change

Sandy Clory, 315 Sundial Lane said yes, good evening, Mayor Vi Lyles, City Council and spectators. I come to you this evening with a bequest of our beloved, departed Judge Shirley Fulton. Even though she's departed, I'm coming to you to ask for a unified proposal of our Queen City. I want us to be put on the map of freedom and justice in bridging the gap between two communities here in Charlotte, North Carolina, which are East Boulevard and West Boulevard, which I see as a racial divide. I'm here to petition the City and staff to help in connecting East Boulevard and West Boulevard into one unified bridge, to rename it to Judge Fulton Way. One, with this being done, we're not asking for monetary funds, but we're attempting to generate more revenue for our

Queen City here in the Charlotte, North Carolina. By doing this, I propose that we immediately, if not sooner, establish and celebrate the Honorary Judge Shirley Fulton Day annually, on February the 10th, which was already designated and dictated to her. I hope that we'll hold services and awards and events, honoring volunteers and good samaritans of the Queen City on that particular day, that was already established for Judge Shirley Fulton. So, in turn, for all she's done in dedicating her life work, we'll place her name on a few blocks, East and West Boulevard.

Mayor Lyles said thank you. Your time is up. Please just if you want to leave us remarks, you can certainly email them to us, and we will get them and be able to get back with you.

Ms. Ortega Panzanella said thank you so much.

Animal Care and Control

Alex Kastanas Holladay, 3034 Dunaire Drive said good evening. My name is Alex Kastanas Holladay. I've had many monikers throughout the years, but my important titles are mother, lifelong Charlottean, and Co-Founder of Windsor Kittens, a small, but tenacious new rescue on a mission to help community cats in East Charlotte. I want to first express our gratitude for every effort that the City has made thus far to provide partnerships and services for Trap-Neuter-Return or TNR, across Charlotte and Mecklenburg County. I also want to express the urgency with which our communities need your help to further prioritize these efforts. In 2023, our partners at Friends of Feral Felines estimated they've prevented the birth of 5,454 kittens on the streets of Charlotte. I want you to consider what 5,000 kittens would look like if they were all in this room right now. Would it be cute? Absolutely. Would it also present a public health concern? Yes, it would. As we know, budget planning season is underway. We want to urge the Council to consider line-item funding for TNR, as well as a county program for community cat services.

Although, some may not see this as an urgent need, I assure you that there is a linear connection between underserved areas and the number of cats living outside and on our streets. Animal Control is constantly using their valuable time responding to issues related to these cats, and I know that, because organizations like Windsor Kittens, are often the next call neighbors make to ask for help. So, we want you to know that we are here, and we are ready to do the work. We've already committed to the labor of this Animal Control effort in our own communities, and we're grateful for the partnerships currently in place, but we need the commitment from the City we love, to bring this effort home. Thank you for your time and consideration.

Mobility Safety

Jesus DelaTorre, 7706 Nicolette Court said good evening, City Council. Thank you for having this. My name is Jesus DelaTorre, and I am a member of the Charlotte running community, as well as a mobility safety advocate. For starters, I'd like to thank City Council and CMPD for the increased presence that we've seen on the Greenways with the personnel constraints that they do have. Runners have reported feeling safer as well as more comfortable using the Greenways at all times, as well to the City and County for the work that has been done already on the Greenways, like the mile markers at Mallard Creek Greenway, the info boxes at McAlpine Creek Park, as well as Parks and Rec for their outstanding work clearing out the debris on the Greenways after the flooding that we had recently.

I'm here to talk about keeping running a mobility safety, keep the conversation going. Events that have taken place remind us why we need this. The 15-year-old that was assaulted at Four Mile Creek Greenway last August 2023, and a month earlier, two 60 years olds in the same area and, in most extreme cases, most recently, Laken Riley, the UGA (University of Georgia) student in Athens, Georgia, that was killed while running. Initiatives that we've taken to help keep the mobility safety forward, is we have quarterly safety meetings or open forums, where attendance has grown steadily for that,

as well as presence here at the City Council meetings. Runners are a determined group of people, and when we have a goal, we don't really know how to stop, because that goal feeds another goal that feeds another goal. At these meetings, we discuss mobility safety, what it means to us, and ideas that we might have. One of those ideas that came up was, with CPCC (Central Piedmont Community College), the Sustainable Technologies Department has worked on a prototype for a solar power lighting system that they can use on the Greenways, and that's a senior project that they're moving forward. We've been in contact with several groups, like Sustain Charlotte, Vision Zero, and most recently, C-DOT (Charlotte Department of Transportation) with Tamara Blue, to help in getting the information out and keeping safety on the forefront of everyone's minds. We do have an invitation to everyone for our next forum, April 8, 2024.

Mayor Lyles said thank you very much. If you have remarks, email us, send it to us.

