

The City Council of the City of Charlotte, North Carolina convened for an Action Review on Monday, October 14, 2024, at 5:43 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Victoria Watlington.

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**Mayor Lyles** said thank you for joining us. I want to call to order the Consent Action Review portion of the Charlotte City Council meeting. We have introductions.

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

**Mayor Lyles** said all right. I'm going to ask Council is there any Consent items for a separate vote?

**Councilmember Mayfield** said I have a question for 48 and 49. Marie may have a response, but I want to get a follow-up on those. Thank you.

**Councilmember Mitchell** said it's an overall question, so I don't know when you would like for me to raise it. You want to wait until we get through all of the items being pulled? It's an overall conversation about the Consent that just is troubling to me.

Mayor Lyles said okay. We'll go through it tonight and then come back to you about that.

**Councilmember Johnson** said Agenda Item No. 35 and 39, please.

Mayor Lyles said okay.

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**ITEM NO. 2: CONSENT AGENDA ITEMS 30 THROUGH 53 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS REMOVED BY A COUNCIL MEMBER. ITEMS ARE REMOVED BY NOTIFYING THE CITY CLERK.**

Motion was made by Councilmember Anderson, and seconded by Councilmember Ajmera, to approve the Consent Agenda as presented with the exception of Item No. 34, Item No. 39, Item No. 48, and Item No. 49.
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The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mayfield, Molina, and Watlington

NAYS: Councilmember Mitchell

**Councilmember Johnson** said Mayor, I'm sorry. Just a clarification. I meant 34, not 35.

Mayor Lyles said so can we correct that Billie, 34 instead of 35.

The following items were approved:

**Item No. 30: Crime Laboratory Supplies and Equipment**

(A) Approve the purchase of consumables and equipment by the sole source exemption, (B) Approve a contract with QIAGEN, LLC for the purchase of laboratory supplies, and instruments for an initial term of one year, and (C) 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. 31: Rook Tactical Armored Vehicle**

(A) Approve the purchase of a Rook tactical armored vehicle by the sole source exemption for a one-time purchase to Ring Power Corporation, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 32: Emergency and Transportational Fuel**

(A) Approve the purchase of emergency and transportation fuel by the gas, fuel, and oil exemption, (B) Approve a contract with Jacobus Energy, LLC for the purchase of emergency and transportation fuel for an initial term of three years, and (C) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Summary of Bids**

Jacobus Energy, LLC	\$700.00
Colonial Oil Industries	\$719.60

**Item No. 33: Emergency Rescue Tools**

(A) Approve a unit price contract with Municipal Emergency Services, Inc. for the purchase of emergency rescue tools 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. 35: Construct Temporary Firehouse for River District**

(A) Reject the low bid submitted by Miles-McClellan Construction Company, Inc. for the River District Phase 1 Temporary Firehouse, and (B) Approve a contract in the amount of \$3,456,269.25 to the lowest responsive, responsible bidder Batson-Cook Company for the River District Phase 1 Temporary Firehouse project.

**Summary of Bids**

Miles-McClellan Construction Company, Inc.*	\$3,218,350.00
Batson-Cook Company	\$3,456,269.25
Swinerton Builders	\$3,782,780.05
J. E. Dunn Construction	\$3,917,028.80

\*This bid did not meet the North Carolina General Statutes and was found to be non-responsive.

**Item No. 36: Facility Technology Integration and Security System Services**

(A) Approve the purchase of facility technology integration and security system products and services from a cooperative contract, (B) Approve a unit price contract with Convergent Technologies, LLC for the purchase of various facility technology integration and security system products and services under OMNIA Contract #R220702, and (C) Authorize the City Manager to extend the contract for additional terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

**Item No. 37: Landscaping and Tree Planting Services**

(A) Approve unit price contracts with the following companies for unspecified landscaping and tree planting services for an initial term of four years: Axtraction Tree & Stump Grinding Service, LLC, Carolina Outdoor Maintenance, Inc. (WBE, SBE), Champion Landscapes, Inc., G.D. Garris Lawn Care, LLC., Marula Tree Management Solutions, LLC., New Beginning Landscape, LLC (MBE, SBE), Roundtree Companies, LLC. (MBE, SBE), Taylor's Landscaping Service, Inc. (SBE), Uncommon Grounds landscaping, LLC. (SBE), and (B) Authorize the City Manager to renew the contracts for

up to one, one-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 38: Mechanic Truck Bodies**

(A) Approve the purchase of mechanic truck bodies by the sole source exemption, (B) Authorize the City Manager to negotiate and execute a contract with Adkins Truck Equipment Company for the purchase of mechanic truck bodies for the term of one year, and (C) Authorize the City Manager to renew the contract for up to four, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 40: Real Estate Quality Assurance and Quality Control Services**

(A) Approve a unit price contract with Professional Property Services, Inc. for real estate quality assurance and quality control services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 41: Water and Sanitary Sewer Parts and Fittings**

(A) Approve a unit price contract with Ferguson Enterprises LLC for the purchase of water and sanitary sewer parts and fittings for an initial term of two years, 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 contracts consistent with the purpose for which the contracts were approved.

**Item No. 42: Gaynelle Drive Storm Drainage Improvement Project**

(A) Approve a contract in the amount of \$1,037,058 to the lowest responsive bidder OnSite Development, LLC for the Gaynelle Drive 4608 Storm Drainage Improvement Project, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

**Summary of Bids**

OnSite Development, LLC	\$1,037,058.00
GreenWater Development Inc.	\$1,161,502.41
United of Carolinas, Inc.	\$1,168,337.50
Kemp Sigmon Construction Co., Inc.	\$1,179,876.50
Zoladz Construction Co., Inc.	\$1,258,783.90
Sealand Contractors Corp	\$1,385,000.00
DE Walker Construction Co.	\$1,434,774.73
Blythe Construction Inc.	\$1,940,059.11

**Item No. 43: Professional Engineering Services for Storm Water Services Projects**

(A) Approve a contract for up to \$1,300,000 with Armstrong Glen, P.C. for planning and design services for the Industrial Center Storm Drainage Improvement Project, (B) Approve a contract for up to \$1,400,000 with Gavel & Dorn Engineering, PLLC for planning and design services for the Galway Storm Drainage Improvement Project, (C) Approve a contract for up to \$1,400,000 with Kimley-Horn and Associates, Inc for planning and design services for the Collective Culverts #3 Storm Drainage Improvement Project, (D) Approve a contract for up to \$1,400,000 with LandDesign, Inc. for planning and design services for the Creek Bend Storm Drainage Improvement Project, (E) Approve a contract for up to \$2,500,000 with Woolpert North Carolina, PLLC for planning and design services for the Pinckney Storm Drainage Improvement Project, and (F) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 44: CATS New Bern Drainage Repair Project**

(A) Approve a contract in the amount of \$2,027,666.74 to the lowest responsive bidder NJR Group, Inc. for the Charlotte Area Transportation System New Bern Drainage Repair project, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

**Summary of Bids**

The City of Charlotte advertised an Invitation to Bid twice; only one bid was received both times from NJR Group, Inc.

The complete Summary of Bids breakdown is available in the City Clerk's Office.

**Item No. 45: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: August 15, 2022, Zoning Meeting, August 22, 2022, Business Meeting, September 1, 2022, Special Meeting, September 6, 2022, Organizational Meeting, September 12, 2022, Business Meeting, September 19, 2022, Zoning Meeting, September 26, 2022, Business Meeting, October 3, 2022, Strategy Session, October 10, 2022, Business Meeting, and October 17, 2022, Zoning Meeting.

**Item No. 46: INLIVIAN Housing Revenue Bond Issuance Approval for Grounds for Change**

Adopt a resolution granting INLIVIAN's request to issue new multi-family housing revenue bonds, in an amount not to exceed \$18,000,000, to finance the development of an affordable housing development known as Grounds for Change.

The resolution is recorded in full in Resolution Book 55, at Page(s) 337-340.

**Item No. 47: Set a Public Hearing on the Marion R. and Lavonne Marsh House Historic Landmark Designation**

Adopt a resolution setting a public hearing for November 25, 2024, to consider historic landmark designation for the property known as the "Marion R. and Lavonne Marsh House" (Parcel Identification Number 153-061-11).

The resolution is recorded in full in Resolution Book 55, at Page(s) 341-342.

**Item No. 50: Resolution of Intent to Abandon a Portion of Alleyway between 1609 and 1615 Matheson Avenue**

(A) Adopt a Resolution of Intent to abandon a Portion of Alleyway between 1609 and 1615 Matheson Avenue, and (B) Set a Public Hearing for November 25, 2024.

The resolution is recorded in full in Resolution Book 55, at Page(s) 348-349.

**Item No. 51: Resolution of Intent to Abandon a Portion of Cecil Street**

(A) Adopt a Resolution of Intent to abandon a Portion of Cecil Street, and (B) Set a Public Hearing for November 25, 2024.

The resolution is recorded in full in Resolution Book 55, at Page(s) 350-351.

**Item No. 52: Resolution of Intent to Abandon a Portion of Sentry Post Road**

(A) Adopt a Resolution of Intent to abandon a Portion of Sentry Post Road, and (B) Set a Public Hearing for November 25, 2024.

The resolution is recorded in full in Resolution Book 55, at Page(s) 352-353.

**PROPERTY TRANSACTIONS**

**Item No. 53: Property Transactions - Riverbend Storm Drainage Improvement Project, Parcel # 4**

Acquisition of 709 square feet (0.016 acres) Storm Drainage Easement, 881 square feet (0.020 acres) Sanitary Sewer Easement and 512 square feet (0.012 acres) Temporary Construction Easement at 3825 Riverbend Road from Kathleen C Lynch for \$14,983 for Riverbend Storm Drainage Improvement Project, Parcel # 4.

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**ITEM NO. 34: LANDSCAPE EQUIPMENT, MAINTENANCE, AND REPAIR**

**Councilmember Johnson** said so this is regarding a contract. I wanted to ask about the CBI (Charlotte Business INClusion) goals. So, according to this, the contract goals were not established on this contract because there were no certified MWSBEs (Minority, Women, Small Business Enterprise) available to provide the products for the contract. So, I have a question about the process and the outreach. I wanted to know do the departments contact CBI when these RFPs (Request For Proposal) are going to be?

**Marie Harris, Strategy and Budget** said yes, ma'am. There's a formal requirement. I believe y'all instituted it several years ago that anything, even \$10,000 and above, we reach out specifically. So, there's always been a requirement for the larger, but I believe y'all instituted even \$10,000 which is informal. We get multiple quotes and we reach out to certified vendors even for that.

Ms. Johnson said so, the actual departments that are requesting the RFPs reach out to CBI? Or who reaches out to CBI?

Ms. Harris said so, there's a system and some people have people that know how to use the system enough, the internal system and I forgot the name of it, [INAUDIBLE] but if not, if they don't have somebody that knows how to use that, then I always reach out to [INAUDIBLE] in CBI and she pulls them for me. So, yes, there's a system and we have all the registered vendors. Also, we do this some and we're working even more within CBI to do more outreach of okay, what procurements are coming down the line that we need to be aware of and work towards getting more participation by more people registered than are registered. Especially like these would be a red flag. If we have something that nobody's certified, that would signal to CBI to go out and say, "Okay, this is an area that the City has a need for that we need to grow up businesses for or do more outreach to encourage vendors to register." Yes, ma'am.

Ms. Johnson said so, the individual departments don't reach out.

Ms. Harris said no, yes, ma'am. They do. I was just saying the smaller departments like mine, I reach out to CBI to help me get who I need to reach out to, but everybody has access. So, they push like Charlotte Water, everybody, they have procurement folks that push them out to everybody that's certified. The vendors go in and certify by code, like commodity code. I forget the technical name for it. So, like if you're using a facilitator. Everybody that's registered for a facilitator will get notified based on what they registered for.

Ms. Johnson said okay. In my notes I wrote triple E, and the reason I wrote that is because the triple E Committee, which was Environment, Equity, and Engagement, we developed an equity framework.

Ms. Harris said yes, ma'am.

Ms. Johnson said I wanted to make sure that these procurement applications in process are going through that equity framework. So, I would like to see, if I can, a checklist or the process.

Ms. Harris said yes, ma'am.

Ms. Johnson said when an RFP is being considered, when is CBI engaged? Is that on the front end or back end? Do we allow time for targeted outreach? Because there are some industries that we know we have minority contractors and it's surprising when we see that there were no certified MWSBEs available. So, just to bottom line, I'd like to ensure that our procurement process is going through the equity framework and also a checklist of what that process is and the timeframes. If that's okay, Mr. Manager.

**Marcus Jones, City Manager** said yes.

Ms. Johnson said okay.

Mr. Jones said could I add to that. Councilmember Johnson, we also have what we call a strike team that's in place now with CBI, general services procurement, via my office as well as the City Attorney's Office. One thing I think in the last committee meeting that we learned is CBI isn't far enough on the front end. So, what's going to happen is we'll go through some growing pains over the course of the next few agendas because we haven't brought them to that beginning point consistently. We even talked last week about maybe even before the procurement, even before that if there are some things that we're trying to do as a City, whether it is a transformational transportation project or things of that nature, how can you get CBI very early in the process.

Ms. Johnson okay. Thank you.

Motion was made by Councilmember Johnson, and seconded by Councilmember Anderson to (A) Approve a unit price contract with Pro Lawn Group, LLC for the purchase of landscape power equipment and tool maintenance and repair 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.

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

YEAS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mayfield, Molina, and Watlington

NAYS: Councilmember Mitchell

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#### **ITEM NO. 39: DELINQUENCY LETTER PRINTING AND MAILING SERVICES**

**Councilmember Johnson** said the same concern. I've spoken to Mr. Jones about this one because it is printing services. So, we know that we have a handful of printers that are vendors with the City, but none were, I guess, qualified for this specific product, so I wanted to know what targeted outreach or what was done to engage those vendors. It sounds like the strike team and changing the sequence, I guess, of events or the process will be helpful. So, if you keep us posted on that. Thank you.

Motion was made by Councilmember Johnson, and seconded by Councilmember Mayfield to (A) Approve a unit price contract with United Printing Company for delinquency letter printing and mailing services for an initial term of two years, 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.

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

YEAS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mayfield, Molina, and Watlington

NAYS: Councilmember Mitchell

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#### **ITEM NO. 48: SET A PUBLIC HEARING ON COURTYARDS AT BACK CREEK PROPERTIES VOLUNTARY ANNEXATION**

**Councilmember Mayfield** Ms. Marie checked into this one for me.

**Marie Harris, Strategy and Budget** said yes, ma'am. Thank you. This is the same for 48 and 49, just specifically that the current plans for both of these when it references "units," single family units, that these will be "for sale" units, not for rent in the plan.

Ms. Mayfield said so, Mayor and Council colleagues, I reached out and I shared this with the Manager earlier in the year. I have a concern with the number of rental units, whether they are single family or multi-family, that we have in the City and the potential impact that that can have. I also shared earlier this year with the Manager an article on a city that has seen an increase in rental, and how it's impacting the tax base as well as the community with having more rental units versus owner-occupied, since that is the bulk of our taxes, come from those who are owner-occupied within our City. So, I wanted to reach out to ask and ensure that if we're talking about annexing, which again creates opportunity for us to expand our footprint. I want to make sure that footprint is going to be a tax base that's going to contribute versus cause any potential deficit as we continue to grow and have additional needs. Because we're going to need to have additional resources with water and other services once this happens. So, thank you for clarifying that these are for sale.

Motion was made by Councilmember Mayfield, seconded by Councilmember Driggs, and carried unanimously to adopt a resolution setting a public hearing for October 28, 2024, for Courtyards at Back Creek Properties Area voluntary annexation petition.

The resolution is recorded in full in Resolution Book 55, at Page(s) 343-345.

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**ITEM NO. 49: SET A PUBLIC HEARING ON RUSSELL GROVE AREA VOLUNTARY ANNEXATION**

Motion was made by Councilmember Mayfield, seconded by Councilmember Driggs, and carried unanimously to adopt a resolution setting a public hearing for October 28, 2024, for Russell Grove Area voluntary annexation petition.

The resolution is recorded in full in Resolution Book 55, at Page(s) 346-347.

**Mayor Lyles** said all right. So, I believe that that carries us through the materials. So, Mr. Mitchell wanted to address the Consent items.

**Councilmember Mitchell** said Mayor and Council and the City Manager, I just think we need to be very careful when you look at the Consent items that were added today. They were in three different buckets. One bucket was sole sourcing, another bucket was exemption, and the third bucket was we can't find them. I got to remind the staff and Council we have changed our policy and now we are in 100 counties. That's all the counties through the State of North Carolina. I could not believe on some of these items that we had here that we could not find any MBE (Minority Business Enterprise) throughout the State of North Carolina. So let me bring you the one that really was upsetting to me, number 32, Emergency and Transportation of Fuel. There is an MBE in Greensboro, North Carolina, OA Gregory. Here we are, we're asking for, the contract is exempt under the CBI program. So, my question to staff, are we using the old model which is the 16 counties to look at participation, or are we looking at the new model, 100 counties, meaning the State of North Carolina we should be looking for MBE participation?

