

The City Council of the City of Charlotte, North Carolina convened for Council Committee Discussions on Monday, June 5, 2023, at 6:05 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dante Anderson, Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, Victoria Watlington, and Braxton Winston II.

ABSENT UNTIL NOTED: Councilmembers Dimple Ajmera.

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ITEM NO. 1: COUNCIL COMMITTEE DISCUSSIONS

Mayor Lyles said thank you everyone. So, on the first Monday of this month, we dedicate our time to our committee assignments, and Councilmember Bokhari just joined us as well. So, we have looked at reviewing the referrals, conducting the discussions at the committee level, and later during this meeting, we have the report outs. This is where we ask the Council to hear the work of the Committee and either approve the recommendations as a whole or engage in further discussions, examining any issue, any questions or comments that we would have, and to make sure that the Committee's work is acceptable as we move forward by the entire Council.

So, we will begin with the committee that convenes the first meeting of the day, and proceed accordingly, which is Councilmember Chair of the Transportation Planning and Development Committee, Ed Driggs.

Councilmember Driggs said thank you, Mayor. The members of the Committee are myself as Chair, Ms. Anderson as Vice Chair, and Councilmembers Graham, Johnson, and Mitchell. We had two topics today. We talked about CATS (Charlotte Area Transit System) and an update on the ongoing processes at CATS, and a UDO (Unified Development Ordinance) item that was referred by the Council to the Committee.

So, I'll just summarize. On the CATS thing, Mr. Cagle is going to talk about progress on some of the issues that have been notified to you before. I wanted to talk about the working group. We did have a meeting, including representation from the MTC (Metropolitan Transit Commission), to talk about the status of the work that's going on.

I think what came out of that meeting, for one, was a decision that we would go ahead and schedule management partners to come and talk to us at our next working group meeting, so that we can interview them and get the benefit of any insights that came out of the work they did, because in fact, if you look at their full report, they actually went into considerable depth on a lot of the issues that we have been talking about or have heard about. So, that will be our plan for our next meeting.

A lot of the discussion, other than that, was about whether or not there were risks maybe assigned from the list of concerns that was in a memo that's been circulated to everybody, that maybe we hadn't thought about yet. Essentially, we do want to make sure that we basically respect a lot of the provisions of Mr. Bokhari's risk management outline, based on his experience in that field, and that we cover all those bases.

I would also like to comment about the MTC, because there has been some talk about the relationship between the MTC and Charlotte. I would describe it, myself, this way. There is a conversation that we maybe should've had some time ago about how this governance is structured and the way it works. We have managed to avoid having that conversation because things were working pretty well. I think we had an understanding that the purpose of the group was to coordinate planning and make sure that the mobility needs of the other members of the MTC, within Mecklenburg County, were being properly recognized in the development of the overall plan and in the context of Connect Beyond.

What came up, I think partly in the context of CATS, and that's why I'm bringing it up, was a question about what particular authority the MTC had or didn't have, and questions on their part about what their role was, and whether or not they should, for example, be able to require an RFP (Request For Proposal). I would like to clarify, contrary to a report, I did not say there would not be an RFP, I said that I thought it was better that we conduct the work that we were doing, that we follow the Manager's recommendation about the FTA (Federal Transit Administration) and our ongoing work, and that we then consider, with the MTC, whether we feel that an RFP and the expense and the time associated with that, are really indicated.

Personally, I had a level of confidence that this working group and Mr. Cagle and the staff would be able to kind of get our arms around a lot of what's going on. I don't believe that we have a serious problem about disclosure or candor at this point. A whole lot of stuff has come out that normally wouldn't even be newsworthy, but it's being reported meticulously, and you'll hear again from Mr. Cagle about those disclosures. So, I hope that pretty soon, we will all agree that we understand the issues at CATS, and that the way in which they're being addressed, should restore confidence, and that what we need to do is allow a little time. Then, by all means, if the MTC feels that there is a need for an RFP, that is something we could talk about. I thought we should've talked about it before the MTC passed that resolution, kind of trying to impose on us a requirement that we go ahead.

So, I hope we're in a good place. I've talked to every member of the MTC. I've explained my own approach to these things. It seemed to me that we had a good connection. There could still be, again, a conversation about the structure and governance of the MTC, which has these origins a long time ago, and maybe it really does need to be addressed. I think I'll just put it like that. Mayor, if you have any other comments.

Mayor Lyles said is Mr. Cagle going to do his piece?