Israel/Gaza Conflict

Randa Eldarini, 2918 Tallard Lane said good evening, Mayor Lyles and City Council members. My name is Ronda Eldarini, and I'm a Palestinian American and a citizen of Mecklenburg County for over 35 years. I grew up here, and I love this constantly evolving and growing City. I'm a civil servant and have worked with the disadvantaged citizens of our City for over 30 years. The reason I'm here tonight is to ask for acknowledgement. To hear you say Palestinian lives matter, that we're just as important as Ukrainian lives. We are grieving. We're mourning massive loss of life, but we're also in disbelief that this is literally being aired live by victims and nothing is being done to stop it. We are angry at the complicity of our government and other western governments, and the complicity and bias of the media, which is downright upsetting and inexcusable. It is day 142, with over 30,000 killed, over 67,000 injured, and more than 17,000 orphaned children, where over more than 10 children per day have lost one or both of their extremities, if they survive the initial bombing. Every day brings a new heartbreak. Every day we hear and see families destroyed in the most grotesque manner. One day, it's a hospital attack, days before that, it was a little girl's deformed body dangling from a wall, or a set of siblings watching their father burn right before their eyes after an airstrike, and so much more.

The death and destruction we are viewing every single day is unbearable. All the babies and young children, mothers and fathers, grandparents, everyone who's died, they've mattered. The Palestinian's who've been killed are so much more than numbers. They were teachers and medics and journalists, entrepreneurs, students, scientists, parents, artists. This pain is even more acute, because there seems to be no end in sight, and even though most Americans join us in our call to save lives. These are not ordinary times. This is a genocide being committed right now, and how you respond to it will resonate throughout history. Now is the time to be on the right side of history, so that when those who come after us, ask. We ask you to stand up for humanity.

Unknown said Dana's outside. Can I grab her and speak to her?

Mayor Lyles said yes, she can come down. She'll need to come down immediately.

Sam Poler, 7524 Wallace Lane said good evening. My name is Sam Poler. We're here tonight to ask you to join the City of Durham in calling for a ceasefire in Gaza. I grew up here in Charlotte at Temple Beth El, Charlotte's reformed Synagogue. I'm here tonight as a citizen of District 5, as a proud Anti-Zionist Jew, and as a representative of Charlotte's Jewish Voice for Peace at Chapter. Most importantly, I'm here tonight in solidarity with the Palestinian people. You may have heard the term "Never Again". It signifies that we will not allow ourselves or others to be subject to what we went through during the Holocaust, "Never Again" for anyone. I want to make it abundantly clear that standing against Israel is not anti-Semitic. There are masses of Jews around the world who unwaveringly support an immediate, permanent ceasefire in Gaza. Judaism has taught me that to save one life is to save an entire universe. Each lost life is the loss of an entire universe. We cannot stand by and watch this happening without action. Frankly, I shouldn't even have to convince you. You've already heard from countless

members of Charlotte's Palestinian community, begging you to see their humanity and urging you to pass a ceasefire resolution. It is not anti-Semitic to desire freedom and justice for the Palestinian people. Being silent in the face of genocide, that's anti-Semitism. In the upcoming weeks, you have two choices. You can choose not to consider passing a ceasefire resolution for the City of Charlotte, or you can consider passing the resolution. Of these two choices, it will only tell us one thing about you, and yes, it's that simple, because what's right is simple, justice is simple, and what do you have to stand to lose? Your home will not be destroyed, your family won't be buried under rubble, your children won't die of starvation. This is not a life or death decision for you. If you choose not to consider the ceasefire resolution, we'll be remembered as a City Council who chose genocide instead of justice. I, and masses of other Jews, standing in solidarity with the Palestinian people here in Charlotte and around the country, urge you tonight to please choose justice. Thank you.

Mayor Lyles said I understand this, but please, I can't hear the next person to speak. So, please give us your name.

Dana Alhasan, 3251 Blythe Ridge Court said "I will not be complicit with genocide." These were the words of U.S. Airman Aaron Bushnell, as he set himself on fire in front of the Israeli Embassy yesterday, to condemn the U.S. backed Israeli genocide being carried out against Palestinians. Since October 7, 2023, over 30,000 Palestinians have been murdered by Israel, including family members of Palestinian Charlotte residents. Thousands are missing, stuck under the rubble. My fellow Palestinian friends call me worried for their cousins having no contact for weeks, assuming the worst. For over four months, the world has watched the collective punishment of Palestinians as Israel has dropped over 25,000 tons of explosives on Gaza, the equivalent of two nuclear bombs. At what point will each of you decide to condemn the genocidal and indiscriminate killing of the Palestinians? In the words of MLK (Martin Luther King), there comes a time when silence becomes betrayal. Every moment that you remain silent and complicit in the face of genocide, more blood is on your hands. I do not know by what standard of morality you can abide by and allow the atrocities committed by Israel to continue.