**Marie Harris, Strategy and Budget** said thank you for that. Yes, we are looking at the full range. Just to give you a little bit, we'll definitely follow up and we'll include it in the followup with Ms. Johnson what you're asking as well, but just so that you know that,

you mentioned that one in Greensboro, they could definitely apply. We put this out for quotes, and we got two quotes on this one.

Mr. Mitchell said so, Marie, how can we confirm that we sent it out to all 100 counties in the State of North Carolina?

Ms. Harris said so, we'd only send it out, to your point, yes, certified vendors, yes, and it's published to the public where other people can see it and bid. If you're not certified and you're not signed up to get the notices, the only other opportunity would be for you to look at that site where they're posted.

Mr. Mitchell said so, we're leaving it up to the individual company to go to various job sites to look at opportunities for the City of Charlotte?

Ms. Harris said there's one State one we use, and I forgot the name of it, sorry, but there's one they're used to looking at for governments.

Mr. Mitchell said Council, we have made CBI a top priority for this Council. I think we owe it to the minority firms that are in the community who are seeking opportunities to grow capacity and give opportunity. I'm just encouraging as much as we can to make sure we're adhering by our policy that we are notifying and getting this out to all 100 counties in the State of North Carolina. The other part, City Manager, you touched on, to your point and thank you because this is in the BGIR (Budget Governance and Intergovernmental Relations) Committee now, how do we change that the CBI has more direct say so in the very beginning instead of step four and five. So, thank you for allowing that discussion to take place. I just want to remind us we need to continue to look carefully on how we are saying that we can't find companies, and we can't find MBEs because I'm not too sure that's the correct narrative we should be sending out. So, thank you, Mayor.

Ms. Harris said thank you for that feedback.

Mayor Lyles said all right. I think, Marie, if we could do some followup and just kind of check in with what Mr. Mitchell said to see if maybe call and say, "Hey, are you certified?" We ought to be chasing people to get certified as well.

**Councilmember Anderson** said I just wanted to make a quick comment on a Consent item, Item No. 46, and just highlight the work that DreamKey Partners is doing with Inlivan and the YWCA in District One to bring about 80 new units of multi-family affordable housing. The YWCA has been a longstanding partner for bringing affordable housing to the community. They have a property directly behind the actual facility that offers affordable housing to families. This will be in addition to that on their front lawn. They have four acres there on the front lawn that they're bringing this housing. So, no need to pull for an extra vote, I just wanted to underscore the good work that's being done by those community partners. Thank you.

Mayor Lyles said thank you, Mayor Pro Tem. All right. That concludes the portion of our Consent agenda. So, now I'm going to turn it over to the City Manager for the items that we have under Action Review.

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### **ITEM NO. 3: ACTION REVIEW AGENDA OVERVIEW**

**Marcus Jones, City Manager** said thank you, Mayor, members of Council. I'm going to call an audible right now, Mayor. I'm worried a little bit about the time. So, we have three items under Action Review, The American Rescue Plan update, Arts and Culture governance, and Faith and Housing update. The one that I think has more time sensitivity would be Arts and Culture. The other two, we don't have a public forum tonight, but the other two if they had to be under the Manager's Report, I think I'd rather get this one out in front now, if that's okay.

**Mayor Lyles** said all right. Thank you. Let's go.

Mr. Jones said so, Mayor and members of Council, Julia Martin is going to give you an update on the Arts and Culture governance structure. I'd like to try to frame it before Julia goes up. To me, it's three items that came up last time. One is a governance structure where the City, the City Council, and the County Board would make appointments and there would be a pot of money that this new structure would be able to get out into the public. That's I think the main thing tonight. There are two other items that I don't believe are as time sensitive as this is. The second one is the conversation we've had around whether the General Fund should support these Arts and Culture entities or could it come from another funding source, potentially even tourism. A third item that was brought up last time was just in general whether or not we should move forward in the next Fiscal Year with these types of splits and these types of entities. While all three are important, I would say the first one, just the governance structure, is really what we're asking about tonight. I think there's time to have further discussions about the other two. With that being said, Mayor, I'd like to turn it over to Julia.

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#### **ITEM NO. 4: ACTION REVIEW ITEMS**

**Julia Martin, City Manager's Office** said thank you, everyone. So, before we go to the governance structure, just a quick reminder about what was discussed on September 9, 2024, at the Action Review. A lot of this is repeat information from a memo you should have received this weekend. The first is about the admin fee to the Foundation for the Carolinas. In FY (Fiscal Year) 2025 they'll get a 1.7 percent admin fee for dispersing funds and performance management. This is a little bit more than the 1 percent they received throughout the Infusion Fund, but again we're asking them to do a little bit more this time. The second is around Charlotte Is Creative. I'll spend a bit more time on that one. Just to highlight how was Charlotte Is Creative selected. This was a big topic of discussion last time. They're one of two organizations in Charlotte designated as a local arts agency with the National Endowment for the Arts, the other of which is the Arts and Science Council, and they managed the \$1.2 million Opportunity Fund process through the Infusion Fund that resulted in a pretty diverse recipient pool. Some of the stats that were included in your memo, and I'll just remind you here, half of the awardees indicated their mission was to serve ALAANA communities, which means African, Latin-x, Asian, Arab, or Native American communities; one-third of the recipients served communities in the Corridors of Opportunity; and then one-third served LGBTQ (lesbian, gay, bisexual, transgender and queer or questioning) communities. So, a pretty diverse recipient pool. Then I believe Councilmember Watlington had a question around who was appointing the ASCC (Arts, Science, and Cultural Council) grants committee. That will be appointed by the Governance Board, but this committee will be comprised of cultural professionals with subject matter expertise. This was used during the Infusion Fund, and it is a best practice in the Arts and Culture space. We actually had some the Arts and Culture Advisory Board members start making grant recommendations when we first started the Infusion Fund and they actually said, "Wait a minute. I've been a lifetime banker. Maybe I'm not the best person to be making recommendations around funding for children with special needs." So, we brought in people who live and breathe arts and culture to help us make recommendations with the Arts and Culture Advisory Board making the final say. So, that is a process that we've used before with great success and that would be replicated through the governance structure that the ASCC recommends.

Just a reminder about where we've come in terms of Arts funding, both in the City and the community at large. Three million, two hundred thousand dollars in FY2021, that went exclusively to the Arts and Science Council. There was a lot of conversation in Ad Hoc Committee. Through that we developed the Infusion Fund, \$36 million over three years, \$6 million from the City, \$6 million from the private sector, then to where we are today, which is really nothing short of remarkable in terms of \$21 million for the public sector contribution, \$11 million from the City, \$10 million from the County, and really the first time that the two organizations have come together to think about how they fund

Arts and Culture in a wholistic way, kind of plugging and filling gaps where funding might exist in the other entity. So, really proud of where we've come in the last four years in terms of Arts funding and collaboration across the sector. Again, just a quick reminder about the Infusion Fund, digging in a little bit more into FY2024. Again, \$6 million from the City, \$6 million from the private sector that those funds were housed at the Foundation, a one percent admin fee. The allocations were determined by the Arts and Culture Advisory Board, which was jointly appointed by the Council and the private sector. Similar to this year, a bulk of the funds went to support the groups that received the annual operating support. Then we had two separate kind of grant pools. One was managed by Charlotte Is Creative, which I talked a little bit about earlier, and then one went to the ASCC, and that was to support really some of their existing grant programs, to support artists, individual organizations, capacity building, etc., that they have run historically. So, kind of throughout the three years of the Infusion Fund, most of the funds to support individual artists was distributed through the ASCC. Charlotte Is Creative came about. They have been in existence, they didn't just come about, they've been in existence, but they really stepped up to help us in a way that we needed in terms of distributing this opportunity fund in FY2024.

So, when you look across the Arts and Culture landscape, there's really kind of two main players, Charlotte Is Creative and the ASCC. So, moving into FY2025 we knew in the spring that the ASCC was going through some changes with their organizational structure, they're now under the Foundation for the Carolinas. So, to kind of expedite the process and make sure that we could get this grant funding out to individual artists and creatives, what we did through the FY2025 budget process was pre-select Charlotte Is Creative as the administrator for those funds. So, again we have \$11 million as the City's contribution in FY2025, \$9 million to support larger organizations, that money has already gone out, and then \$2 million to be distributed by Charlotte Is Creative. Just before I pause and then we'll go into the governance conversation, just want to bring to your attention some key provisions that we included in the funding for FY2025. So, one of the things we heard loud and clear was about the annual operating support, what are these organizations doing for us. So, there's levels of performance measures that are required based upon how much funding you get; the more funding you get, the more is required of you. You have to have pre-select performance measures that align with the Charlotte Arts and Culture plan. Importantly, organizations in City-owned facilities must deliver on that sentence below, which says "ensure City/County-owned facilities are available for affordable use by local artists and Arts and Culture organizations." So, for us that includes the two Mint museums, the Gantt Museum, the Blumenthal, Discovery Place, and the Bechtler. Then when it comes to the \$2 million for grant making, in some of our preliminary conversations with Charlotte Is Creative they had planned to use things like grant writers and coaches, which is something they had learned through the opportunity fund was really valuable to these smaller groups and individuals when they're trying to apply for a grant, translation services to make sure that they application was as widely available as possible to the many diverse communities in our City, and widespread marketing and outreach efforts. They had talked about we want to host events in every district at least one, making sure that we can get a really broad reach and pool of people to apply for these funds. So, I will pause here before we go into the governance conversation.

**Marcus Jones, City Manager** said so, thank you, Mayor, members of Council. So, what Julia just presented was just the thinking of how we got to where we are. However, if it's the will of the Council to RFP these remaining \$2 million, that's not going to be an issue. I don't want that to be the issue that stops the Council from moving forward on the governance piece. I just wanted to make sure that everybody understood what we were trying to do is make some assumptions, I know what happens when you make assumptions, that if everything fell through, if the County didn't come through, if the Foundation for the Carolinas couldn't get the County and the City to at least discuss some type of governance model, if the ASCC was not around, then \$11 million could still go out seamlessly into the ecosystem much like it did the previous three years. That was it. It's not that we were sticking a stake in the ground to say that's the only way this is going to happen, there are multiple ways that this can happen. Okay?

**Councilmember Mayfield** said I just want to clarify going back to slides three and four. So, we initially, which we once had, we had public/private support, so the private sector contributed a considerable amount, but now we're saying all funds are coming from government, either the City and County?

Ms. Martin said yes, and through the Infusion Fund the private sector has selected to take a different approach in terms of helping support endowments, helping to support capital raising for some of our facilities and institutions. So, they have said, we're ready to step back maybe from some of the operational stuff, but we still have a really important role to play in terms of sponsorships, again endowments setting up to make sure that some of our organizations can be financially sustainable for the long term. So, they are certainly not stepping back.

Ms. Mayfield said so, I have a challenge, one of many. When we go back, before we got here in the conversations. Corporate community was a major supporter because you were able to identify through your pay schedule whether it was bi-weekly, monthly, you were able to allocate funds to support. This is actually a comment that Dr. Watlington made a while ago when we started these conversations that stayed with me, that we in essence through government are saying, "Okay, we're going to mandate through tax dollars the allocation to this with the private sector, reimagining how they are going to support." Then when we go to the next slide on four, when we look at these uses, I'm trying to understand we have in here \$1.3 million Opportunity Fund via Charlotte Is Creative. This includes a 13 percent administrative fee. Help me understand this 13 percent and this 15 percent administrative fee.

Ms. Martin said sure. So, as compared to the one percent with the Foundation where it was essentially cutting checks, Charlotte Is Creative and the ASCC are doing more of a real service in terms of meeting individually with potential applicants, walking them through the application, reviewing applicants. They scheduled and pulled together all of the grant review panels which were quite lengthy. They looked at every single proposal. We got over 200 proposals. So, it is making sure that they are fairly compensated for the work that they are doing to support these grant programs, and it's much more than just writing a check, which is what the Foundation was doing for us.

Ms. Mayfield said so, it would be helpful to know exactly what the contractual amount is versus a percentage, but this goes back to the conversation that we had previously regarding this should have been an RFP. Whether Charlotte Is Creative would have been the organization that won the RFP or not, the fact that they're getting a 13 and a 15 percent administrative fee and the fact that we're not tracking that, I have a concern with. Because when we break down back to the question that my colleague initially asked regarding who makes up this Board, we have individuals that are not elected by the community, that are not held accountable by the community. We are, and then we have now allocated this money over to an organization. They've identified who is around the table to help disperse the dollars. The only thing I've heard about is the one percent fee to the Foundation for the Carolinas. This is outside of receiving the information this weekend and this presentation now, this is the first time that I'm learning about this 13 and 15 percent admin fee without there being an actual number or without that coming to Council and there being an actual RFP process for it go out, because maybe it would have been them because of the experience they have, maybe it would have been another organization. Maybe we would have looked at if they had to be the lowest responsive bidder, the way we do with everything else, do we even know if this administration fee that we've identified is equitable? So, I have concerns and would like additional information on exactly how much of this funding that we've identified to support our local artists is being spent in administration fees. That is always a concern for me if a considerable percentage is going to the administration versus the actual artists and the actual work that they are producing in the community. Thank you. Yes, sir.

Mr. Jones said so, Councilmember Mayfield, maybe I can help a little bit. Julia, can you find the slides that show the last four years. So, prior to the Infusion Fund, money would go over to the ASCC, private sector, public sector, and there would be a portion of those

dollars that went to the ASCC for admin. I'm convinced it's in that range of the 12-15 percent. So, even with the Infusion Fund, when the money went over to that body that the City and the private sector appointed, same concept. There was money that would go to let's say the ASCC, I believe, if I'm right, Julia, the first couple of years of the Infusion Fund and they had an admin fee. So, if we go back to the slide that Julia just had up, that's the last year of the Infusion Fund and that \$6 million plus the \$6 million went over to that Board, that Board got money out into the public outside of the \$8.5 million which we called hardwired, and whether Charlotte Is Creative or the ASCC, there were some admin fees attached to it.

Ms. Mayfield said I do remember that we had admin fees, thank you for that, Mr. Manager. The question that I have for clarification today is, we no longer have that private sector support. So, when we had that private sector along with public sector, that was a fee that was distributed. We shared that. Whereas now, we're looking at again tax dollars where private has decided to go a different direction. We have these admin fees. I want to clarify exactly what that dollar amount is, and we say an additional \$350,000 for Cultural Plan Development and Marketing. So, when we start adding all of these numbers up, the question is how much of this funding is actually making it to the artists and to community? We know that artists not only need supplies, but it's also a very competitive process. When we looked last time there were some questions that some of us were outreached to where there's a concern of how organizations are identified and who is identified as legacy organizations and the opportunities for newer organizations to be a part of the growth and the diversity of our City. Thank you.

**Councilmember Ajmera** said Julia, thank you for this presentation. A lot of our questions are being addressed in the first two slides; I appreciate that. Also wanted to recognize we have Matt Olin here from Charlotte Is Creative. They do great work in our community by engaging all the creative talents under one roof. Some of us have attended some of their events, and I appreciate how they have brought all the creatives together under one roof. So, it's great to see that they will be part of getting the funds out because they already have relationships established with our creative talent in our community. I know a couple of years ago, actually this question keeps coming back up, Councilmember Watlington had asked about funding, and I know at some point we were discussing the source of funding. Mr. Jones, are we committing this amount from the General Fund or that's something still to be determined at a later time?

Mr. Jones said yes, there is a referral in committee about is there an opportunity to use other sources other than the General Fund to support this \$11 million.

Ms. Ajmera said okay, so the committee is going to make recommendations. Okay. I see on slide number five we have "Approve outside agency and MSD (Municipal Service District) contracts." So, Julia, if you can just explain what MSD contracts are we referring to and how would they be contributing to this Arts and Cultural governance structure?

Ms. Martin said totally not relevant. There's a whole bunch of other entities below Action H. I just pulled the snippet that relates to the Arts and Culture sector. So, this was included in the RCA (Request for Council Action) on June 10, 2024, but in that action was included the MSDs but not relevant for this discussion.

Ms. Ajmera said okay. I know Councilmember Mayfield brought this up about legacy versus new. I think every time we discuss Arts and Cultural funding this topic comes up. Certainly, we have responsibility to support the facilities that City owns and operates, but at the same time we have creative talent in our community, and we need to support that ecosystem. So, are we committing ourself to legacy organizations that we approved in the past? Or would the new organization have a meaningful opportunity to apply for this funding?