Mr. Driggs said Mr. Cagle will. I just wanted to talk about the MTC before I hand off to him.

Mayor Lyles said I do want to say that it has been pretty tough, because we had the Manager Partner's report, and that has pointed out some things that we're trying to work on now, but things keep coming up. I believe that there has been an enormous amount of attention paid to it. I want to thank the working group, which includes the Vice Chair of the MTC, as well as the Huntersville Mayor, for participation in that effort, and that has been really great. I do think that as we've sent out all the minutes of the MTC meetings, we've also sent out all of the materials and agendas to everyone on the Council as well as on the MTC, and I think they're online as well.

So, I hope that what we will see in the future is that, between Ed and I, we spend a lot of time talking with people. I will say, frankly, I think that we had gotten to a place that we had a level of trust that we had never had among the town Mayors, and we worked on that for two years, but trust is easily broken. So, we are in a situation now where I think we are trying to get to the place that we can have the same kind of conversations that we had prior to some of the CATS issues, and I believe that can happen. We're going to hear more about how it's going to happen from Mr. Cagle, and I really do believe at the end of the day, structure will be addressed, but right now we're trying to address operations.

The good thing is, I was in Columbus for a meeting, and I will say that we are in the group of cities that have seen the decline in public transit. All of us are trying to figure out how to make that different. Every city that was in the room, when I sat in on the Transportation Committee there, they were saying, "How are we going to deal with this?" So, it's not unusual. I don't think that we are all that special, but I do think that we have some things that we really have to focus on, and now I'm going to turn it over to Mr. Cagle, and we'll take questions after.

Brent Cagle, Interim CATS Chief Executive Officer said yes, ma'am and thank you. I will walk through the information that I provided at TPD (Transportation, Planning and Development) this morning, the progress report. So, we have created a progress report to help keep the working group, the City Council, and the MTC informed, specifically to certain items that were identified by Mr. Driggs in his memo. It is a living document, so as things come on or off the document, it can change.

So, for update, I'll start with May 10, 2023. There was an event that took place on a light rail vehicle. It was a derailment, but I want to first demystify that term a little bit. A derailment is an industry term in rail, derailments do occur, and it is any time a wheel leaves its natural position on the track. That is the definition of the derailment.

So, this was a derailment on May 10, 2023. It occurred at very low speed, five miles an hour or less. There were no passengers on the vehicle. The vehicle was in the service yard and was returning from a test run after receiving some maintenance. The rear car on the vehicle, for each of our trains there are two light rail cars per train. So, the rear car, the rear axle, came off of the rail resulting in this. The root cause is currently being conducted, so we are working to determine the exact cause of this incident.

However, upon initial review of the vehicle once it was rerailed and brought into the shop, the maintenance folks lifted the vehicle and were able to turn the wheels. The reason that's important is, that is indicative that this issue was not caused by a bearing failure in the vehicle's axle, similar to May of 2022. So, they are working to determine the exact cause, but based on that initial review, it is unlikely that it was related to a bearing failure. I'll also note that our testing protocols for bearings, the heat tabs, I think you have heard me refer to those before. Again, those heat tabs were checked before the vehicle left the yard that morning, and after the vehicle was recovered after the incident. Both before and after, the heat tabs read below abnormal ranges, so there was no additional heat documented in that. As we have more information, we will continue to share that.

Secondly, related to the maintenance required on the vehicle trucks, or the wheel assemblies of the vehicles, we have concluded our negotiations with Siemens, and we are currently in the process of working to execute final contracts with them to allow us to move forward on the truck overhaul maintenance. Secondly, included in this package will be implementation of a new technology system that is deployed widely throughout Asia and Europe, but not in North America. We will be the first adopter of this technology in North America. This technology gives us much better information in real time on the status of the vehicle bearings. So, literally, think about it like going to the doctor and they use the stethoscope to listen to your heart, this listens to the bearing and the sounds that it makes, and as those sounds change, it notifies us in real time.

Thirdly, the bridge inspections and the parking deck inspections. Currently, on the bridge inspections, we have completed 32 of 38 bridge inspections, we have completed all inspections of retaining walls associated with those bridges, and we have finished all of the parking deck inspections. For the six bridges remaining to be inspected, they are being scheduled there in right of way. They're in areas that share right of way with heavy rail, with CSX and Norfolk Southern and sometimes NCR (North Carolina Railroad). So, to schedule those inspections, we have to work around the schedule, so that the inspectors can be safe while they're conducting the inspections. Those inspections are being scheduled and will be completed.