Instead of using our taxes to fund education, healthcare and housing, the state of North Carolina sends over \$90 million a year to Israel. Their Charlotte City Budget also does not fund people's needs. Millions are spent on the police and criminalizing homelessness, instead of investing in our basic needs. I urge the City Council to be an example of how our tax dollars should be spent, to put the people's needs first and not on oppressive regimes. It is your moral duty to not remain silent as our tax dollars fund genocide and ethnic cleansing. Each of you sitting up here has the opportunity and responsibility to call for cease to the bloodshed. Aaron refused to die for the racists, for U.S. Imperialism, for Zionism. "Free Palestine," he chanted, something the people of the world have been saying for 75 years.

Mayor Lyles said thank you very much. That's the end of your remarks. Thank you.

Ms. Alhasan said don't let their death be in vain.

Salwa Muhammad, 3828 Trappers Run Drive, Matthews said alright, good evening. My name is Salwa Muhammad, and I am a retired CMS (Charlotte Mecklenburg Schools) schoolteacher of 25 years. I stand here before you today on behalf of the Palestinians in Gaza, who are voiceless right now, who are going through a brutal cold-blooded horrific genocide every single day. I'm asking you to pass a permanent ceasefire resolution. I want to make sure that you understand that this is not a war. This is a genocide, an ethnic cleansing of the Palestinian people that began over 75 years ago. Not only are they bombed, but they are being starved to death, deprived of medical aide and clean drinking water. There are videos of children calling for their parents missing limbs on hospital beds, who are told that their parents are gone. Some of them shake uncontrollably shocked. Some say calmly, they will join their parents in heaven soon. You should know that because there are no medical supplies, children are forced to get amputated without anesthesia. My mind, and anybody's mind, cannot

comprehend the horror that they are experiencing on a daily basis, the inhuman daily sorrow, death, starvation and more.

Again, I'm asking the Council to pass a ceasefire resolution, not just for a few days. Whole bloodlines have been wiped out, children sniped on the street, their parents shot trying to reach them. Most of the hospitals bombed, 94 universities bombed, over 200 journalists targeted and killed, part of the concerted effort to halt documentation of war crimes. Many doctors and nurses have been killed. There are many stories, I could go on and on about this. There are reports of Israeli forces kidnapping women, beating them, imprisoning them, killing them, and various forms of sexual assault. This is not a war. This is a genocide. What if these women were your sisters, your daughters, your nieces, your aunts, your mothers? What would you do? There are over 25,000 orphans, many injured without limbs, 14,000 children killed. Please pass a resolution.

Jibril Hough, 14408 Soldier Road said good evening, Council. We understand that previous Councils did not address such resolutions, but this is a new Council. It's a new day, and now it's the time to pass a ceasefire resolution. I just need to clarify a few things from previous meetings. From the river to the sea, it's not a call for genocide against Jews or Israelis. It is a call for justice and freedom for all of those who live from the river to the sea, not just Israeli Jews, but all. Zionism is a branch of racism, white supremacy. It is not rooted in Judaism. As a matter of fact, it was started by an atheist. So, we are not against Jews. Millions of people throughout the world are waking up to the horrors of Zionism. They are marching in the streets, and yes, they are calling for a ceasefire. Just as we witnessed during the uprisings after the murder of George Floyd, many white Americans began, for the very first time, to acknowledge racism, white supremacy, and the horrors it produces, if it is allowed to go unchecked. While many of their efforts were token, it was still a turning point. The Zionist Israeli genocide on Gaza must be the turning point for those who must come to terms with the horrific horrors of Zionism unchecked. Zionism is indeed racism. Do not claim to be against racism if you support Zionism and genocide. Over 30,000 have died, and a half a million displaced. While in 1948, when they left, they took keys like these, but now they have nothing, not even a key to come back to, because everything has been destroyed. That's why we're here tonight to say, we're calling for a ceasefire now. Free Palestine from the river to the sea.

Kaitlin Wightman-Ausman, 5931 Amity Place said Kaitlin Wightman-Ausman. Good evening, Mayor and members of City Council. Why should we care? I imagine that's what you might be thinking. Yes, over 30,000 Palestinians being murdered by the Zionists of Israel is sad. Twelve thousand of those deaths being children is sad. Two million people in Gaza being actively starved and displaced is very sad, but what does that have to do with us, the City Council of Charlotte? My name is Kaitlin. I was born and raised in Charlotte, as were generations of my family before me. I have no direct ties to Palestine, and there was a time when I asked myself these same questions. Out of curiosity, by a show of hands, who in this room pays taxes? Okay, it is our money that is funding the mass murder of the Palestinian people. The U.S. sends over \$3 billion a year to the settler state of Israel. Our money is building the American bombs that are carrying out these atrocities, and it is our government that continues to veto the UNs (United Nations) call for a ceasefire. As taxpayers of this country, we are all responsible, but still, what does this have to do with you, City Council officials? Every time this topic's been brought before you, you said you don't pass resolutions of a political nature, and I have to say, with most of you being elected politicians, this has been a confusing and frustrating response.