Mr. Jones said so, Councilmember Ajmera, one of the things that's important, that's why Julia wants to jump ahead, but let's make sure we answer all the questions first, is that \$12 million that was in the Infusion Fund for the last few years private sector in the City,

when you come over to what's proposed now, which has been approved by both the County and the City, you see the City's contribution is basically \$11 million, one of the things that is happening now is the City is no longer funding the operational support for the ASCC, which is worth about \$900,000. So, that's why that \$12 million is basically \$11 million. So, earlier when I tried to frame the conversation, we have the governance piece, we have the piece about whether or not this should be a part of the General Fund, the referral, that both Dr. Watlington and Councilmember Mayfield have referenced. A third piece is what happens in FY2026. In FY2026, Julia, can we get to a 9-2 split on one of these slides? So, the \$9 million, and I have to give credit to a couple of Council members with the terminology became "hardwired," it became hardwired so that whether it's 38 organizations, 33 organizations, that money would never be determined by anybody other than this body, because many of those institutions we pay debt on, tens of millions of dollars in debt on those buildings. What we're really talking about, and Julia, can we go to the City/County split, what we're really talking about is this remaining \$2 million, which again at the beginning, if the RFP process is an issue, which I believe it is, we can go RFP. What we're really saying is, Councilmember Ajmera, in the future how much of that \$9 million do you want hardwired into what groups? Then there's the \$2 million that is really for other organizations, for collaborations, for individual artists, and if you go to the City/County that's the story that we haven't been able to really have a good conversation with, that there are so many organizations that are nontraditional that's in that \$21 million that really addresses a bunch of the concerns that we've been discussing for months, and it's actually the County that's putting a lot of money in to those nontraditionally funded organizations, mainly because one of the things we've said over and over again, to keep the lights on in our facilities, we have to have light in the facilities to keep the lights on to pay the debt.

Ms. Ajmera said so, just to follow up on that, Mr. Jones, so out of \$11 million, \$9 million would be hardwired just to support the organizations that we have a responsibility. Correct?

Mr. Jones said they're actually 33 organizations and I would say there's probably half of them that you may want to consider is this something that shouldn't be funded out of let's say the \$9 million but could it be funded out of something in the blue section.

Ms. Ajmera said correct.

Mr. Jones said we have organizations that I think are as low as what, Julia? \$15 grand?

Ms. Martin said yes.

Mr. Jones said so \$15 grand that are being treated much like organizations that we put almost \$2 million in. So, it gives us a time to look at this as \$21 million, not \$2 million, not \$9 million, but an opportunity to maybe some organizations go over to other buckets. What I will say we were at 38 or so, but the County said they'd like to pick up all the organizations that were outside of the City, so the County put an extra million dollars to support those organizations that had been supported by the City. So, it's some collaboration that's already happening.

Ms. Ajmera said so, what I hear you say, obviously there is more funding than there ever was, and that's great. We've got to support the Arts and Cultural ecosystem that we have in our community. So, what I hear you say that the decision as to who gets the funding, whether it be hardwired or not, will be up to the governance Board, governance which is the ASCC governance Board?

Mr. Jones said no, not the hardwired. The hardwired is your decision.

Ms. Ajmera said hardwired is City's, so that would be reviewed at every budget discussion.

Mr. Jones said correct.

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Ms. Ajmera said okay. Rest of the money will be up to the Board. Okay. So, at our annual budget discussion, we could say, to Councilmember Mayfield's point as to what allocation do we get to do between legacy versus new. Am I correct?

Mr. Jones said correct. The one thing I would caution is that there, and I hate to use the word "legacy," there's some large and medium-sized organizations, especially some large ones, like the Harvey Gantt Center, that I just can't imagine that this Council would defund it because again we're paying debt on these buildings.

Ms. Ajmera said I guess what I'm trying to say, obviously we are going to support the facilities that have debt on it because they were previously funded by the City dollars, so we have a responsibility to do so. I'm talking about other organizations that may not be in a similar situation, but then we also want to open doors to new organizations that have never received Arts and Cultural funding in the past, but they do great work. I'm sure each one of us can think of a couple that does great work, but they never get funding from the City. The perception is that we are awarding grants to the same organizations who have always received it. How do we change that? How do we make sure that all arts organizations get an equal opportunity to apply for funding? That's all I have. Thank you.

**Councilmember Graham** said quick question. I'm going to go back to the corporate support. So, obviously public/private partnership has always been the hallmark of the City. I understand your explanation in terms of how they will be supporting that. How do we measure that? How do we determine, how do they determine where and who and how they're going to support? What type of dollars are we talking about annually, biannually? Who determines all of that?

Mr. Jones said so, Councilmember Graham, I agree with you, this Council should ask for an annual accounting of this concept of whether its sponsorships or endowments or what have you, that there should be some mechanism that's reported back so that we can see that the private sector is living up to their part of the bargain.

Mr. Graham said so, who is that being communicated to? That there's a requirement for a yearly annual report? I'm just kind of puzzled about who's going to put this puzzle together on the corporate side, and do they know what their responsibilities are? I'm just puzzled.

Mr. Jones said I agree with you. What has been shared has been that there's comparable contributions, but you'd like to see it in writing, is what you're saying. So, whether it comes to this body or whether it comes to the Committee or whether it comes to the Foundation for the Carolinas, I think that is just something that this body should ask and demand.

**Mayor Lyles** said I think, if I could, Mr. Graham, I think that with the legacy organizations that we have that we support, they could actually tell us how they get money and have a funding and we could see that on our budget session to say, okay, who gave what to what, and that I think would really be good information to have as well.

Mr. Graham said yes, I'm operating on trust but verify. We went from an environment where there was almost 80, 95 percent corporate support to zero in the traditional way that's been done in the past through this new outline. So, I'm just throwing the question out publicly.

Mayor Lyles said it's been a couple of years since that has taken place. I don't think that we've ever really seen that in the last four to five, six years, even when this thing got started it was because we knew that we were not going to get anything from the private sector years ago.

Mr. Graham said correct, gradual decline for sure, but now it's at zero.

Mayor Lyles said well, I think it wasn't even gradual. I think they pretty much, that's what this whole thing is about, and we've been working at it two years now to make a decision. So, two years of it, if I can remember when we were having dinner somewhere and people were trying to figure out how is this going to work, and I know it's been at least two to three years.

**Councilmember Driggs** said I just want to suggest, Mr. Graham. I think we need to acknowledge the corporate participation in the Infusion Fund. So, for three years they came in with \$6 million having driveled down to almost nothing, so I think you're right. So, we don't talk about them being absent. They were there.

Mr. Graham said I acknowledge that there were.

Mr. Driggs said I'm just pointing it out, that's all. It's a fact and I think they deserve to be recognized. All I'm saying, though, is that dialogue took place mainly through the Foundation for the Carolinas as a kind of contact. and I had discussions with a couple of corporate leaders. One time I was told that one contributor to the Infusion Fund went to an event where there was a lot of Infusion Fund funding and there were signs for their competitor who had been a sponsor all around. So, they said we don't want to be in a situation where we miss out on that incidental benefit of being recognized and that's how that happened. I completely agree with you that we should demand more accountability around the general undertaking that they will provide sponsorships. There's no disagreement about that.

**Councilmember Johnson** said I just want to say for the record that the headline is not that we're trying to defund the Gantt Center. We're looking at holding all of the legacy organizations accountable, such as the Mint Museum and Bechtler, The Discovery Place, and others. I'd like to ask the question what does the support entail of these organizations? What does that entail? Is that the mortgage and the utilities and the taxes? I mean, what all? I'd like a list, I think, of what support entails because there may be opportunity to scale back some of that support so that it's more equitable, and we do have more for smaller organizations. So, I know that they're our buildings and we have to take care of our buildings, but I think that Council and the public should know what does that support entail. So, can we get a list of that? Councilmember Watlington said school clothes. I'm sure there's something to that, so I really would like to know. Because I've heard that we pay the utilities for the larger buildings. Is that true?

Mr. Jones said what I can tell you is prior to the Infusion Fund, all of this was run through the ASCC, and I'm not sure that we had accounting in that way. Julia is saying no. So, we have three years of the Infusion Fund. I think we started to get some better data from the organizations, and we could figure out exactly how much of that is spent in what ways.

Ms. Johnson said yes, because if there's opportunity. When you look at equity, if we are paying the utilities and operations and mortgage for these larger organizations and they're still earning money and have the private support versus organizations that aren't receiving any funding, there's just, I think, there's a way to really work toward an equitable approach, a more equitable approach on this. Thank you.

**Councilmember Watlington** said yes, a few things. I just want to make sure firstly based on what we're seeing today, what changed since the last presentation? Or was this just a recap? Because I didn't see anything directly that had changed, so before I ask the rest of my questions, I just want to make sure I didn't miss it.

Mr. Jones said so, as Julia kicked it off, there seemed to be three buckets of questions that were out there that was around the selection of who would ever be the grant-making body. There was a question around Charlotte Is Creative, and whether or not this should be an RFP, and they had had some questions around admin fees. So that is the bulk of trying to answer the questions that came up last time.

Ms. Watlington said but nothing actually changed out of the recommendation in response to the questions and concerns? This is the same thing I saw last month?

Mr. Jones said yes, I don't know if there was anything that would change other than trying to address the questions that came up. I sent out a memo on Thursday with that, too.

Ms. Watlington said okay. All right. So, clarifications but no change. Okay. I want to talk about this private sector piece because as Councilmember Mayfield said earlier, absolutely this is a movement from workplace giving that was done voluntarily to now we're essentially garnishing your wages to pay for the same thing by pulling it out of your property tax. I know there's going to be a discussion as to where that ultimately comes from. Right now, I have a fundamental issue with the way we're setting this up because of much of what like Councilmember Graham said when it comes to the private sector because we ultimately cannot require the private sector to do anything. We can audit, but we have absolutely no means to enforce and require them to do anything additional. So, that for me is a struggle because to Councilmember Johnson's point, we are paying the mortgage, we're paying the utilities, and it feels like we're paying for the groceries and the school clothes and everything else, and then we still have to pay to go through the door if we actually want to use it. For me, this feels like an over-subsidy of a particular industry versus others.

Yes, very important, but I do feel that we're already doing our part. If we're going to talk about continuing to support in these particular ways, I would need to see by organization what their revenue is and what public revenue is a percentage of their overall revenue because if we're having conversations about sustaining, there needs to be some level of scrutiny as to how can we operate, whether it's co-locating organizations or whatever else. I personally just need to better understand how they're spending their funds before we continue to pay for everything. Because it's a virtually completely public organization when we're starting to look at some of these legacy groups at that point, and that just doesn't feel sustainable and doesn't feel responsive to what the demand is in the market. Yes, arts is important and we want to have something, but it needs to be right-sized and we need to be leveraging our resources to where the priorities are within the community. So, I think there's work to be done there.

The other piece is on slide 11. I'm still not clear about the appointees appointing appointees. So, for me that's like a nonstarter here. When we talk about this ASCC grants committee, if I remember from last time, there was kind of a circular thing going here where the Governing Board was appointing these and then these folks were moving over here and then these appointees were then appointed to the Governance Board. It sounds like, if I'm understanding, that no significant change has been made, that's still the case. So, that's a significant issue for me. I'm definitely open to RFP'ing for the organizations with the administrative fee, so if that's something that gets put in here, I'm fine with that. As I think about the discussion we're about to have in a little while with Financial Partners and trying to put some more rigor around that process and accountability, it just seems inconsistent to then not expect something of that nature to show up even as we talk about these legacy organizations, the hardwired ones. It seems that there should be some consistency in how we assess those year over year for all of the reasons that I mentioned ahead. So, for me I've got far too many concerns at this point to support, but I absolutely am willing to get some clarification if I misunderstood something.

Mr. Jones said so, let me try to get us to a place where I think we can move forward. So, \$11 million has gone over to the Foundation for the Carolinas. Nine million dollars has gone out to those organizations, 33 organizations, legacy organizations, however we want to say it. There's \$2 million that still remains. I really don't want to make this recommendation but I'm going to make it. So, we did it this way just in case we couldn't move forward. So, if the Council RFP'd the remaining \$2 million, the \$11 million would be out. The governance question will still be out there. The funding question whether it's the General Fund or tourism, and then what you do in FY2026, but I don't think you can get to one because you're not comfortable with issues two and three. So, if we just

RFP'd the final \$2 million, the \$11 million would be out, and it gives you time to think about how you'd like to proceed in this governance structure.

**Councilmember Anderson** said I really want, City Manager, for us to ensure that the \$2 million of this \$11 million, which is for the small-to-mid artists and institutions that are bootstraps, they need the funding and the assistance, I want to make sure that they don't get lost in this conversation, and I absolutely hear that we want to spend more time on governance structure and other aspects, but the distribution of the \$2 million to the grassroots, smaller artists' community, I think we should proceed with the distribution of that, whether it's an RFP I'm totally fine. I think the longer that we hold onto those dollars while we try to figure out overall governance, we have grassroots artists that are really unable to move forward with some of the plans that they have. So, I don't want our governance conversation to then be a barrier to getting the money to the actual artists who desperately need it. I'm not addressing the \$9 million, I'm speaking to that \$2 million. Thank you.

Mr. Graham said just one last question, I guess. We've had this on our docket for weeks now so what more do we have to do with the governance structure? Some folks like it, others don't. I mean, we can go back and forth. At what point are we going to vote this thing up or down? If it fails, then we go back to the drawing board, but if six people like it then we move forward. It's been on our docket for weeks. Just a question.

Mayor Lyles said so, is there a motion? I'm serious. I think that unless there's a comment, is there a motion of an action to be taken. I think Mayor Pro Tem said the \$2 million for individual artists was important.

**Councilmember Bokhari** said I'm not going to have a motion, but I'll just make a quick comment. I think there are some good things that have been developed and that have progressed to this point, and some big things that have to be figured out. So, I guess my only point would be when we decide on the \$2 million as one example, in an RFP versus something else, I think the problem we have there is one is kind of well, here's a process and it will take more time and will be more bureaucratic, but it also loses the incentivization that we're asking the Foundation for the Carolinas and the private sector to do. That, to me, is the second biggest problem, which is we need mechanisms and goals and incentives to inspire the private sector to come up and take this huge mantle we're handing them, to take it to the next level so that we can show that bar going forward has grown. So, I think the more we tie their hands, the harder it's going to be for them to do it. We've got a \$9 million portion of this fully baked, and a \$2 million one that we're like, "Oh, well, maybe you could pilot and this could be this or that" and now we're saying, "No, we're going to bake that one, too." So, if we leave the private sector with no tools, they're just an admin function that's handing the money out for us that we could literally do probably ourselves to some extent. So, I have problems with the governance model, but once again that more important for next year and the year after. It's not that important now because everything's pretty baked. So, my recommendation would be we have less bureaucracy around the \$2 million but we set out expectations to a great partner in the Foundation for the Carolinas to put your own governance and monitoring approach around this, present it back to us as a pilot, show us where not only the money went but how you were creative in bringing in private sector dollars to be able to start that bar up and bring that back and then we'll set in stone some go-forward model based on those experiences. The more you bake it, the more you're going to hand them something that their hands are tied and they're just essentially a logistics arm for us. So, I think we've got to move forward in some way, but I also think I'd rather tie objectives to it of things we'd like to see them try to accomplish as a pilot.

Mr. Jones said I like what Councilmember Bokhari said. Can we go back to the \$2 million so I make sure that we're all in lockstep? So, the green, the Foundation has it all right now, \$11 million. \$9 million has gone out. Hold back a 1.7 percent admin fee. The other \$2 million in this transition time isn't going to be caught up in any type of governance structure. It is basically going to be put out into the community either by the ASCC or by Charlotte Is Creative. So, I agree with you 100 percent. It's just, I don't want to call it bait, but this \$2 million wouldn't go up to this Board right now because it's not

even developed. So, it's almost as if how do we make sure that this body has an opportunity to think through how they'd like to be a part of this governance structure, even if it's a pilot or a test. I'm not so sure I want to put you in a position to have to vote on it up or down when there are so many questions still out there. What I'm recommending is through an RFP finish the last \$2 million, get it out to the ecosystem as quickly as we can, and give you some time to figure out governance and where the money comes from and what happens in the FY2026.

Mayor Lyles said all right, you've heard the Manager's recommendation to move forward. The question I have of the \$2 million going out, who would process or administer that?

Mr. Jones said it would be an RFP and there would be an organization much like all the money for the last 20 years has gone out.

Mayor Lyles said okay. Does everybody here [inaudible] a recommendation?

Ms. Martin said if I could just address Councilmember Watlington's point about the Grants Committee and that circular nature. The Grants Committee will be appointed before the bottom box ASCC Grant Committee. So, it would be 15 members appoint the Grants Committee, once they have the Grants Committee the Board would select two members to represent the Grants Committee. Does that answer your question about we're appointing people to appoint people to appoint people?

Ms. Watlington said I think it does. It sounds like this conversation is going to be tabled anyway, so we'll just touch base.

Mr. Graham said well, that's the point.

Mayor Lyles said Ms. Watlington, I don't want to put words in your mouth, so I think that what you were talking about is the 17-member Board would have five City appointees. Is there something else that you wanted to recognize?

Ms. Watlington said I think that staff's got the gist of my concern. I think this is going to be something that's going to continue to be discussed, so we can handle that offline, but I think that the \$2 million is probably what the motion is about to be, so go ahead and get that going. I'm supportive of that.

Ms. Johnson said before there's a motion will the agenda allow us to vote tonight? It just says receive an overview.

Mr. Jones said so, as I started off, there are three things. So, we were trying to deal with governance tonight, but it seems like future allocations and the funding vehicles are so much of an issue for the body that it is very difficult for you to get to the governance issue tonight. So, the second thing that seems to be the issue is the remaining \$2 million and whether it just goes out as planned in the budget or having an RFP. I've heard more people say they would like to see an RFP. So, it is just trying to get the body to a place where we can get the \$11 million in play and give you time to sort through these last three.

Mr. Graham said well, again, Madam Mayor and Council, I think Councilmember Watlington said it minutes ago where this is basically the same presentation that we've seen before. So, who is going to do the work? Where is it going so we can analyze, discuss, strategize, and make a recommendation for Council to move forward on a strategy? Right now it seems to be in this wonderland and I just think we need to be decisive about what we're going to do and how.

Mayor Lyles said I think I've had so many decisive moments for this that it's kind of hard to figure out what they are, and I think what I heard was Mr. Bokhari saying, and the Manager agreeing, \$2 million out in an RFP process. That doesn't necessarily side with what Mr. Bokhari was saying in terms of working with the Arts and Science Council, but

help me understand where we are as a Council. Someone, I think, if you have a motion, then we can probably start talking about it.

Mr. Bokhari said yes, I would just say the word "RFP" sounds nice, but who's going to set the parameters for the RFP? Who's going to go about saying this is what we're looking to seek and what we're calling for? Then when people come in, who's going to make the decisions based on what factors? For the fact of \$2 million bucks and what's there and the time that we'll add paired with the fact that we're all then going to start arguing about all of the RFP subpoints and all of these things. So, we have an opportunity here to punt on the future funding vehicles and sources, the future allocations, even punt a little bit on the governance model right now because at the end of the day, we can make a simple statement which is Foundation for the Carolinas and Charlotte Is Creative, you guys have done this before and you, Foundation, put some pilot-based oversight and governance onto this to show us how you can do a couple of things that are our objectives. Find private sector dollars that come in. Fulfill our stated objectives as a City. Just high-level things that aren't so prescriptive that we're running around here and then in a proven fashion get it out there. Show the impact, the ROI (Return on Investment), all the things that occur, and maybe in doing so come back with something that shows us here's the answer for the governance model in effect. Because I will tell you if one our main ultimate goals is to use this massive set of taxpayer dollars to incentivize the private sector to jump in, if there's a Board out there comprised of 15 to 18 of our friends that we all appointed, there's no skin in the game from the private sector to go in and actually do this. So, we've got to incentivize them to come and do this. So, I think that the motion should be, I won't make it but someone probably should, that we should have.

Ms. Mayfield said Mr. Jones, so, I believe what you recommended is what we have in Next Steps. I'm just trying to understand for this \$2 million that we're talking about. First of all, I'm in complete support of that \$2 million going out into the community. I don't necessarily want us to go out to RFP because I don't want us wasting money on yet another administrative piece over the \$2 million. \$2 million is not a lot. We know that. Today, it is not going to have the impact that we possibly want it to have if we're then issuing an RFP for a couple of hundred thousand or whatever it is, that's just eating away from it. I personally don't have a problem with us using the current model as long as they get the Request For Proposals out and we still have a process, but we do need to have a conversation later as we actually break this down. For the recommendation you have with the Begin Solicitation Process for Selecting the Vendor to administer the \$2 million, I'm more concerned about what those vendor fees may be because I would prefer the fees not be eaten out of the \$2 million if possible. We identified \$350,000. We say 13 percent. We say 15 percent. We got \$9 million that's hardwired. If we're saying \$2 million and if there are administrative fees, I would like for us to be honest with the community of exactly how much do we really have. If it's not really \$2 million. If we got to take these fees out of it. I want us to be as transparent as possible for what the actual amount is so that when artists do submit their proposals, they're very clear as far as what is the financial commitment from the City. I do have the concern that the private sector has already told us where they're at, which got us to this conversation. The idea that we're going to do something that's going to incentivize them to come back to the table, that's a very different conversation. We've got to figure out what is our role getting those numbers back for the [inaudible] services, what financial responsibilities do we actually have, and it would be helpful if through our City Attorney's office if our attorney were to, for the [inaudible] services. We have some contractual commitments out there, really looking at those to see if there's any flexibility with restructuring some of our contracts based on if we get the numbers back and if they're doing a little better financially with their private fundraising and where we might be able to make some adjustments based on needs in the community.

Mayor Lyles said I want you to know that we have a number of people that are waiting in the chamber. Some of them who we have invited, and they will need us to get down there, so let's see if we can figure out.

Ms. Johnson said you might want to let our City Attorney speak because it might save some time. Our City Attorney had his hand up.

Mr. Mitchell said I'm going to try to take a stab at this. I have one motion but I have two parts, if that's okay. The first part would be to create an RFP for 30 days, made [inaudible] the following representative to design RFP, one representative from the City, one representative from the County, one representative from the Foundation for the Carolinas, and the second B was ask the Mayor to refer this structure request into the Job and Economic Development Committee for a November 2024 timeframe.

Mayor Lyles said all right. You heard Mr. Mitchell's motion. All right. Is there a second.

Ms. Mayfield said second.

Mayor Lyles said all right, we have a second.

**Patrick Baker, City Attorney** said this isn't on your agenda. By your rules, you need to add this to your agenda. It needs to be unanimous to add it to the agenda, otherwise it would need to be added at a separate meeting.

Mayor Lyles said so, we won't be doing this unless it's unanimous. All right, if we are going to do it tonight, we have to put it on the agenda.

Ms. Ajmera said it'll have to come back.

Mayor Lyles said okay.

Ms. Ajmera said because Councilmember Johnson just said that it's not going to be unanimous, so we'll just have to bring it back.

Motion was made by Councilmember Watlington, and seconded by Councilmember Mitchell to add the Arts and Cultural Governance Structure to the agenda on October 14, 2024.
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The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Mitchell and Watlington

NAYS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mayfield, and Molina

Mayor Lyles said okay. I know that this has been a long day, and it's been a lot of talking and work on, but downstairs we have people that we're recognizing from the western part of the state. People in our community that went up and helped out. We've got a few other folks, ADA people, so I'm going to ask if we can go down to the Council room and get started with our regular agenda. A lot of this is recognition time.

\* \* \* \* \*

The meeting was recessed at 7:03 p.m. to move to the Meeting Chamber for the regularly scheduled Business Meeting.

\* \* \* \* \*

## BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, October 14, 2024, at 7:10 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, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Victoria Watlington.

\* \* \* \* \*

**Mayor Lyles** said we really appreciate the fact that you guys stayed and that you are here today. I want to welcome you all to the Charlotte City Council business meeting for October 14, 2024. Okay. Good evening. I'd like to now call this meeting to order and we'll start with introductions.

Before we start our agenda tonight, I want to recognize a number of people who are here with us tonight who over the past several weeks have spent considerable amount of time serving our community as well as serving our neighbor communities in western North Carolina. As you know, parts of North Carolina were devastated by Hurricane Helene with western North Carolina bearing the brunt of the storm. In Charlotte we fared much better, but we were not unscathed. Anthony Taylor lost his life when a tree fell on his home and dozens of homes on Riverside Drive were flooded, creating immeasurable loss and suffering. Before, during, and after the storm, I'm proud to say that the City of Charlotte staff were helping people and were hard at work serving our community. I also want to recommend that this work is not done. There's still a lot of work to be done here in Charlotte and lots of work to be done in western North Carolina. In fact, many members of the Charlotte City staff are still in western North Carolina and there is still work to be done right here in Charlotte for our neighbors on Riverside Drive. To learn more about how you can do and be helpful, go to [CharlotteNC.gov/recovery](https://CharlotteNC.gov/recovery). We have some people here tonight, but let's start with a video.

Thank you, everyone. I still see portions and stories here. So, I want to say that this has been a team-wide effort for our organization, but I do want recognize several departments in particular. Charlotte Fire Department and Charlotte Mecklenburg Emergency Management, thank you. Charlotte Mecklenburg Police Department, thank you. Now I know it's always hard to have an organization named General Services, but in this case I want to say really, thank you. Sometimes we take an airport for granted, but in this case Charlotte Douglas International Airport, we thank you. A big hand for Charlotte Water, who went up there and took supplies. I don't mean like a screwdriver, but pipes and things that made a true difference. So, thank you, Charlotte Water. We are all grateful to have a great Department of Solid Waste Services. They keep our City clean and they make sure that we're safe. Imagine what they're doing in the eye of the hurricane. Thank you very much, Solid Waste Services. Then there's the Charlotte Department of Transportation. When people said there were no roads to go on, that there were places that needed to be repaired, this group and organization stood proudly to be able to access and make a difference. Thank you very much. Then finally our last recognition is for our Housing and Neighborhood Services, the people that really help people get back to a place that they can have and recognize that they have a place to live. Now there are many others in this community, but let's recognize our Housing and Neighborhood Services as well.

So, sometimes when we're sitting around this dais and we're just thinking about what we have to do, what's important for us and what's important for us to serve you, I'm really glad tonight and I think every member of the City Council before you now, really recognizes how important it is for governmental services to be available when people are down and out, when there's no place to go, you'll find that the people in this room stood up, worked hard, and made a real difference. So, I want all of us to say thank you to them. We will stand for you.

There's much work to do in the future, but what we've done has been absolutely remarkable. Thank you, all. Now we're going to go ahead and start our Council meeting.

### INVOCATION AND PLEDGE

Councilmember Mitchell gave the Invocation and the Pledge of Allegiance to the Flag was led by all.

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### AWARDS AND RECOGNITION

#### ITEM NO. 6: INDIGENOUS PEOPLES DAY

Councilmember Watlington read the following proclamation:

**WHEREAS**, throughout the centuries American Indians have shared their knowledge of land and resources while continuing to play a role in the development of the City of Charlotte, the State of North Carolina, and the nation; and

**WHEREAS**, North Carolina is home to more than 204,000 American Indians and has eight historic tribes legally recognized by the State of North Carolina, Coharie, Eastern Band of Cherokee, Haliwa-Saponi, Lumbee, Meherrin, Occaneechi Band of Saponi, Saponi, and Waccamaw-Siouan; and

**WHEREAS**, the City of Charlotte enjoys a positive relationship with American Indian citizens, recognizes and encourages the acknowledgement of historic contributions and sacrifices of indigenous people, and respects the cultural and economic contributions that American Indians continue to make; and

**WHEREAS**, the City of Charlotte promotes the closing of the equity gap for indigenous peoples through policies and practices that reflect the experiences of indigenous peoples, ensure greater access and opportunity, and honor the nation's indigenous roots, history, and contributions; and

**WHEREAS**, Indigenous Peoples Day was proposed in 1977 by a delegation of native nations to the United Nations, sponsored International Conference on Discrimination Against Indigenous Populations in the Americas:

**NOW, THEREFORE**, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim October 14, 2024 as

#### **“INDIGENOUS PEOPLES DAY”**

in Charlotte and commends its observance to all citizens.

Mayor Lyles said I'd like to ask the Chairperson of the Metrolina Native American Indian Association to come down and receive it from Councilmember Watlington.

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#### ITEM NO. 7: WORLD POLIO DAY

Councilmember Driggs read the following proclamation:

**WHEREAS**, World Polio Day is observed annually on October 24th to commemorate the birth of Jonas Salk, who led the first team to develop a vaccine against poliomyelitis, the global effort to eradicate polio has been one of the most successful public health initiatives, reducing polio cases by over 99 percent since 1988; and

**WHEREAS**, Rotary International, the World Health Organization, the U.S. Centers for Disease Control and Prevention, UNICEF, and the Bill and Melinda Gates Foundation have led the Global Polio Eradication Initiative; and

**WHEREAS**, polio is a highly infectious disease that can cause paralysis and sometimes even death, primarily affecting children under the age of 5, thanks to extensive vaccination efforts polio is now endemic only in Afghanistan and Pakistan, but it remains a threat until it is eradicated everywhere; and

**WHEREAS**, the eradication of polio will prevent an estimated 10 million cases of paralysis in children over the next 40 years and will save over \$40 billion in healthcare costs, particularly in low-income countries, continued vigilance and immunization are essential to ensure that polio does not return to polio-free countries; and

**WHEREAS**, the residents of Charlotte and Mecklenburg County are encouraged to support polio eradication efforts and raise awareness about the importance of vaccination, on this World Polio Day we honor the dedication and efforts of healthcare workers, volunteers, and organizations who strive to eliminate this disease and improve global health:

**NOW, THEREFORE**, we, Vi Alexander Lyles, Mayor of Charlotte, and George Dunlap, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim October 24, 2024 as

**“WORLD POLIO DAY”**

in Charlotte and Mecklenburg County and commend its observance to all citizens.

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**ITEM NO. 8: CHARLOTTE WOMEN'S SMALL BUSINESS MONTH**

**Councilmember Molina** read the following proclamation:

**WHEREAS**, women-owned small businesses are an economic engine and own 39.1 percent of all U.S. businesses, employing eight percent of the private sector with over 12 million people and generating \$2.7 trillion. Sixty-six percent of American female business owners are the sole owners of their companies; and

**WHEREAS**, North Carolina ranks number two in the U.S. as the best state for women-owned businesses; and

**WHEREAS**, the Charlotte Metro area ranks number one in North Carolina for women-owned firms for growth in number and economic clout; and

**WHEREAS**, approximately 92,500 women-owned small businesses in the Charlotte Metro area are generating \$13.3 billion in sales and employing 70,000 people; and

**WHEREAS**, the City of Charlotte values local women-owned small businesses and celebrates the diversity of ownership and goods and services they provide as well as the contributions they make to our community; and

**WHEREAS**, October has been designated a National Women's Small Business Month to celebrate the achievements of women business owners and is also designated as Charlotte Women's Small Business Month to celebrate the achievements of women business owners in the Charlotte region:

**NOW, THEREFORE**, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim October 2024 as

**“CHARLOTTE WOMEN'S SMALL BUSINESS MONTH”**

in Charlotte and commend its observance to all citizens.

**Mayor Lyles** said I would like to have the members of the National Association of Women Business Owners in Charlotte come down, please. Ms. Molina will provide you your proclamation. So, I have a name. It's Rochelle Stewart, Christina Jarrett, Nicole Reina, and Melinda McVadon. Thank you very much for doing this. Pam Secrest, [inaudible], Shereese Floyd and Mindy Henson. Thank you for what you do to contribute to our economy.

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**ITEM NO. 9: NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH**

**Councilmember Mitchell** read the following proclamation:

**WHEREAS**, the City of Charlotte is committed to fostering an inclusive community that values diversity, recognizing the contribution of all individuals including those with disabilities; and

**WHEREAS**, October has been designated as National Disability Employment Awareness Month to bring attention to the importance of ensuring that people with disabilities have equal opportunities in employment, thereby strengthening our workforce and economy; and

**WHEREAS**, the theme for this year's National Disability Employment Awareness Month Access to Good Jobs for All highlights the need for continued efforts to create inclusive environments where all individuals, regardless of disability, can succeed and thrive; and

**WHEREAS**, by working together to raise awareness, advocate for employment opportunities for people with disabilities, we strengthen our community and contribute to the overall economic growth and development of Charlotte:

**NOW, THEREFORE**, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim October 2024 as

**“NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH”**

**Mayor Lyles** said I'd like to ask Rachel Jansen, Kendall Carrick, Bill Crews, and Blair Johnston to come down and accept. Thank you, everyone. Sometimes we just need to recognize that we're doing great things in this community, and I think tonight was truly one of those that was amazing. So, thank you, all.

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**ZONING**

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**PUBLIC HEARING**

**ITEM NO. 10: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF JIMMY OEHLER ROAD**

**Mayor Lyles** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Driggs, seconded by Councilmember Johnson, and carried unanimously to (A) Close the public hearing, and (B) Adopt a resolution and close a portion of Jimmy Oehler Road.

The resolution is recorded in full in Resolution Book 55, at Page(s) 330-335.

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**ITEM NO. 11: PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CHARLOTTE STORMWATER ORDINANCE**

**Mayor Lyles** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Mitchell, seconded by Councilmember Driggs, and carried unanimously to (A) Close the public hearing, and (B) Adopt Ordinance No. 857 amending the Charlotte Stormwater Ordinance (Chapter 18 of the City Code).

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 435-436.

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**ITEM NO. 12: PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CHARLOTTE TREE ORDINANCE**

**Mayor Lyles** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Anderson, seconded by Councilmember Driggs, and carried unanimously to close the public hearing for proposed clerical and technical amendments to the Charlotte Tree Ordinance (Chapter 21 of the City Code).