According to your website, the City Council's job is to oversee the general administration of the City, set the Budget and create policy, and so, as your constituent, I am asking to do your job and create policy. Yes, join Carrboro and Durham and say that Charlotte does not support this country's active involvement in genocide. We want a ceasefire now. We want an end to our tax dollars being used to carry out these atrocities, and instead of putting our resources into funding our communities, and while I'm up here and into the militarization of our City's police force, and the commitment that CMPD will not train with the Israeli occupation forces. This is not a religious issue. As a

resolution says, there is no place for islamophobia or xenophobia in this movement. This is an ethical issue. As policymakers of Charlotte, you have placed yourself in a role of shaping and encoding our City's ethics. So, be courageous and do what's ethical, divest from genocide, invest in community, ceasefire now. Free Palestine.

Dima Ershaid, 1119 Charging Cross Drive, Matthews said dear City Council. My name is Dima Ershaid. I'm a 10-year resident in Charlotte. Today, I'm speaking before you, and continue to urge you, to open, introduce, and pass ceasefire resolution in your inbox. While you may not see this way, the snowball impact that each local municipal can have by showing us its solidarity and impactful on a greater scale. My experience with the genocide occupation is not far for me. I am one of the Palestinians who suffered from that cruel occupation. I was born in Jerusalem, and I'm not allowed to go visit there, while any Jewish person in the world can go and buy a house, and actually take a Palestinian house by force and live at it, and support by Israel and our tax money here. Growing up in the West Bank, all was threatened by occupation. You never know who is going to be killed next, or who's going to be tortured or taken to prison. The sounds of gunfire and losing family members to the occupation was normal to me as a child. We were in heaven compared to what's going on in Gaza.

In an earlier meeting, an Israeli falsely claimed that we are here, and we hate them, and she was talking about spreading hatred, but we don't hate anyone. We never do. We just want to live in peace with them. We want to have the same rights. I want to have my own house without being burned or kicked out of. I want to go to Jerusalem and visit and pray like everyone else. I don't want to be stopped on checkpoints. I want to be able to go to school without being shot at, and which I went through that through my childhood. You pride yourselves on social justice and equal rights for all. How can you be silent during this genocide? Would you have been silenced as MLK marched? Would you have been silenced as Hitler killed six million Jews? Would you be silenced during the Vietnam War? What does it take to break your silence? Join cities, such as Chicago.

Public Transportation

Gray Maddrey, 3937 Mohawk Court said hi, my name is Gray Maddrey, and I'm here on behalf of the Charlotte Metro Democratic Socialists of America, as one of its elected co-chairs. I'd like to say, first off, that we're in total support of the ceasefire resolution being promoted tonight. So, last year, Charlotte Metro DSA (Democratic Socialists of America) decided to canvas bus riders at the Charlotte Transit Center, and we knew already that the bus service levels were down since the outbreak of COVID-19, but we learned from firsthand experience of those who depend on CATS, how this affects their day-to-day lives. Embarrassment when you fill out a job application and check the box saying you have reliable transportation, knowing it's effectively a lie. Having to build an extra hour in your schedule each way, just in case, and when you can't do that, getting fired due to the fact that the bus system has failed to get you to work time and time again, and this needs to end. There are people's lives and their livelihoods that we're talking about. We're talking about their health, struggling to get your prescriptions and groceries, having to wait unsheltered or in the hot or cold for a bus that never comes. We're talking about housing. Can you imagine not being able to pay your rent after losing your job, because the bus system didn't work the way it's supposed to, which by the way, we absolutely support the Housing Justice Coalition and their efforts to institute tenant's rights to Council. No one should be losing their home over any of this.

Charlotte Metro DSA supports mass public transit as crucial for the City's working class, because it's a substantially cheaper, safer, and more dignified form of transportation than our current car-centered infrastructure provides. Our vision is for Charlotte to have a reliable transit system that serves the needs of everyone, not only in getting to work, but getting to the doctor, to the store, to a park, or just to your friend's house, to guarantee accessibility to the City as a right of residency. That's why we, this year, in Charlotte Metro DSA, are launching what we're calling the Charlotte for Public Transit Campaign. We've been speaking at TSAC (Transit Services Advisory Committee) and MTC (Metropolitan Transit Commission) meetings and will continue to do so until CATS improves headways, reduces late arrivals, and builds out shelters at the bus system.

We call on you Council, to not only push for these demands towards CATS, but to plan also for a City where public transit can truly flourish. If you're watching this, listening, if this work excites you, please do join DSA, Democratic Socialists of America, because a better world is possible, and let's build it together. Thank you.