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**POLICY**

**ITEM NO. 13: CITY MANAGER'S REPORT**

**Marcus Jones, City Manager** said thank you, Mayor and members of Council. Mayor, I did mention in 267 that we could move some of the items to Manager's Report. I'd like to do another audible because we have something on Business and something on Policy that's going to take some time and I don't want to keep us here so much longer. The other two reports are so important, but they're not time pressing, so I'd like to get them both on on the 28th, if that works with the Council. Before I turn it back over to you, Mayor, I do want to introduce to some and present to others their newest Assistant City Manager Monica Allen. She may look familiar to many of you because she previously worked for the County in her role as the Director of the Office of Strategy and Innovation. I think that we've been talking a lot about that over the course of the last 10 months or so. We really welcome Monica. She's been with the County for 17 years. She served a key role of overseeing Strategic Business Planning, Performance Measurement, and Evaluation Initiatives. It's a homecoming of sorts because Monica spent some time in CMPD (Charlotte Mecklenburg Police Department), so welcome back. We really enjoy having Monica here to round out the team. She has a Bachelor's and Master's in psychology and a Ph.D. in Organizational Management. So, it's great to have you, Dr. Allen. She has a great portfolio. Welcome back to the City.

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**ITEM NO. 14: FINANCIAL PARTNERS POLICY**

**Mayor Lyles** said the next item on our agenda comes out of a Council committee. So, it is a referral. I guess we'll just go right into Ms. Ajmera to address and talk us through this item. For those that are watching us on TV, it is to adopt a policy for use throughout the annual budgeting process related to Financial Partner applications and funding consistent with the Budget Governance and Intergovernmental Relations Committee's recommendation.

**Councilmember Ajmera** said this is a new Financial Partner policy. The City Council had asked the BGIR, the Budget Governance and Intergovernmental Relations Committee, to put some structure around our Financial Partner process and that's what we have done. We have put some structure. We have some performance measurements in place. We have accountability in place. This is more than just the number. This is about making a greater impact with our financial partners to address some of the issues and concerns that we deal with on a day-to-day basis. So, I want to first thank our staff, Cherie Smith and Marie Harris, for their work. I also want to thank the Committee members, Vice Chair Mr. Bokhari, Committee members Ms. Mayfield, Ms. Brown, and Mr. Mitchell. We had a passionate discussion on this and that's why it took us a couple of months to arrive at consensus, which I am very proud of the work the Committee has done to build consensus. Also, Councilwoman Brown provided her insight as she has been serving in a non-profit capacity for several years. So, we had input from all perspectives, non-profit to private to public sector. So, what you see here is the consensus that we arrived at. I hope that my colleagues will support this.

Motion was made by Councilmember Ajmera, and seconded by Councilmember Brown to adopt a policy for use through the annual budgeting process related to Financial Partner applicants and funding consistent with the Budget, Governance, and Intergovernmental Relations Committee's recommendation.
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**Councilmember Molina** said first of all, I'd like to thank the Committee for your work on this. I don't want it to go without saying that I brought up some concerns. I don't want my concerns to stop the overall objective, so I'm going to make sure that for the first time where I have to do this, for the record state exactly what I'm concerned about. So, to establish parameters for how we deliver financial resources to our community is a great thing. It actually is something that is long overdue, something that we've needed to do. If you look at the explanation, and we talk about the review, so organizations funded through the Financial Partners process must be active non-profit organizations. Organizations that are actively seeking non-profit status can also apply. Contracts will not be finalized unless non-profit status is active. So, although that, on the surface doesn't sound like an issue, what it does state is that we would actually choose someone who doesn't yet have their status over someone who does, potentially. So, I weighed that in a way that if staff is saying that we're willing to take that on and there not be anything that results until someone is able to achieve that status, I understand that point.

At the same time, you've got a project that's on hold with a potential that you're waiting on and status according to what type of project you're talking about. So, that was one that brought me concern. There's also not enough definition, in my opinion, when you say that someone can reapply after five years, or can someone reapply after five years? Basically, there's framework that says five years, but does that mean that someone can get five years of funding and then they not get year six and then they reapply in year seven? So, for me, in order for this to be a policy, it wasn't as definitive as I would have liked for it to be. Also, it seems to, in some ways, insinuate that once you've completed those five years, although there is some malleability in how you could word it or interpret it, there seems to be an understanding that once you've completed five years then you could possibly become a financial partner. I actually see that that has been updated, so

that's one concern that I had that's been updated because that's actually a discretionary decision. Five years. We're voting on this, but I'm just wondering is that a definitive five years? I didn't get that from the language. Or can you do five years and then come away and then come back? Then with the non-profit status.

When we had the Council discussion, it was almost delivered as if I was saying that someone who was in that process, I've been that person, I started a business from nothing, so I know what it's like to struggle and piece things together to make ends meet. So, it doesn't matter if you're for-profit or non-profit, those are things that anybody who has started a small business understands. So, if there's an opportunity and you're ready but then there's someone who's favored and they're not ready and they get that contract but you've done everything that you should do, then what does that say to the person who's done everything that they should do to the person who's in transit to doing what they could do. So, again, those were concerns but the overall objective of putting parameters around how we deliver taxpayer dollars to the public is something that I found to be worthy of my support, but I do have reservations about those points. I think I've said it and I'm saying it again, I think it's unfortunate to say that I would not support the overall objective because those two items aren't definitive, which is unfortunate because I've voiced this but I'm in the minority in voicing that. That's all I have, Madam Mayor.

**Councilmember Johnson** said we did have this discussion last week. I was with Councilmember Molina and thank you for bringing that up. I have a non-profit, grassroots organization and I've been a huge advocate for grassroots organizations. I'm with you as far as process. So, I sent an e-mail to our legal department and simply asked the question if an organization can even be awarded a grant without having their 501(c)(3). Mr. Attorney, can you respond to that?

**Patrick Baker, City Attorney** said so, anytime you're dealing with a corporation, they need to have an actual incorporation of some sort, if it's a non-profit certification or what have you, otherwise you're just dealing with an individual. So, if you're going to deal with a corporation, they actually have to have that certificate.

Ms. Johnson said right. So, from a processing perspective, if we're looking at efficiencies, would we want to consider an organization that doesn't have their 501(c)(3) if we cannot award the award? When I used to sell real estate, it doesn't matter how much you like the person or how nice the person is or how many opportunities there are, if they didn't have their financing, then you didn't get in the car, or you didn't consider it. So, I think we should look at this from an effective perspective and processing perspective. I like the idea of being able to apply when the 501(c)(3) is pending, but I think instead of the word "finalized," if that word is perceived as "will not be awarded unless the non-profit status is active." So, if we need to change that or if we just know that the word "finalized" is synonymous with "awarded." So, that's up to the Council to decide. We can't legally award an organization a grant, if 501 (c)(3) is not active and approved. So, I agree, we did talk about this earlier as far as accountability. We talked about the legacy organizations. The large organizations. We want to have as much accountability on that side as we do for the small organizations. So, I'm certainly an advocate, and I like the opportunity of small grass roots organizations being given this chance, but we also, as stewards, have to ensure we are doing this proper and in order. I know that we need something, and Ms. Molina can do this later, that clarifies "not finalized" but it needs to say "approved." Thank you.

**Councilmember Brown** said I really appreciate the opportunity to speak to grassroots efforts because that's exactly what I am and what I stand for and what I represent. So, I want to be crystal clear when it comes to the financial responsibility and the language of how we came out of Committee with Councilmember Mayfield, Councilmember Mitchell, with all due respect, Councilmember Dr. Watlington was not there, she was absent, and Councilmember Ajmera. We talked and we [inaudible] over this. It was a tough conversation. So, I remember when we were going through the work and we were talking about what we were going to do for grassroots efforts and how we were going to make it easy for them to come in to build their foundation and their structure. Doesn't

mean that we give them money because they don't have a 501(c)(3). Doesn't mean that they'll be awarded. We addressed all of that. If there is some discrepancy in language, then that is something that we need to address, but I am always going to be an advocate for a person that is on the ground starting from nothing, trying to build their foundation and moving forward to getting the opportunity to be able to walk in, be registered with the IRS, doing everything that they're supposed to do, and then get awarded the bigger fundings.

For far too long in this city, in the City of Charlotte, grassroots efforts are on the CARES (Coronavirus Aid, Relief, and Economic Security) team, grassroots efforts are showing up in neighborhoods, grassroots efforts are called upon to help out unhoused populations. We're called upon to do everything, but when you are writing a format, it's written to keep them out. So, I can't support that. While I hear Councilmember Johnson say she is an advocate for grassroots and she's been in grassroots efforts for a while, I also hear my colleague Councilmember Marjorie Molina with all due respect speaking on for-profit or non-profit. We are missing the principle foundation here. We are saying if someone is coming with an idea that is worthy through our vetting system and they make it through, we should be willing to give them a hand up. They're not looking for a handout. Far too often, our non-profit, our grassroots efforts, starting at the bare minimum like the foundation, is nothing. They have an idea. They're pregnant with an idea or a business plan that they want to adapt. I'm solid with that. When it comes to the grassroots effort, when it comes to people that take their life experience, I'm an expert at that. When it comes to people that have a passion for this community where they want to dig into their dreams and help people that may not know how to help themselves, and then in turn those people become the people that are helping people. So, I don't know what we need to do, but I think I'm still sticking with what we came out of the Committee. We didn't come out of the Committee flawed and scarred as if we wanted to give money to people that were not registered and don't have their paperwork intact with the IRS, let's be crystal clear on that. I did advocate for people that have a dream, that have an idea and want to see it birthed and come into fruition. I'm going to still stick with that. So, that's all I have today.

Ms. Ajmera said I just wanted to provide some context around how we came to this consensus. So, we heard from several grassroots organizations that they weren't getting funding. The perspective we often hear is the same organizations, legacy organizations, the status quo, keeps getting funded. So, this is a way to meet in the middle while being fiduciary responsible while providing an opportunity to those organizations that are grassroots, but they will not get funding unless and until they have 501(c). So, I think this is where the Committee decided this is the middle ground, and this is where we can help some of the newcomers that are doing the grassroots work while also ensuring that we are being good stewards of our public dollars. If you look at the financial reporting requirements, just last bullet point you will see that we have very strict reporting requirements which we didn't have in the past. We are requiring organizations to have a financial audit done by a CPA (Certified Public Accountant) if they got funding over \$100,000. That wasn't a requirement in the past. Additionally, those organizations that get lesser funding, they will still be required to provide financial statements. So, there is stricter financial reporting requirements which gives me a comfort as someone who has worked as Certified Public Accountant for a number of years, which gives me comfort that I think our taxpayer dollars will be used wisely. Most important outcome that came out of this Committee is the performance measures. This is the first time where we are saying that if the performance measures are not met, we can delay the payments, which we didn't have in the past. Certainly, there is more teeth to this. I hear the concerns raised by my colleagues, Councilmember Johnson and Councilmember Molina, and let me tell you not all Committee members agreed. I think some of them would agree with you. I think is just the consensus that we have to arrive to push this out of the Committee. So, this is where we are. Thank you.

Ms. Molina said I just want to clarify, because again I don't what the headline to be miscommunicated that I am somehow not in support of grassroots organizations. I don't want to speak for Councilmember Johnson, but I think that both of us can align with the fact and I'm very adamant that every last one of us sitting here are here because we

believe that we can make the City better. I have no doubt that none of us are here for anything other than that reason. The actual action that the body took has been answered. That's not what I disagree with. Adopting a policy that provides a process for budgeting for our potential financial partners, and put time constraints, although I don't see them as definitive, to put some sort of time constraint and to allow others into the process, I am absolutely in favor of. That's not a fiduciary comment, that is a comment that says we're putting process around how we disperse the taxpayer dollars that are a part of our fiduciary responsibility. I have no quarrel with that.

The only issue that I've brought are two things, again, which bears repeating so that there's no miscommunication in what I've said or there being anything miscommunicated based on what the other comments are saying as a rebuttal. My comment is strictly around non-profit organizations that have not been awarded their status. As mentioned by our Attorney, if you don't have status, technically you are an individual until you have some type of status, whether that be for-profit or non-profit. So, basically what we're saying is that we are in a situation with someone who is an individual coming in with people who are actually qualified as non-profit at the time of decision-making, we're going to decide that an individual in process of gaining their tax status can be considered in the process against non-profits. Again, that's just something that we can tighten up with words, that's not saying that's not something that we should do, but we can tighten that up with words to protect us as an organization to make sure that we're being responsible as we make this compromise. That's the only thing that I've put on the table. In addition to that, I wish, and I don't have any language that I've established in doing any type of pre-reading on this to say did the Committee mean five years definitively or is that a malleable five years, I still don't understand what that means. I'm sure that's for another time and another day. Once we said yes, we've said yes, and there is an idea and a possibility that year six somebody could take off and year seven they could come back based on the holes that I see in this language from what I've read. I'll stick to what I'm the most concerned about, which is something like I said that we can clear up with a word. I agree with Councilmember Johnson. Let's not re-hash it at the dais, let's just take away "finalized" and add "approved" in the language. Contracts will not be approved unless non-profit status is active.

Mayor Lyles said does everyone see that in their agenda item?

Ms. Molina said under the explanation. Instead of it saying contracts will not be finalized unless non-profit status is active, we could just slash that and say contracts will not be approved unless non-profit status is active.

Substitute motion was made by Councilmember Molina, and seconded by Councilmember Johnson changing the wording from, contracts will not be finalized unless non-profit status is active, to contracts will not be approved unless non-profit status is active.
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**Councilmember Mayfield** said well, since that's an amendment to our motion, don't we need to clear that up before we have any additional discussions, since my discussion is on the original?

Mayor Lyles said okay. So, let me make sure that what we're saying is that we have a motion on the floor from the Committee, which is automatically put on the table, and now we have a substitute motion.

Ms. Molina said the one word is instead of it saying contracts will not be finalized unless non-profit status is active, it will just say contracts will not be approved unless non-profit status is active.

Mayor Lyles said so, contracts will not be approved unless non-profit status is available. Okay. All right.

Mr. Baker said has there been a second on that motion?

Mayor Lyles said yes.

Mr. Baker said so, now the discussion is on the substitute?

Mayor Lyles said now we're discussing from the substitute motion.

Ms. Brown said I'm just trying to figure out what's the difference in the language. There's not a big difference in the language. So, I think we clarified that they would not walk away with any funding, taxpayer dollars, unless they had their status actively finalized, approved, sealed, done the right way, taking it to the IRS, being sealed. So, I'm just trying to understand why we're fine tooting that.

Ms. Johnson said because when it was presented last week, it was presented as that the grant could be approved and be held up to six months until that organization received their 501(c)(3), so we asked the question how long could it be held. It was up to six months. That's what we were talking about. An organization who did have their 501(c)(3) could be denied and an organization whose 501(c)(3) was pending could be awarded. So, that's how it was presented and that's how it was understood. So that's what we're saying, that they cannot receive, that on the date of the decision that they must have an active 501(c)(3). I think that language, we're just tweaking it to be clear because it could be confusing otherwise.

Mayor Lyles said okay. So, we have a substitute motion on the floor. I think the substitute motion makers have explained what they see, and I also think that the Committee has explained as they see it. So, this is just a vote that we need to take on this item.

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

YEAS: Councilmembers Graham, Johnson, and Molina

NAYS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Mayfield, Mitchell, and Watlington

Mayor Lyles said now let's go back to the original motion, which is from the Committee.

**Councilmember Anderson** said just as a point of clarification from the City Attorney, to be clear about the language that we're about to vote on, no one can receive an execution of contract distributions of City funds can be done to an individual. Correct? They would have to have an incorporation status whether it's 501(c)(3) or any other corporation status.

Mr. Baker said correct. We won't have a corporate entity until that occurs.

Ms. Anderson said okay. I just wanted to make sure we're clear with that.

Ms. Mayfield said I do want to also thank our Committee and thank our Committee Chair for clarification. We've been having this conversation for a number of years during different leadership, Councilmember Driggs and I started this conversation many years ago. We all received the packet over the weekend. Some may have had a chance to review it, some may not. We have some partners on here that we've had for 32 years, 19 years, 15 years, 37 years. So, when we started this conversation, just to advance clarity, what we have in here, the requested funding amount should be no more than 30 percent of the organization's budget because we noticed that there were periods of time over these number of years, decades, that some organizations the bulk of their funding came from the City. We want to help you be self-sustaining and identify other funding sources.

Also, I had presented to previous Council years ago a model that I believe Philadelphia and some other cities utilize with having a window, five to seven years. We have the language in here to give us the flexibility that we need, yet what we say in today's language, funding for organization can continue for up to five years, which still must be approved by Council, after the financial partnership period, determination can be made if ongoing service contract is appropriate. What that does is one, tonight's language finally gives us a framework that we haven't really had before for us to have other conversations. In Committee hopefully we will be able to get a recommendation because there's a good possibility that some of our partners really shouldn't fall under the Financial Partner funding, that it's actually a different line item that they should be identified under. Some of our legacy partners on here are under \$50,000. We have a couple that are over a couple of hundred thousand, but we have a major partner that has received \$550,000. Do we have them in the right category? As a Financial Partner listing, is this really the right place? Because honestly, this particular partner also provides housing as well as a number of other services that directly impact the community and that hits eight, if not 10, of our goals.