EquiMed

Rohan Khiani, 5636 Laurium Road said hello everyone. My name is Rohan Khiani, and I'm an 8th grader at Providence Day School. Have you or someone you know ever needed to see a specialist doctor in Charlotte, but couldn't because you couldn't get an appointment soon enough, or because that type of specialist wasn't available in your area? Myself, and my partner Milan Mishra, who's here today, are to talk to you about EquiMed, a solution to help you address a problem of utmost significance. In the realm of Pediatric Rheumatology, the prevalence of healthcare challenges in the Charlotte area, paints a grim picture with profound consequences. With only two Pediatric Rheumatologists available within a 450-mile radius outside of Charlotte, specialists are stretched too thin to provide adequate care, and furthermore, the fewer individuals opting for specialist care creates a cascading effect on patient care. To address these challenges, EquiMed proposed the development of a computer system, designed to triage and prioritize patients based on historical and real time data. By categorizing patients into different buckets and considering factors like severity and demographic background, the system will provide specialists with precise information on patient urgency, and therefore, leads to more efficient scheduling and management. Leveraging technology, EquiMed seeks to create a more equitable healthcare system, ensuring equal access to timely diagnosis and treatment for individuals in underserved communities. Thank you for your time.

Public Safety

Arthur Griffin, 16822 Crosshaven Drive said good evening, Madam Mayor, Council, Mr. Manager. My name is Arthur Griffin, and I serve ya'll as your County Commissioner At-Large; however, tonight I'm here as a private citizen who resides at 16822 Crosshaven Drive. A picture's worth a thousand words. So, what you're seeing right now in front of you, is a picture of an event that occurred in November of 2023. As a result of living in a communications dead zone, there was a huge delay in getting first responders to put out the fire. So, I got involved and tried to find out what was the cause of that. What I found out is that it's more than just the first responders, it's your boys and girls in blue, our guys and girls that are in green, because when officers get outside of their police cars, they have an inability to communicate with the handheld radios. So, this is a critical issue for us, in terms of health and safety, in that part of the county. What I'm told by your staff, is that this problem's been going on for years. I just found out about it in November 2023. So, I need your help in fixing this, so that we don't lose property and lives in the future. Because we are in a UDO (Unified Development Ordinance) and ETJ (Extraterritorial Jurisdiction), we are piling a lot of new residents and developments into this zone where we lack communications, health and safety. Let's make sure that no fatalities are occurring, because we have not provided that safety. The pictures you have, one is from November 2023, but just yesterday, first responders could not communicate, and that second picture is from a first responder from just yesterday. Communication problems still exist. The third is just a document in terms of a dead zone, from your staff, where you can't communicate outside of those vehicles. The fourth piece is just my request, that I need your help to make sure that there's a credible program that's in place to fix the problem, and that there's a moratorium on other developments until such time we can make sure that public health and safety is addressed. Thank you.

Animal Care and Control

Cassandra Lillie, 3048 Matthews Indian Trail Road, Stallings said Council, thank you for the chance to address you today. My name is Cassandra Lillie, and I'm a Veterinarian, working at a low-cost clinic in Charlotte. I help our neighbors care for their pets, and I'm here to ask that you do the same by making Charlotte-Mecklenburg

Animal Care and Control an independent City department and increase funding for a new, adequately staffed shelter. Animal services has a highly respected leadership team known across the country for progressive programming. It is foster-centric. It provides an infield service to keep pets and people together, and it's actively increasing spay and neuter efforts. Despite doing all of these things well, animal services face significant systemic challenges. Animal services should be designated as its own City department, as it provides a unique service to our community. Being housed under the police department creates an unnecessary bureaucracy and hinders life-saving work. It discourages many community members from visiting and volunteering. An independent department will have the autonomy and resources needed to stay at the forefront of best practices and will be more welcoming for all community members.

Our City also needs a new shelter. The existing structure is outdated and was built in the 1990s. It was designed around euthanasia. Since then, our population has doubled, and now we try to focus on life-saving measures. By granting the necessary funds for a new shelter and designating Animal Care and Control Animal Services as an independent department, we can solidify Charlotte's commitment to compassion, responsibility and progress. I encourage each of you to stand together in support of a brighter, more humane, future for Charlotte. Thank you.

Isarel/Gaza Conflict

Robert Rosenthal, 301 East Tremont Avenue said my name is Robert Rosenthal. I'm a Jewish resident of Charlotte and publisher of "The Progressive Jew on Substack." My grandparents' siblings died in the Holocaust after being forcibly confined in the [inaudible] ghetto. Today, Gaza's refugee majority population is being forcibly confined in a ghetto Israel is overseeing. Gideon Levy, the Israeli journalist, called Gaza a concentration camp. Like my family members in [inaudible], inhabitants of Gaza are being displaced, starved and executed. For the Palestinian people, this is a holocaust. Israel is indeed committing genocide. Much of the world was indifferent to the ethnic cleansing of Europe's Jews. If you believe you would have responded differently to the Shoah, here's your chance to demonstrate that. As a kid, I was taught that Jews always stand with the oppressed and never with an oppressor. What Israel is doing to the children, women and men of Gaza, is unJewish and immoral. Please support a permanent ceasefire in Gaza. Think of it as the Jewish thing to do. Thank you.

Mayor Lyles said thank you. So, I want to thank you. This ends our public forum, and now we will go to the Council's Business Agenda for today. Thank you for your attendance. Feel free to stay and watch the City's business if you would like to, but we are going to go ahead and start the action items that we have on our agenda.

The following persons submitted written comments regarding this item pursuant to S.L. 2020-3, SB 704. To review comments in their entirety, contact the City Clerk's Office.

jesus.e.delatorre@gmail.com
jinkelj15@gmail.com
kmckeown@everyactionadvocacy.com

Unknown said free, free, free Palestine. Free, free, free Palestine. Free, free, free Palestine. City Council, you're a liar. City Council you're a liar. Time to support a ceasefire. City Council, you're a liar. Time to support a ceasefire. Free, free, free Palestine. Free, free, free Palestine. Free, free, free Palestine.

Mayor Lyles said I hear you. We're going to start the public business. Feel free to stay. I want to say that we have a protocol. If you are disrupting the meeting, please leave. You are violating G.S. 143-318.17, and we are asking our officers to have you leave the podium. Thank you.

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PUBLIC HEARING

ITEM NO. 7: PUBLIC HEARING ON CERTIFICATES OF PARTICIPATION FINANCING FOR EQUIPMENT AND PUBLIC FACILITIES

Mayor Lyles declared the hearing open.

There being no speakers, either for or against, motion was made by Councilmember Anderson, seconded by Councilmember Driggs and carried unanimously to (A) Close the public hearing, and (B) Approve the installment financing contract not to exceed \$137,000,000 for equipment acquisition and construction of and improvements to facilities.

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POLICY

ITEM NO. 8: CITY MANAGER'S REPORT

Marcus Jones, City Manager said Mayor, while I do not have a report, I've spoken with the City Attorney today, and there are a number of issues that have come about, about the landfill, that I believe Heath mailed to you. So, if it's fine with you, Mayor, I'd like to cede my time to the City Attorney.

Mayor Lyles said alright.

Patrick Baker, City Attorney said thank you, Mr. Manager. I wanted to let you all know, and on Friday I gave you some information about where this particular matter stood, and the matter that I'm talking about is Sanders Partnership, LCID, versus City of Charlotte. This was a matter in which the applicant, Sanders Partnership, had petitioned for a variance in relation to their particular property on 7040 Pleasant Grove Road. This has been a matter of considerable public interest and concern. In this particular case, there was a UDO board hearing that was conducted back on July 25, 2023, regarding the variance, and ultimately the board voted against the variance in a 3/2 vote. That particular decision was appealed by the applicant, and there was a hearing that was conducted on the appeal on February 1, 2024. The court issued their decision late last week on February 15, 2024, directing the board to issue the variance, basically reversing the boards 3/2 vote, to issue the variance, and directing the board to issue the variance on or before, I believe it was, February 29, 2024. Now, normally the City would have 30 days to appeal a particular decision, but given the direction of the court, we felt that we couldn't wait the 30 days. I just wanted to let you and the public know that the Notice of Appeal has been filed. That should stay enforcement of the order. I want to make sure that everyone understands, it's the Council, the City, that is my client here, but I'm happy to keep the neighborhood apprised of the situation, and we'll work on the communication. For right now, just email me directly, patrick.baker@charlottenc.gov, and we'll figure out a way to make sure that you all know what we know as we're going forward, and I'll keep everyone updated in that regard.

Mayor Lyles said so, I know that Ms. Jeannette Wilson signed up to speak, but because it's not on a formal agenda, the communication with the City Attorney is the best way for us to continue to look at this issue and get it resolved.

Councilmember Watlington said yes. I thank you for the update, Mr. Attorney. My question is longer term. What is the status of what we've discussed previously in terms of how do we address the fact that this was even allowable in the first place?

Mr. Baker said so, that's a longer conversation that's probably not subject to me giving you a quick answer. We are working with staff about that. This is an unusual situation,

but we will be bringing some information to Council as we go through this particular matter.

Ms. Watlington said so, is it something that's within the City's authority, or is it something that we're going to have to take to Raleigh or D.C.?

Mr. Baker said I'd like to get back with you on that for certainty. I am working on the Notice of Appeal and making sure the status quo can be maintained for right now, but there are subject matter experts, who aren't here tonight, that can walk you through that.

Ms. Watlington said can you add that to the list of follow up formally? I'd like to see that.