So, by us moving forward if it is the will of Council tonight, we've now created a framework that we did not have before that at least helps not only us to move forward but it also helps our partners to have a much better understanding when they're applying what to expect. Then we're able in Committee and then get the conversation back to full Council for us to have a much deeper conversation regarding what are the alternatives for some of these organizations that have been legacy and how are we making sure that we are staying committed to the goals and the priorities that Council has already identified. So, I hope everyone understands that this is a beginning point, but this isn't the first time we've had this conversation. We've had a lot of conversations over numerous years. The Committee had very detailed and long conversations with staff. There was some confusion as far as the interpretation of what this is. I'm not going to get into that but if we just look at the language for what we're doing tonight, I hope the majority of my colleagues will support the original motion that the Chair moved forward, I seconded, and also I believe Councilmember Brown seconded, and understand that we have a better opportunity to redefine some of our partners moving forward, but we need to start with a clarifying language on the front end. As far as the five years, does it start back over? We have the ability to determine if ongoing service contract is appropriate and if it's actually in the right category. We cannot, for me in good conscience, continue with 43 years, 37 years, 32 years, 19 years, in this particular model. We might have a better way to allocate and to account for the support we give to the community and how that support actually feeds the goals that Council has identified. Thank you, Madam Mayor.

Ms. Johnson said I have a question for Marie, if that's okay. Ms. Harris, thank you.

**Marie Harris, Strategy and Budget** said thank you. Good evening.

Ms. Johnson said I just really want to understand the process for the award because we just wanted to change one word versus awarded and finalized. So, with this recommendation, if an organization does not have a 501(c)(3), can they be approved for a grant?

Ms. Harris said so, Madam Johnson, this is not a grant, it's a contract. So, yes, technically the way it's written, you could appropriate funding but the contract would not be finalized. So, we wouldn't have a legal contract with them. Just one thing I need to clear for the record. This doesn't have to be a 501(c)(3), it could be a 501(c) other non-profit.

Ms. Johnson said okay, right. IRS paperwork. So, they can be awarded as an individual.

Ms. Harris said so budget can be allocated and approved but not really awarded.

Ms. Johnson said okay. According to the e-mail you didn't believe it would take more than six months for the certification. So, for the process then, it would be two

organizations, one has their appropriate paperwork, one does not. We might choose the one with the appropriate paperwork and hold it for up to however long it took or whatever that finite period was, meanwhile, the organization that had their paperwork was declined.

Ms. Harris said so, there's always a lot more applicants than are funded, yes, ma'am.

Ms. Johnson said okay. So that's what I thought. Now from an efficiency perspective, Mr. Manager, would we, and we'll go with Council's position, but if we're looking at reviewing an application for an organization that potentially could not be awarded, I just think that that's something that Ms. Molina and I were arguing and that's the reason. It's not because we don't advocate for grassroots organizations. We're looking at the process and the efficiency of the process. So, legally they can't be awarded or financed or allocated. What we're saying with this policy is that we're willing to review it and possibly award it and potentially hold it for six months, meanwhile an organization that has their paperwork in order might be declined for an organization that's on hold. So, that was our concern. Okay. That's all. Thanks.

Ms. Molina said you know, just first of all, I read my information, that's why I'm saying what I'm saying. More importantly, I again preface my statement with the overall deliverable for the Committee I'm in total agreement with. Like most bills that are probably at a different level than what we are, they're not municipal governance, there's a compromise. So, do I believe that we should put constraints on, like some of the examples that have been given, I think that goes without saying. I want to make sure that I'm absolutely clear in saying that that part, that work that was done by the Committee, is not lost on me to provide parameters and actual rules as to how we disperse those funds, that work I'm in total agreement with. I'm not going to hold it up. Because this is the will of our Council, I'm going to give you my yes, but I am telling you that that part right there, I wish it would have been tightened up a lot better because we are also, whether we like it or not, because the one thing that I've always said when we talk about economic mobility is that we hyper focus on one area of what mobility looks like and most of the time it is an access point, it is not an outcome-driven mindset. Because once someone comes from a place where they're in need, they go to a place where they're actually in that continuum and they have to survive. So, then they get into a competition with someone and then they're denied because they got all their stuff right now, but then the new person is coming along and now they're being denied because that person doesn't have status and you've got status and you don't know what it's like to have your ducks in order and to be denied by someone. So, depending on where you're talking and to what extent you're talking, we can never, I guess, include everyone all at once. Someone's going to lose out, and in this case potentially it could be someone who has done the hard work of being prepared and they may not get that opportunity as opposed to someone who is in the beginning stages of that continuum and they are getting that opportunity, which is still a good thing. What happens when they progress? We never think about the outcome status. We only think about an access point. So, again, not to belabor the point, the work that the Committee did to put parameters around how we establish Financial Partners is not lost on me. It's just that part and around, I did read the definition of what it meant and it being a discretionary exchange from being a five-year partner and then that becoming permanent based on a decision or not. It doesn't say whether that's definitive, so I guess that's a time for another Council to decide.

Ms. Brown said with all due respect, I do respect both of my colleagues, Johnson and Molina. I just want to just say that I'm not saying that they don't advocate for non-profits, that's not what I'm saying at all. I'm stating my position on it. So, for the record, as it's being typed, I'm not saying they don't advocate for it. I'm saying what I advocate for in my lane to how I felt about it. Okay? So, I wanted to clear that up for the record.

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

YEAS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Mayfield, Mitchell, Molina, and Watlington

NAYS: Councilmember Johnson

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**ITEM NO. 15: I-77 SOUTH EXPRESS LANES PROJECT**

**Joe Bost, 330 South Tryon Street** said good evening, Madam Mayor, members of Council. Thank you for your leadership in transportation planning across the region. My name is Joe Bost. I'm the Chief Advocacy Officer for the Charlotte Regional Business Alliance. The business community has been following the I-77 South discussions very closely, most recently the Committee's discussions last week and the impact to residents, businesses, and the region. The transportation experts have spent months on this question and have provided our community with an answer. There is a path forward. There are \$600 million available in the State's transportation budget right now. There is a real timeline that forecasts I-77 South with new lanes in the next decade. For the first time since planning started, there is a plan. That timeline does come with a decision. A public/private partnership is the only financially feasible path forward. To pass on what experts have provided would be lose the \$600 million and to take a proposed 10-year timeline and make it indefinite. The uncertainty of the corridor's future would also cost \$100 million per year due to delays. I-77 South is continuing to show its age and prove its ineffectiveness. Peak hours are continuing to extend, and reliable travel times are no longer attainable. This is not unexpected. The corridor was last widened in the 1990s. We all know the population increases we have experienced, and we all know the population estimates that will continue into the future. An untouched I-77 South does not help any resident, it does not help any existing business, it does not support the recruitment of any new business, and it does not provide the best showing of our great City to travelers. So, I would ask you tonight to vote yes to ensure the planning process for the I-77 South corridor remains ongoing. Our community has an opportunity to mold the Interstate's future and ensure it remains navigable for residents, businesses both current and new to come, and our region for decades. Thank you for your consideration.

**Cat Cotman, 1055 LPL Way, Fort Mill, South Carolina** said good evening. My name is Cat Cotman and I am the Senior Vice President of Corporate Real Estate for LPL Financial. LPL is a financial services firm, a Fortune 500 company. We're proud to have our largest corporate headquarters location in Fort Mill. We're a leader in the advisor-mediated wealth management marketplace with a network of over 23,000 financial advisors and \$1.5 trillion in assets under management, operating in all 50 states. We have more than 9,000 employees across the country with about 3,600 based in our Fort Mill campus. As a Union County resident, I travel I-77 South corridor to work at our campus along with roughly 1,500 of my coworkers who reside in North Carolina. Our interest in speaking tonight is largely on behalf of them. Quality of life for our employees is a critical ingredient to our ongoing success and access to great talent across the entire Charlotte region is at the heart of our ability to grow here. We've added more than 2,500 employees to our Carolinas campus over the last decade with many of these positions being filled by students coming out of North Carolina universities as well as long-term residents of the region. Our employees and their families appreciate time as a resource and as I-77 South becomes more congested and peak hour traffic is extended, commuting delays become lost time with children, with spouses, and with friends. In addition, this corridor is in many ways the first impression that newcomers have to Charlotte and the region. LPL has thousands of visitors to our campus yearly from potential clients to employees from other regions to our Board of Directors, who all land at Charlotte Douglas International Airport. Their first impression of the region is I-77 South and that ride from the airport to our campus really sets the stage for their experience. LPL, like many businesses, has made the Charlotte region its home and we've appreciated being able to grow here. However, we recognize that our existing transportation infrastructure needs investment to support the growth of the region. In order to continue to be a world-class city, we need world-class transportation. LPL supports the proposal for a public/private partnership to create a long-term solution to congestion that will enable us to continue to attract talent and support Charlotte's vibrancy. Thank you.

**Tonya Jameson, 3449 Covington Oaks** said hello, good evening. I'm Tonya Jameson. I'm the Director of Civic Advancement at Leading On Opportunity. Last week I had the opportunity to speak to the Housing and Safety Committee regarding the new Chetty data. As many of you know, we went from 50th to 38th and we were number three in overall progress. The reason we're seeing this progress is because of the results of policies and practices, investments that were done back in the early 2000s. So, the decisions that you all are making now are affecting our young adults in the future. The I-77 express project is one of those types of pivotal investments. Our Opportunity Task Force report identified transportation as a consistent barrier for low-income families. I'm talking about the families on Nations Ford Road, some of those families on Arrowood. They could use the ease of congestion on I-77. The I-77 South corridor is important to our region. It is part of a comprehensive transportation and transit network, supports economic opportunity, and connected communities. Our workers must be able to travel from home to work and back again. NCDOT (North Carolina Department of Transportation) has made it clear that the only financially viable solution for I-77 is a public/private investment partnership. Doing nothing is not an option. Our families need options. This presents an opportunity to negotiate for community priorities. You all are making decisions that will transform our City for years to come. These are decisions that will show up in the next economic mobility studies. These are decisions that are going to impact people's lives every day. You've been responsive to current needs. You voted to increase the Housing Trust Fund if voters approve it. You voted for the Eastland Mall redevelopment. You've also been visionary. You've acquired the O-Line and hopefully soon a public/private partnership for the I-77 South express lane project. In 10 years, we will look back on these decisions that affect economic mobility. The question will be whether we are back to 50, whether we stay 38, or whether we continue to improve. I'm asking you to be courageous and continue to make decisions that will help improve our economic mobility.

**Garland Green, 7177 Bradford Court** said thank you so much. My name is Garland Green. I live in South Charlotte. Councilmember Driggs is my representative. I don't really have a hard position on whether you go forward with this project or not, but I suspect that we'll see toll roads on South I-77 in the near future, let's say the future. What I really came to ask today, because you don't get the details of a lot of things like you do until such time you come to one of these meetings and then you see it all in front of you on a piece of paper. Don't know how much public input you've had on it prior to this. I have questions that are kind of food for thought. Since you're going to make some decisions, all in you've got 31 of 68 votes on the bigger committee, so first thing I wanted to talk about a little bit is long-term partnership. It's a very expensive project, \$1.3 billion. North Carolina Department of Transportation can come up with \$600 million, the partner is going to come up with \$700 million. That's a lot of money. They're going to want a return on their investment. So, my question here is, is the partnership forever? Or is it a more limited partnership? Will the partner eventually turn the roads over to North Carolina Department of Transportation or even better will the tolls one day come off the roads?

The second question that I have food for thought is who will pay for maintenance and repairs? Is this going to be a shared situation? How does all that work? Then thirdly, and I think this is more dear to me than anything else, is the Charlotte Transportation Department money. I've talked to engineers that are responsible for North Carolina Department of Transportation on a regional basis and they tell me that sometimes the City shares in some of these projects to a minor way. My concern has to do with the regional sales tax that we've been talking about on the 40/40/20 plan. Is any of this money going to be used for this project? I'm not in favor of that. I don't want this project to suck up a lot of that 40 percent money. I think it would be better used elsewhere. That's what I have to say. I hope you'll consider those points.

**Mayor Lyles** said Mr. Green, I think that the one thing we all want to do is make sure that that 40 cents does things that build up for our own infrastructure and it's certainly not that. Now, other than that, you have a terrific representative here who will address every last one of your other questions and we'll be sure to give him the information and maybe y'all can have coffee or something.

**Councilmember Driggs** said so I will briefly say the project cost is \$3.7 billion. There's a finite term to the contract after which all tolls revert to North Carolina. The State owns the road. All expenses from the tolls are paid for by the private partner and there is no sales tax involvement. So, Garland, you and I can get together and go into more detail, but since you raised those questions, I wanted my colleagues to hear the answers. Now basically, what's happening this week on the 16th is that the CRTPO (Charlotte Regional Transportation Planning Organization Board) is going to vote on a resolution concerning I-77. We discussed this at some length. I'm going to try and just paraphrase briefly here but the conclusion of NCDOT's analysis was there were two possibilities. Either way, I don't know if he'll appreciate this, but I would like to point out Brett Canipe, who is up there, and commend him for the outstanding work that he did in providing analysis and information to CRTPO to get us to a point where I think most of us feel that we can proceed. We can move another step with confidence. So, Mr. Canipe, thank you. The simple choice is we can proceed to explore further the idea of a P3 and that means that we would basically work with NCDOT, the CRTPO would work with NCDOT to develop an RFQ (Request for Qualifications) and the discussion around that would address a lot of questions that have been raised because the RFQ would have in it provisions that would address and define what can happen on a number of important topics. So, then the question will be, once that draft has been developed, will this body ask me to vote in support of it on a subsequent vote on the CRTPO? I think you've heard there is a \$600 million state funding commitment that exists right now but could go away if we don't move on this. They want to see some action on this thing, otherwise there are a lot of uses they could find for that money. You all received e-mails and documents about this, a memo. You saw the slideshow from NCDOT. You got the material that NCDOT prepared in response to questions that were raised during our last meeting. You also got, and I'm going to read one sentence from this, the actual draft of the resolution that's being considered. The title of the resolution is "Request that NCDOT move forward with a P3 delivery process for the I-77 South Express Lanes with the understanding that CRTPO can rescind support at any time up until NCDOT advertises a Request for Qualifications." That date is expected to be about eight to nine months in the future. So, really we're just deciding about whether or not to keep working on this or not, and if we don't, frankly we have no plan. I think I've made my position on it clear. I hope I will have your support in asking me to vote on the CRTPO in favor of moving this next step.

Motion was made by Councilmember Driggs, and seconded by Councilmember Anderson to direct the vote of Charlotte's representative of the Charlotte Regional Transportation Planning Organization Board to support the North Carolina Department of Transportation's plan for a public-private partnership service delivery model for managed lanes along Interstate-77 South.

**Councilmember Graham** said I overwhelmingly support the recommendation to grant Councilmember Driggs the authorization to move ahead with this I-77 South, especially between Morehead and Westinghouse historically has always been a bottleneck for the City of Charlotte. As the State leaders begin to work on and figure out how to resolve outstanding issues based on the recent hurricanes up in the mountains, transportation dollars will be scarce. The General Assembly just recently last week appropriated millions of dollars from the Rainy Day Fund to support western North Carolina. They will more than likely do so again after the election in concert with federal dollars. Therefore, there will be a lot of State leaders looking for local municipalities to find ways to self-support local initiatives like this because obviously the focus for the foreseeable future will be to provide resources to build roads, bridges, and highways in the west that were impacted by the recent hurricanes.

Certainly \$600 million over the next decade to resolve this issue with no dollars coming from the City of Charlotte is something that I think we should take advantage of and send a clear message to members of the General Assembly and the North Carolina Department of Transportation that this is something that we really need to and should move on forthwith. In addition, the public/private partnership that's outlined is one that

really makes sense for the residents of our community and, in fact, 40 percent of the ridership on that stretch lives in South Carolina, works in South Carolina, and so they will be helping us fulfill the obligation to repair the roads as well as to help maintain the roads, as Mr. Driggs has indicated moving forward. So, I hope the Council would really begin to think strategically in terms of how do we put our best foot forward with working with a State partner who we should have a more formal relationship with coming in the near future on a wide variety of transportation initiatives. This is one that I think we ought to raise our hands on very high right now and say yes, we want to move forward with this particular initiative. Thank you.