Mayor Lyles said I think that we have that.

Councilmember Mayfield said so, Mr. Baker, Councilmember Mitchell and I were at a number of the community meetings when we first brought this to the Attorney's Office attention to look at what potentially can be done. So, thank you for the work your Office has done. My followup question is, we are in the process of updating the UDO as needed, because the UDO is a living document. Once it was identified that they are talking about potentially using live ammunition, that is literally right next to residential community, it seems like we would have some language that protects our residents, as well as now that we have adopted the UDO, we have some specific language of what is considered Neighborhood 1, what's considered Neighborhood 2. It seems like if we did not capture possible landfills or new landfills, since some landfills have been there for a while, that we have the opportunity now to look at strengthening the language in our UDO for no new, based on the development and the needs of the community now versus having landfill right in residential, because one, we have the SEAP. We have environmental potential challenges. Councilmember Mitchell and I had learned specifically of a young girl who, at eight, she was still healthy and running around. Just a few short years, the impact of what was going in that landfill, has now potentially put her in a position where she is going to be in a wheelchair for the rest of her natural life. There has to be some language that can be utilized. If it is okay through BGIR for us to look at, once you are able to identify where this clearly falls or if it's a combination, for us to work with our legislative aide, Mr. Dana Fenton, and our legislative team, to see if we can get both congressional, as well as state support, to protect Charlotte residents in our surrounding area.

Mr. Baker said okay, understood.

Ms. Mayfield said thank you.

Councilmember Mitchell said I just want to echo Councilmember Watlington's and Councilmember Mayfield's sentiments about this, but I want to remind Council, for the first time in about six months, we did pass an ordinance. I just circulated a copy for all of us and for the citizens. This ordinance does not allow a landfill to be built by residential. We were able to put it in its own classification now called ML-2. So, we took the first step that we could control, but I support Councilmember Watlington and Mayfield, that we could do something more at the state and congressional level. So, thank you all for your persistence. Let me say, Patrick, thank you. I think I called you Tuesday and you quickly got on with your staff. So, thank you for filing for appeal on behalf of the City Council.

Mr. Baker said thank you, sir.

Councilmember Johnson said I spoke to Patrick earlier about this, and one of the things he talked about was communication, how he's going to keep the residents apprised. I know that that's one thing that you're going to be working on, and you'll look to see if there's a public way that we can do this. I want to piggyback off what my colleagues said. I know that effective what, June 1, 2023, I think, with the new UDO that landfills won't be able to be in residential areas, but I hope, we as Council, can do something as an exception for this, especially when we hear that there are safety

issues. I mean, if we can dig deep, and see if there's a way, because we wouldn't allow certain things in residential areas. So, whether or not we had a policy that addressed it specifically, if it's a safety issue, and we know that it's a safety issue, and it's a foreseeable issue, it seems like there's something that we have a duty, a care, to provide to our residents. So, even if the Judge comes back and says that it's a policy issue and they can move forward, as a safety issue, I hope there's something in the law that allows us to apply something to protect the residents. Thank you.

Councilmember Ajmera said so, I agree with what my colleagues have said about this. In terms of adding it to our Federal and State Legislative Agenda, to Councilmember Mayfield's request, I think it would be good to have staff's memo on this to get everyone up to speed, because certainly there are Council members that attended the neighborhood's meeting when that issue first was brought to our attention, but there are new Council members that have joined. So, I think it would be important for all of us to be on the same page. Certainly, Alyson and her team have done whatever they needed to do, but now I think what we need to do, in terms of advocacy at the state level, we need to really get up to speed. So, whether that can be referred to the committee, but certainly our State Legislative Agenda. Mr. Fenton's here, he'll remind us all that it is a living and breathing document. If Council decides to add this to our Legislative Agenda, certainly we can discuss that at our next committee meeting. In fact, we have the next agenda item on Federal and State Legislative Agenda. So, I think it would be very timely.

Mayor Lyles said alright. Thank you very much. Thank you for your attendance here tonight and your patience with us, as we walk through things that we're trying to do that may have slipped through. So, thank you very much.

ITEM NO. 9: 224 FEDERAL AND STATE LEGISLATIVE AGENDAS

Councilmember Ajmera said first, I want to recognize Mr. Fenton and his efforts, along with our lobbyist team at the federal and state level. I appreciate the work that they have done. Based on the Council's feedback over past last week, Mr. Fenton has been working around the clock, including weekends, to tie this up for us, and it reflects everyone's feedback and recommendations. I appreciate the recommendations Mayor provided. Mr. Driggs, Council member, and the committee members, Councilmember Mayfield, Mitchell, Bokhari, and Councilmember Brown. Our Federal and State Legislative Agenda puts focus on infrastructure, mobility, specifically our economic development, affordable housing, addressing digital divide, and I hope that Council will support this both at federal and state levels.