**Councilmember Ajmera** said first, let me start by thanking Mr. Driggs. Mr. Driggs put in a lot of work into this. I'm sure most of you received calls from him over the weekend. I got calls a couple of times since I picked up my call. I appreciate how he got all of us up to speed because there is a time sensitivity behind it. So, thank you, Mr. Driggs, for your work, and also NCDOT, appreciate your work. I know that your department is certainly dealing with crisis in western North Carolina. So, you being here, certainly we appreciate that. Well, I agree with what's already been said by my colleagues. The reason we need to support this is we do not want to lose \$600 million in North Carolina Department of Transportation funding. Also, just to relieve congestion and traffic, we talk about equity all the time. So, this is really an equity issue because how do we ensure that we are being equitable in relieving congestion in all parts of our City? This specifically is a focus probably in District Three the most, probably the entire segment, where it's one of our opportunity corridors, Arrowood and Nations Ford corridor. So, it really helps us invest in one of our under-invested areas. So, I'll be supporting this. I look forward to hearing positive news from CRTPO vote. When is that scheduled?

Mr. Driggs said the meeting this week is on Wednesday in the afternoon.

Ms. Ajmera said thank you. That's all I have.

**Councilmember Johnson** said I will be supporting the vote also. I did ask them questions last week and had asked for some information. I want to thank NCDOT for providing that information. I'd asked information about the analysis of the lessons learned from I-77 North, the utilization rates, the DBE (Disadvantaged Business Enterprises) rates, the safety rates. I did receive all of that information, so if anyone wants a copy, I'll send it to them, or we can send it to them. I look forward to supporting this. I live in the north side so I have the benefit of the I-77 North toll lanes and it really does relieve some of that congestion. So, from an equitable perspective, from a growth perspective, I look forward to the next step in supporting the initiative. So, thank you.

**Councilmember Brown** said so I have some notes from my constituents. I will be supporting. I wanted to let Mr. Driggs know that. So, he did answer some tough questions for me. I had a lot. I called back several times. I want to go down to the concerns that some of my constituents had, which they were addressed, but I want them on for the record. So, although I-77 is pretty much my entire district once you get past Morehead Street and come under the bridge to Wilkinson Boulevard all the way down to almost Carowinds Boulevard, which some parts of that is my district, one of my constituents wanted to address, I don't know who can answer this but probably you, Mr. Driggs, you've done your homework. The overall segments of the expansion and improvements will be in my district yet does not consider much-needed area road or infrastructure improvements demand and need to improve the quality of life in communities affected by the highway improvements. So, can you address that for me?

Mr. Driggs said so, one of the reasons the project is so expensive is because of all of the improvements that are needed around it, the bridges and things like that. I believe people in your district will benefit from having more mobility along this major corridor than they have today. You can hardly get on I-77 at any time of day now and be certain of getting through quickly.

Ms. Brown said I voted yes because I've been using I-77 my entire life. When I started using I-77 I lived off Nations Ford Road in Treetop. It's no longer Treetop, that's not the

name of it anymore, but I started using I-77 from there and Remount Road, Southside Homes housing project. So, I-77 is a disaster. I'll take a helicopter to Steele Creek before I get on I-77. I'll take a skateboard, whatever, even a ride on your back, but I'm not getting on I-77. It is a disaster. Not doing anything is not an option for I-77. I want to just share with the history that I've learned in my research. It's been nothing done in 10 years. 2014 is when negotiations started, we're now in 2024. We're going to sit here until 2034 and not have anything done? So, for me it's a yes, especially after you spent extensive time with me on the phone explaining and telling me about the history of it before I came onto the Council. So, I think stagnant for 10 years is unacceptable. To lose \$650 million, and is it another \$100 million? Maybe supplement somehow?

Mr. Driggs said the \$100 million is the escalation in cost that would occur every year as a result of our not acting now. So, if we don't act now, then the estimate for the cost escalates by \$100 million a year. So, if we came back three years from now, the estimate would have gone up from \$3.7 billion to \$4 billion.

Ms. Brown said there needs to be something done about I-77. Thank you, Mr. Driggs, for all your hard work, taking everybody's phone call, making it an individual project, and just really digging into it and just doing your research and your homework on that. I honor and respect you for the way that you handled delivering the information to me and I'm sure some of our other colleagues. So, thank you for that. I have to give credit where it's due and I appreciate you. On I-77 I'm voting in favor of whatever the proposition is so that we can move forward and try to make it better for everybody that's using the Interstate. Again, it does affect District Three. I won't be here forever but I'm sure the people that's coming behind me will want to see improvements as well.

Mr. Driggs said thank you.

**Councilmember Mitchell** said aw shucks, I've got to give Ed Driggs a big compliment. This is tough. On a serious note, thank you, sir, for your leadership. I just want to echo some of the comments of my colleagues. So, I'll be supporting it. Just one question, Ed, because it says here NCDOT will issue the RFQ. So, will we get a chance, this body, to see the RFQ before it is out on the street?

Mr. Driggs said, yes, that's the process going forward is there will be engagement between NCDOT and the CRTPO. As the thing is developed, I will report back to Council from time to time. Critically, the CRTPO will vote on whether or not to move with that RFQ and my vote then, as it is now, will be pretty decisive because we have 31. I will come back to Council and show everybody the RFQ and ask for your guidance.

Mr. Mitchell said and the last thank you I'm going to say to Tonya Jameson for her comments. Tonya, you're exactly right. When we're talking about how we move our City and more important mobility and DBE participation, we heard you loud and clear. We'll use it at the BGIR meetings, so thank you for sharing your passion today. So, thank you, Mayor Pro Tem. Great job, Ed.

**Councilmember Bokhari** said so, I hate everything about this situation. As usual, we're in a catch-22 with our backs against a wall. I really hate the idea of toll roads just in concept. I've talked to a whole lot of folks over the last week in my district and it's really hard to explain to residents in South Charlotte, who pay a majority of taxes that run this entire City, why we can't prioritize our existing dollars to this important corridor without tolls. It's even harder when we are proposing taxes for an additional \$20 billion in transportation right now, completely separate from all this. I do understand the importance of not letting this \$600 million in State transportation funds disappear, so I'll support the motion moving forward tonight for the sake of finding an innovative way to make a public/private partnership work, but I am completely unsupportive of an approach like we saw on the northern portion of this corridor. So, if everyone will do their best and use these next 60 days to think outside of the box, and if we're unable to find a creative solution we shut this thing down at that point.

**Councilmember Anderson** said I have the honor of working with Mr. Driggs as his alternate on CRTPO so he and I worked very closely on these efforts. He does a phenomenal job of representing the Council, so thank you, Mr. Driggs, for that. I'd like to thank all of the speakers that came out, but in particular Ms. Cotman. I think you did a wonderful job of articulating why I believe this is an economic mobility decision. We have our corporations and our private partners throughout the City who choose Charlotte to either have the Queen City be their headquarters or a regional outpost for them. Our ability to address the ease of congestion and the ability to attract and more importantly retain talent here that organizations like LPL and some of our other partners can provide good-paying jobs to Charlotteans, is a direct relationship with economic mobility, as Ms. Jameson mentioned. So, I think this is an opportunity to address I-77 South, which has not been touched in a long time, as Ms. Brown mentioned, but also in doing so because of the space issues, we will be able to address some of what I call troublesome exchanges along I-77 South to improve them. We will be able to address and improve bridges. So, overall you're really getting a facelift on I-77 in just one particular aspect and motion around toll roads. So, I think it'll be a win-win for not only Ms. Brown's district but the entire City of Charlotte to continue to attract and retain our corporate partners and keep talent here as well. So, I will be joining in an affirmative yes for this vote as well and hope that my colleagues will. Thank you. Madam Mayor.

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

Mayor Lyles said thank you all, for the support and the comments that you've given us. This is just the beginning, so just continue to reach out and make sure that we are making it possible for people to understand. Mr. Green, thank you for coming down and asking those questions. I'm sure that there are many people in this community that are wondering why would we do this again. So, thank you very much.

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## **BUSINESS**

### **ITEM NO. 16: ADOPT A RESOLUTION SUPPORTING A NORTH CAROLINA DEPARTMENT OF TRANSPORTATION PROJECT**

Motion was made by Councilmember Bokhari, seconded by Councilmember Mitchell, and carried unanimously to Adopt a resolution supporting a project at the intersection of Brookshire Boulevard and Rozzelles Ferry Road / Nance Cove Road to enhance traffic flow, reduce congestion, and improve safety.

The resolution is recorded in full in Resolution Book 55, at Page(s) 336.

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### **ITEM NO. 17: ACCEPT ALTERNATIVES TO VIOLENCE PROGRAM FUNDS**

Motion was made by Councilmember Mayfield, seconded by Councilmember Mitchell, and carried unanimously to (A) Authorize the City Manager, or his designee, to accept \$250,000 from the Mecklenburg County Office of Violence Prevention to support the continued implementation of the Alternatives to Violence Program, and (B) Adopt Budget Ordinance 858-X appropriating \$250,000 from Mecklenburg County to the Neighborhood Development Grants Fund.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 437.

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**ITEM NO. 18: ACCEPT LIVING CITIES GRANT FOR CORRIDORS OF OPPORTUNITY BREAKING BARRIERS TO BUSINESS INITIATIVE**

Motion was made by Councilmember Mayfield, seconded by Councilmember Anderson, and carried unanimously to (A) Accept a grant in the amount of \$100,000 from Living Cities to support the Breaking Barriers to Business initiative in the Corridors of Opportunity, and (B) Adopt Budget Ordinance 859-X appropriating \$100,000 from Living Cities to the Neighborhood Development Grants Fund.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 438.

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**ITEM NO. 19: ACCEPT SPONSORSHIP FOR CORRIDORS OF OPPORTUNITY FROM LOWE'S HOME IMPROVEMENT**

Motion was made by Councilmember Anderson, seconded by Councilmember Mayfield, and carried unanimously to (A) Accept a sponsorship in the amount of \$39,000 from Lowe's Home Improvement for Corridors of Opportunity programming, and (B) Adopt Budget Ordinance 860-X appropriating \$39,000 from Lowe's Home Improvement to the Neighborhood Development Grants Fund.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 439.

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**ITEM NO. 20: WEST SUMMIT AVENUE RAILROAD QUIET ZONE FEASIBILITY STUDY**

Motion was made by Councilmember Anderson, and seconded by Councilmember Mitchell to (A) Authorize the City Manager to execute an agreement with FHNC 1420 South Mint, LLC for a West Summit Avenue Railroad Quiet Zone Feasibility Study, and (B) Adopt Budget Ordinance 861-X appropriating \$50,000 in contributions from FHNC 1420 South Mint, LLC for a West Summit Avenue Railroad Quiet Zone Feasibility Study to the General Capital Projects Fund.

**Councilmember Graham** said I'm going to support the item in front of us, but I was just asking staff in reference to some of the same issues along Hoskins and Rozzelles Ferry. Is there any type of support planning for that area of town as well? They've been complaining about noise for years.

**Debbie Smith, Transportation** said good evening, Council, good evening, Mayor. Mr. Graham, appreciate your question. I'm Debbie Smith, Department of Transportation. We don't have any current plans or studies, but what I do want to share with you is that we are looking into some grant opportunities. We believe that there might be a wider net that has been cast for grant opportunities related to this train horn noise, so we're very well aware of it.

Mr. Graham said so, specifically for Hoskins and Rozzelles Ferry?

Ms. Smith said that would be one of the areas that we are most interested in. Absolutely.

Mr. Graham said so, how do we begin to raise the level of this being a priority?

Ms. Smith said absolutely, great question, Mr. Graham. We conducted an evaluation citywide. We have about 160 railroad crossings that intersect at grade, but we know that

there are some areas that experience some very significant issues related to that train horn noise. So, I'd love to follow up with you after this and get you some more information on how we would lift that up.

Mr. Graham said thank you very much.

Ms. Smith said you're welcome.

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

YEAS: Councilmembers Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mitchell, Molina, and Watlington

NAYS: Councilmembers Brown and Mayfield

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 440.

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**ITEM NO. 21: AFFORDABLE HOUSING DEVELOPMENT SUPPORT REALLOCATION REQUEST**

Motion was made by Councilmember Mitchell, and seconded by Councilmember Anderson to Reallocate up to \$540,000 of Housing Trust Fund support from Laurel Street Residential's Ballantyne Seniors multi-family affordable housing development, to further support the Springhouse Square at Aldersgate multi-family, mixed-income housing development.

**Councilmember Ajmera** said so, for Housing and Neighborhood staff. So, this one is a reallocation of Housing Trust Fund from Laurel Street Ballantyne Senior project to another project. So, what happens to the residential project for multi-family that will be part of Ballantyne Reimagine?

**Rebecca Heffner, Housing and Neighborhood Services** said good evening, everyone. Rebecca Heffner, Housing and Neighborhood Services. So, if I understand your question, you're asking about the Ballantyne Seniors Affordable Housing community, which has been completed, and the request is to reallocate funds that were unused as part of that community to another development from the same developer at Laurel Street.

Ms. Ajmera said okay, well, that's great. We don't hear usually overage, it's usually they come back for a second round, so that's great. Whoever did that development, Laurel Street, kudos to them for good planning and keeping the project under budget. Great work. That's all I have.

**Councilmember Johnson** said I just want to clarify that I heard what I heard. So, this is reallocation from the Ballantyne Reimagined to another project?

Ms. Heffner said to the Springhouse Square project at the Aldersgate community. So, it's project savings from one development are moving to another that's already been approved for funding.

**Mayor Lyles** said is it Ballantyne Reimagined?

Ms. Heffner said Ballantyne Seniors.

Mayor Lyles said it's a concert venue and all of those things.

Ms. Johnson said because there was one project in Ballantyne that I had voted against some years ago.

**Councilmember Driggs** said that is complete, right? The Ballantyne project is done.

Ms. Heffner said it completed September 20, 2024.

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

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**ITEM NO. 22: DECISION ON AN AMENDMENT OF THE STEELE CREEK PRESBYTERIAN CHURCH AND CEMETERY HISTORIC LANDMARK DESIGNATION**

Motion was made by Councilmember Brown, and seconded by Councilmember Anderson to adopt an amendment with an effective date of October 14, 2024, de-designating all of the land and structures associated with the property known as the "Steele Creek Presbyterian Church and Cemetery," with the exception of Tax Parcel Numbers 141-211-29 (including the structures, improvements, and features located therein), 141-211-30 (including the interior and exterior of the building), and an approximately 3.546-acre portion of Tax Parcel Number 141-211-01A.

**Councilmember Mayfield** said I actually have questions for staff on this because I'm trying to get some clarification. We, I believe all of Council, as staff is making their way to the front, I'm assuming somebody from the airport, somebody can answer the question regarding the gravesite.

**Mayor Lyles** said I think Ms. Gentry is here from the airport.

Ms. Mayfield said so, we have received numerous e-mails, some from the same individual, some from other residents in the area. I'm trying to understand two different things. One, is the airport, if we were to move forward tonight, what is the commitment to investigating the land since it has been mentioned that gravesites have been identified on parts of the land?

**Haley Gentry, Charlotte Douglas International Airport** said good evening, Madam Mayor, Mr. Manager, and Council members. I believe Councilwoman Brown was going to speak to some of this, so if I step on something you're going to say, wave at me and I'll wait on you.

**Councilmember Brown** said oh, yes, that's an extensive conversation I need to have tonight about this for the community members, Council members. I spent a lot of time on this. This is very, very near and dear to me so, yes, I need to speak extensively on this.

Ms. Mayfield said I want to hear from Ms. Gentry so she can answer the questions so it can go on record with the City.

Ms. Brown said absolutely.

Ms. Gentry said I'll give you a brief recount. The information that you received this evening specifically is not fully accurate. We are familiar with the idea that there is a graveyard in the area. There are studies that have been going on at the airport since 1978 regarding that matter. I'm going to recap the most recent amount of time. 1997 there was a study that was done as part of the environmental impact statement for the runway at that time. There were no conclusions discovered at that time. 2007 there was an independent study by a Wake Forest professor that came down that the airport worked with and helped him commission his study. There was no conclusive evidence at that time. 2018 the area in question was again surveyed as part of taxiway construction, again commissioned by the airport with no conclusive results. In 2022 the area in question was reviewed again and all of the previous studies were summarized as part of the runway that we're currently building, that environmental process. That

study was commissioned by the airport and concurred by the HLC (Historic Landmarks Commission) the Mecklenburg County Historic Association, and the State Historic Preservation Office. Note for you to be aware of, the property in question, which is Steele Creek Presbyterian Church, tonight is located approximately one mile from the area where it is believed that the cemetery exists. We have been very familiar with this as I said since the late 70s. It is something that is also on the HLC's radar as an approximate location and there has never been any conclusive affirmation that it exists.

Ms. Mayfield said thank you for that. If you can explain to me why would we de-designate a portion of the property?

Ms. Gentry said okay, this is not my area of expertise.

Ms. Mayfield said the recommendation from the Historic Landmark?

Ms. Gentry said recommendation, so I'd be happy to let Stuart Gray speak to that from the HLC just so I don't mislead you in any way on the particulars.

Ms. Mayfield said thank you.

**Stuart Gray, Mecklenburg County Historic Landmarks Department** said good evening, Madam Mayor and City Council. I'm Stuart Gray. I'm the Director of Mecklenburg County's Historic Landmarks Department and we facilitate the work of the Charlotte Mecklenburg Historic Landmarks Commission, which is one of your historic preservation commissions. Councilmember Mayfield, I'll go ahead and address what I think is the question of why de-designate.