Motion as made by Councilmember Ajmera, seconded by Councilmember Mayfield, and carried unanimously to (A) Approve the Budget, Governance, and Intergovernmental Relations Committee recommendation to approve the 2024 Federal Legislative Agenda, and (B) Approve the Budget, Governance, and Intergovernmental Relations Committee recommendation to approve the 2024 State Legislative Agenda.
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Mayor Lyles said thank you to the work of the committee that you've done. I know it's always a moving target. I know that Dana has been spending a lot of time trying to figure out how we could possibly work through the things that we have with the state and the federal government, and so thank you very much to everyone for your participation and consideration for the things that we've just discussed.

Dana Fenton, City Manager's Office said thank you, Mayor and Council.

BUSINESS

**ITEM NO. 10: AFFORDABLE HOUSING DEVELOPMENT SUPPORT
REALLOCATION REQUEST**

Motion was made by Councilmember Driggs, and seconded by Councilmember Mayfield, to Reallocate up to \$1,000,000 of Housing Trust Fund support from the Evoke Living at Morris Field multi-family affordable housing development to further support the development of the Evoke Living at Ballantyne multi-family affordable housing development.

Councilmember Johnson said I was just going to ask for an AMI breakdown of the project. Is there anyone that can talk about that?

Mayor Lyles said I read it in the agenda somewhere.

Ms. Johnson said I read it too. I just wanted the public to hear it.

Mayor Lyles said Mayor Pro Tem has the numbers. You want to read them, Mayor Pro Tem?

Councilmember Anderson said well, it's actually in the agenda under the explanation, the second bullet point.

Mayor Lyles said if you would just go ahead and tell us.

Warren Wooten, Housing and Neighborhood Services said sure, it's 12 units at 30 percent, it is 32 units at 60 percent, and 16 units at 80 percent AMI. I apologize. Warren with Housing and Neighborhood Services.

Ms. Johnson said okay. So, 12 units at 30 percent?

Mr. Wooten said 12 units at 30 percent, 32 units at 60 percent, 16 units at 80 percent, for 60 units on the site.

Ms. Johnson okay, thank you. That's all the questions I have. Thank you.

Councilmember Ajmera said I just wanted to highlight the work of Rebecca and Warren. I started serving on Housing and Safety Committee since beginning of 2024. I've certainly been very impressed with their work, data driven, and evidence based, and this is affordable housing in Ballantyne. Certainly, we don't see many of them, but I just wanted to highlight that, that we are trying to have affordable housing in all parts of our City. So, appreciate Mr. Driggs support on that, in welcoming a new residence in District 7.

Councilmember Mayfield thank you for this presentation, but I just want to make sure that I'm clearly understanding. What we're saying is to reallocate up to a million, meaning that the current project that was funded, that we funded at \$9.2 million, for Morrisville, there is a possibility it might come in underbudget, well, the contingency dollars. So, it could be \$300,000. It could be anywhere up to. So, the request for tonight is to ask, whatever that savings is, for us to reallocate that to ensure that we get this development, which has a 75-year affordability, which I think is our longest out of any of the projects in our Ballantyne area for our workers. That's what we're talking about, right?

Mr. Wooten said yes, ma'am. That's all correct. Again, they're going to realize some savings on this project. Because of the funding that they're using, they're required to hold a very large contingency on this project. So, what you're doing with this action, is you're just authorizing the Manager that, any savings that they do realize, can be transferred over to this project to move the Ballantyne project forward.

Ms. Mayfield said wonderful. Thank you for that clarification.
The vote was taken on the motion and recorded as unanimous.

ITEM NO. 11: CIVILIAN CRASH INVESTIGATION PROGRAM

Motion was made by Councilmember Ajmera, seconded by Councilmember Molina, and carried unanimously to adopt Budget Ordinance 744-X appropriating \$1,271,000 from the Municipal Debt Service Fund to the Capital Equipment Fund for the purchase of vehicles for the city's new Civilian Crash Investigation Program.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 610.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Lyles explained the rules and procedures of the appointment process.

ITEM NO. 12: APPOINTMENTS TO THE WASTE MANAGEMENT ADVISORY BOARD

The following nominees were considered for one recommendation for a three-year term beginning March 1, 2024, and ending February 28, 2027:

- Michelle Coffino, nominated by Councilmember
- George White, nominated by Councilmember

Results of the first ballot were recorded as follows:

- Michelle Coffino, 3 votes, Councilmembers Driggs, Mayfield, and Mitchell
- George White, 6 votes, Councilmembers Ajmera, Anderson, Graham, Johnson, Molina, and Watlington

George White was appointed.

ADJOURNMENT

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

The meeting was adjourned at 7:41 p.m.


Stephanie Kelly, City Clerk MMC, NCCMC

Length of Meeting: 2 Hours, 25 Minutes
Minutes completed: October 29, 2024