Ms. Mayfield said a portion, 23 acres versus the 14.245.

Mr. Gray said Foundry, and I don't want to butcher the name. Foundry is the developer. Foundry came to the Landmarks Commission with a proposal for a development around the Steele Creek Church. Part of that development plan was an adaptive reuse of the historic sanctuary and we were very concerned about the sanctuary. The Steele Creek Presbyterian Church congregation sold the property to the airport several years ago. This church building has been vacant. That's not good for a historic building so when they came forward with a proposal for development around it that would involve the de-designation of a portion of the property, where the warehouses are going to go, that we do not want that to be part of the landmark, but if we need to, and this was my summation of what the Landmarks Commission decided to do, again it was the decision by the Commission, de-designating that portion of the designated property was an appropriate compromise in order to secure a preservation plan for the sanctuary. So, we're going to have preserved the historic cemetery, and I think it's going to total overall about 14 acres of preserved property remaining. You'll have the historic cemetery. You'll have the historic setting of the church, which is several acres, including the large open space in front of the church, and we would have an adaptive reuse of the church building with She Built This City, which is a non-profit which is slated to take over the sanctuary. So, the Landmarks Commission looked at that proposition and decided that it was a reasonable compromise to recommend to Charlotte City Council that the additional acreage, which I believe adds up to 23 acres, be de-designated so that development could proceed. I think the Commission felt that if this development doesn't succeed, we'll be back to the drawing board. The historic church building will not have any kind of good path toward preservation. So, it was time to go ahead and support a project that promised to treat the church sensitively and preserve and support. They're supporting the designation by donating the church and also potentially helping the financing of moving another historic house, which is in danger, onto the property. So, that package just appeared to be appropriate, for lack of a better term.

**Councilmember Ajmera** said me first say thank you to Historic Landmarks Commission's Director. You were here even at our last meeting when we had this on our agenda and you provided clarity on this topic. This was being confused with the other historic landmark designation because it didn't come in front of us and that created

distrust in the community, where they felt that the City wasn't following the process. It didn't come in front of us and it was demolished. We lost a very important part of our history. So, I understand the community's concerns here. I have also worked with district Councilmember Tiawana Brown. What I worry about is if we don't do something about this today, I'm afraid that this will be another piece of historic property that we will lose. So, I will let the district Council member speak first, but I do look forward to supporting district Council member's recommendations today. That's all I have. Thank you.

Ms. Brown said thank you so much. Thank you, Council members that have spoken. Thank you so much. There's so much to say. I have stood with Steele Creek Community. Stephanie is a phenomenal leader. Advocate for the community, persistent. She's strong. She does her research. She's intelligent. She goes out and when she sends me something, I'm there. I have spent an extensive amount of time with the community. There is no doubt that I'm a community advocate. I want to address some of the concerns that they had. They said they don't have a voice. You're going to always have a voice as long as I sit at this dais. That is just what it's going to be. I'm always going to address your concerns. I'm always going to bring them to the forefront. I want to ask, our attorney left. I need to ask him something. I really do. They have a legitimate concern I need to ask. Do you have anybody from the legal team?

**Councilmember Anderson** said we're trying to locate him.

Ms. Brown said okay, no problem. So, I'll move forward with what I want to ask. The community wanted to know, and I think I reached out to one of my Council members, if they could get an MoA (Memorandum of Association) between Foundry, She Built This City, and their community on what should happen. I said that I didn't think that was something that we could do based off another Council member's sharing that with me or we would have to do that for every project that we move forward with. So, I want to ask that question. The community was asking could there be an MoA with Foundry, with their community, and She Built This City before they move forward with not wanting any opposition? I'm not saying that's what we're doing, I'm asking the questions of the members of the community as they've asked me to present them.

**Patrick Baker, City Attorney** said I'm not aware of an MoA being presented like this in a situation like this. I'm not saying that it can't be done. It's just that I've never heard of it done before, so I'd need to talk to the folks on the Historic Preservation Committee and the folks at the liaisons.

Ms. Brown said is someone here? I just want to be able to address all concerns. Mr. Stuart is here, which I spoke to in detail today. I think Councilmember Mayfield and I had a discussion about the MoA. Maybe she could speak.

Ms. Mayfield said MOU, the Memorandum of Understanding.

Ms. Brown said I'm sorry, MOU. Did you want to speak on what you said to me today? I asked the attorney.

Ms. Mayfield said okay. When Councilmember Brown and I were speaking, I didn't think that community could request an MOU with a business that we're partnering with, but I think we need a clarification.

Mr. Baker said I've never heard of that before. I've never even look at that before. It's never been discussed.

Ms. Mayfield said that's what I thought and that's what I shared with Councilmember Brown that that's not what we do.

Ms. Brown said so, they were also asking for an independent study to be done. I think Ms. Gentry went down the list of all the studies that have been done. So, in my research as well, I also found out that Foundry did their own independent study in 2023 and

nothing was discovered. I think the HLC shared that with us. Is that correct? So, I wanted to go back to Stephanie. Stephanie and I had a dialogue about this. Even when we were here in August 2024 and because of the lack of transparency which I stood on and I was firm on, being honest with the community and making sure the community understands everything that is going on, that they need to be involved, that when the historic Manse was torn down, I think there was some history before I came along. I take full ownership because I am now on the Council. So, I was very upset that that somehow missed the Council and didn't make it to us. There was not thorough communication. We've already said that. The lack of transparency is why they are standing so firm. I'm not going to be long but I do need to say what I need to say. I have showed up for the community. I've showed up at the airport. I've called Haley. I've asked tough questions. I've been at the meeting, and for me the balance is community working together, this is a tough decision for me. I think the right decision is not to have Foundry suffer because of this, and She Built This City. So, I would ask my colleagues with everything that I've shared with you to stand with me in favor of moving forward. It does not mean that the community loses. It does not mean that Foundry and She Built This City wins. I hear some chatter back there, but there's no one that can say to me that I do not stand with community. This is a tough decision for me. It's not an easy decision, but I think it's a fair decision based off of all of my time, all of my research, all of the questions, standing up to Haley and her airport staff, asking tough questions, showing up for meetings, always showing up. I'm always there. There is no one under the sound of my voice that is looking at me that can say I do not show up for community. So, I'm not going to accept that. I know that it may be a challenge to hear this, but I'm going to ask my colleagues to stand with me as I move forward. I'm not going to spend a whole lot of time on it because I've been in community and I don't think that She Built This City, who is a phenomenal non-profit, or Foundry. Is there anybody here from Foundry? Collin can you come down for a minute, please? I'm just asking for clarification of what Foundry is doing. Now, sir, with all due respect, Stephanie has been your voice. She's been very visible. She's been very vocal. So, this is the first time, which I love to see community inside of the chambers, but she's been coming alone for a very, very long time. So, if there was some language or if there was a message that you wanted to get through, Stephanie would deliver that message with you. I've done interviews, I've driven through Steeleberry, I've seen some of the markers, I've seen your historic homes. I rode through there myself. I've been through Steeleberry. I stand with Steeleberry. It would be unfair to say that I don't care. It also is something that I need to move forward with based off the information that I have seen, off of the information that I have asked for, off of the research that I have asked from HLC, off of the reports from Foundry.

Now that doesn't mean that Ms. [INAUDIBLE] can't move forward with an independent study. My colleague Councilmember Mayfield asked if there is a discovery, what are we going to do? We're not going to build over historic markings where it might be human remains. We have said that that is not the case. You don't have to pay for that, Ms. [INAUDIBLE]. That is a part of the HLC, that's something that can be done. I need you, Collin. I didn't see you come down. If you can just give me the specifics of what they're doing for She Built This City. It's something that has never been done before. It's an economic driver for non-profits and especially African-American women that are providing jobs for manual labor, painting, warehouse. I spent a lot of time with She Built This City Executive Director as I've spent with the community. I hear you. We as a Council, as a City, as the airport staff, we have got to do a better job with being transparent and making sure that our constituents can build trust like Stephanie and I have done. So, if you could share with everybody that's listening to the sound of your voice, I just want you to speak on She Built This City and what they're going to stand from. I don't want the Presbyterian Church to demolish from being abandoned and no work being done to it, vandals which Stephanie has reported to me before. So, if you could speak on what you're going to do for She Built This City.

**Collin Brown, 1420 East 7<sup>th</sup> Street, Suite 100** said sure. I'm probably not the best person to speak on She Built This City and they're a fantastic non-profit in Charlotte. So, the partnership between She Built This City and Foundry will be essentially to allow the existing sanctuary on the property to be preserved. That would function as their

headquarters. They attended our community meeting, spoke to the community as well. So, they are of course a non-profit that is engaged in working with people in the community, providing with job training especially in construction. They think that is an excellent location so they would move into the facility. What you don't want, as Stuart said, is to have a historic building with nothing going on. So, it's a tremendous opportunity to protect a very special building and to bring a very important non-profit into the community and give them a home.

Ms. Brown said thank you so much for speaking on that. So, while I move forward with my decision, in listening to my constituents, which I hear them very well, I do not ignore them, I take the phone calls, I take phone calls on vacation. My vacation was interrupted this weekend. My mom turned 70. I don't know many people that would spend time on the phone researching over the weekend, getting a phone call at the eleventh hour doing what I did. I think it's very unfair to my mother and my family but I did it anyway. This seat does not belong to me, it belongs to the constituents, and I do my best to try to lead with my heart, but I also have to go sometimes with factual statements, research in the things that I've done. So, I would like to share that they said that they think, Haley, can you speak to this? There's a question that I wanted to share with you that I didn't get to when you and I were speaking today that the church and the Douglas home can be torn down. There's a legal right to tear it down.

Ms. Gentry said I can't speak for the Douglas House. We don't own that property. That is a proposed property to be moved onto this property that would be designated historic, but the airport does not own that property. As for the sanctuary, we own the sanctuary. We have done everything in our power to preserve the sanctuary and find someone to have a future re-use of it. So, no, there is no plan by the airport to in any way tear that church down. We have worked very hard and spent a lot of money to preserve it, hence our agreement with Foundry.

Ms. Brown said okay. So, for the record, that's on the record and it's being documented here. I just want to say that I think in good faith with me being transparent and open and honest, I've done all that I could for community. I fought for community. I went to the airport meetings. I asked the tough questions. I went into the neighborhood. I did several interviews and about the Manse property and felt it was ignorance to me because I didn't know anything about it. It didn't come before Council. I don't want to confuse the two. While there is transparency concern, and I do admit that, and we as a team got to do better, I think I'm making the right decision for community and sometimes we have to make tough decisions and this is one of those tough decisions that I'm making tonight. So, with that being said, fighting for community the way that I do, answering the tough questions, taking the interviews, working on days that I'm not being compensated, and taking calls on my vacation, I'm going to move forward with asking my colleagues to please support me in this effort.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 441-447.

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## **NOMINATIONS TO BOARDS AND COMMISSIONS**

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

### **ITEM NO. 23: NOMINATIONS TO THE ALTERNATIVE COMPLIANCE REVIEW BOARD**

The following nomination was made for one appointment for a Real Estate Development Industry category representative for a three-year term beginning January 1, 2025, and ending December 31, 2027:

- Ethan Garner, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs,

Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint Ethan Garner by acclamation.

Ethan Garner was appointed.

The following nomination was made for one appointment for an Alternate Real Estate Industry category representative for a three-year term beginning January 1, 2025, and ending December 31, 2027:

- Michael-Paul James, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint Michael-Paul James by acclamation.

Michael-Paul James was appointed.

The following nominations were made for one appointment for an Alternate Real Estate Development Industry category representative for a partial term beginning January 1, 2025, and ending December 31, 2026:

- William McNab, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint William McNab by acclamation.

William McNab was appointed.

The following nomination was made for one appointment for a Community Representative category representative for a three-year term beginning January 1, 2025, and ending December 31, 2027:

- Melvin Segue, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint Melvin Segue by acclamation.

Melvin Segue was appointed.

The following nomination was made for one appointment for a Community Representative category representative for a partial term beginning January 1, 2025, and ending December 31, 2026:

- Judson Stringfellow, nominated by Councilmembers Johnson and Mitchell

This appointment will be considered at the next Business meeting.

\* \* \* \* \*

**ITEM NO. 24: NOMINATIONS TO THE BUSINESS ADVISORY COMMITTEE**

There were no nominations made for one appointment for a three-year term recommended by the Certified SBE-Hispanic Contractors Association beginning April 29, 2023, and ending April 28, 2026.

Nominations will be kept open until the next Business meeting.

\* \* \* \* \*

**ITEM NO. 25: NOMINATIONS TO THE CHARLOTTE BUSINESS INCLUSION ADVISORY COMMITTEE**

The following nomination was made for one appointment for a three-year term recommended by the Latin American Chamber of Commerce beginning upon appointment and ending February 28, 2026:

- Erlan Martinez Castro, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint Erlan Martinez Castro by acclamation.

Erlan Martinez Castro was appointed.

The following nomination was made for one appointment for a partial term recommended by the National Association of Women Business Owners beginning upon appointment and ending February 28, 2025, and a three-year term beginning March 1, 2025, and ending February 28, 2028:

- Christina Jarrett, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint Christina Jarrett by acclamation.

Christina Jarrett was appointed.

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**ITEM NO. 26: NOMINATIONS TO THE HISTORIC DISTRICT COMMISSION**

There were no nominations made for one appointment for a partial term for a Resident Owner of Hermitage Court beginning upon appointment and ending June 30, 2024, and a three-year term beginning July

Nominations will be kept open until the next Business meeting.

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**ITEM NO. 27: NOMINATIONS TO THE KEEP CHARLOTTE BEAUTIFUL COMMITTEE**

The following nomination was made for one appointment for a partial term beginning upon appointment and ending June 30, 2025:

- Maggie Brackett, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint Maggie Brackett by acclamation.

Maggie Brackett was appointed.

The following nominations was made for one appointment for a partial term beginning upon appointment and ending June 30, 2026:

- Ayla Homer, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint Ayla Homer by acclamation.

Ayla Homer was appointed.

The following nomination was made for one appointment for a partial term beginning upon appointment and ending June 30, 2027:

- Ronald Spake, nominated by Councilmembers Ajmera, Anderson, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, and Molina

Motion was made by Councilmember Driggs, seconded by Councilmember Brown, and carried unanimously to appoint Ronald Spake by acclamation.

Ronald Spake was appointed.

#### **ITEM NO. 28: NOMINATIONS TO THE PASSENGER VEHICLE FOR HIRE BOARD**

There were no nominations made for one appointment for a Hospitality / Tourism Industry category representative for a partial term beginning upon appointment and ending June 30, 2024, and a three-year term beginning July 1, 2024, and ending June 30, 2027.

Nominations will be kept open until the next Business meeting.

#### **ITEM NO. 29: NOMINATIONS TO THE STORM WATER ADVISORY COMMITTEE**

There were no nominations made for one appointment for a Financial / Accounting / Legal Professional category representative for a three-year term beginning July 1, 2024, and ending June 30, 2027.

Nominations will be kept open until the next Business meeting.

**Councilmember Johnson** said I wanted to nominate Judson Stringfellow for the Alternative Compliance Board. There were five positions, and he's the fifth candidate. There was one opportunity to nominate someone. So, there's a blank position right now, so I'd like to nominate him to fill that position. If that's okay.

**Mayor Lyles** said okay, I don't know the procedure since we usually advertise them and then post them. Madam Clerk, tell me if we can do this.

**Stephanie Kelly, City Clerk** said so, Mr. Stringfellow received two nominations, so that would technically carry over to the next meeting for there to be six votes. He received enough to move it forward for that additional seat consideration.

**Councilmember Ajmera** said if we have the votes.

Mayor Lyles said I just wonder about the advertising we do and how we do it. So, Madam Clerk said he would come forward for the next meeting, if that's okay with everybody.

Ms. Johnson said is that okay to do that tonight?

**Patrick Baker, City Attorney** said I didn't hear what the clerk said about the process.

Ms. Kelly said I was just saying that he received two nominations. The process is if an individual gets two nominations, they move forward to the next process by which they have to obtain six votes.

Mayor Lyles said are there any other people that got two or more votes for that area?

Ms. Kelly said the others received nine nominations.

Ms. Ajmera said they were appointed. This is the only one.

Ms. Kelly said once you vote it will be.

Ms. Johnson said if you look at it, we have an opportunity to nominate somebody. Here it says other, so I was just nominating him. If it's too complicated, we can wait until next week.

Mayor Lyles said I just want to make sure we're consistent with the same effort. Okay. We'll come back. So, is that all of our nominations?

Ms. Kelly said yes, ma'am.

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#### ADJOURNMENT

The meeting was adjourned at 9:25 p.m.

  
Stephanie C. Kelly, City Clerk MMC, NCCMC

Length of Meeting: 3 Hours, 35 Minutes  
Minutes completed: March 3, 2025