On the parking decks, all inspections are completed. All parking decks, there were no critical issues found. However, there was one parking deck, the North Davidson parking deck, which is an employee only parking deck associated with our North Davidson facility. This parking deck has been subject to legal settlements in the past. When the inspectors went out to look at this parking deck, they did note some concerning issues associated with the structure. They have asked us, and we have agreed in an abundance of caution, to close all of the elevated levels of that deck, which has been done, pending further engineering analysis. In addition, we are working with the City

Attorney's office to see what our legal options are, because this deck has been subject to prior legal action.

Related to our staffing, I wanted to give you some updates on staffing. One, the department has hired Ms. Elizabeth Presutti as our Chief Administrative Officer. Ms. Presutti has a career in transit, over 20 years. She actually worked for CATS in the early 2000s. Then, she moved to Des Moines, Iowa, where she was the CEO (Chief Executive Officer) of Des Moines Iowa Transit Authority. She has come back to Charlotte, and we welcome her back into CATS. She has been with us for about two weeks now, and I'm loving that we were able to get Ms. Presutti back in the CATS family.

Councilmember Ajmera arrived at 6:21 p.m.

Secondly, Mr. Deltrin Harris, who was the General Manager of Rail Operations, is no longer with the City of Charlotte. Mr. Harris' last day was not last week, but the week before, on Friday. Mr. Harris has departed the City, and on an interim basis, Mr. Gary Lee has taken over as the General Manager of Rail Operations. Gary has over 20 years' experience in rail with Charlotte. Most recently, Gary has been overseeing railcar maintenance, and now is assuming the interim General Manager position. We will be prioritizing a national search for a permanent General Manager over Rail Operations.

In the interest of time, I'll close with one other item, the FTA review. Manager Jones mentioned in his letter, about a month ago maybe two, time flies in CATS, that the FTA would be conducting a review. The FTA has confirmed that they will be conducting a review. The review will have two areas, financial and maintenance. Two different consultants will work for the FTA to conduct each of those review areas. They are finished with selecting their Financial Review Consultant, and that consultant will be reaching out to us over the next few weeks to start scheduling the review and coordinating calendars. The FTA is still working to procure, to hire, the maintenance contractor, but they think that that will be very soon, and as they provide me more information, I will provide that information to you and to the MTC.

Mr. Driggs said Mr. Cagle, thank you as always for the competence and personal credibility you bring to your task. We appreciate it. The second item on our agenda was the UDO, and in particular a referral to the Transportation, Planning and Development Committee from the Council, and I'll just read from our slide today. During the May 22, 2023, meeting, City Council, there was an action referral for staff to recommend alternative options, including a schedule, for potential changes to the UDO for allowing duplexes and triplexes and larger projects developing by right in residential zoning. So, today, we heard a report from Planning Director Craig that talked about what is currently allowed in the UDO, how the duplexes and triplexes are treated in comparable cities, and then some options for us to think about.

So, you can see the slides. I think could download them online. Essentially, all of the N-1 variants, the A, the B, the C, the D and so on, allow single-family duplex and triplex development. On a quadruplex, they're only allowed on an arterial road when there is at least one unit affordable. Minneapolis, Austin and Raleigh were the comparison cities, and we got some input on those. I think, for those comparisons, we need to recognize that the rest of their ordinance may not be the same as ours. So, we have to interpret how those are written in the context of other provisions in their UDO, but the staff will continue to evaluate what is being done in other cities, in order to get the benefit of best practices or bad experiences, to inform our own conversation.

Ms. Craig also pointed out that the UDO already does have significant requirements concerning compatibility, materials, driveways, building height in relation to adjacent buildings. So, it's not quite a total blank check as it is by right. At the end of the day, though, focusing on the question at hand, she essentially offered two options to us for consideration. One of them was to monitor development patterns with regular reports to Council, providing data and examples over the next six months. The other one was to consider an approach requiring a mix of units when duplexes and triplexes are

proposed in large residential subdivisions, which she pointed out increases housing options and would reduce the total number of units allowed.

I think it's important to understand that as we approach a subject like this, we need to be very sensitive to possible unintended consequences to the wider implication of an action. So, what she is really talking about here is studying this, considering some possible options, and then coming back to the Committee and Council with recommendations. I had asked her to come in once a month and just let us know what is going on there, and then not entirely sure, she mentioned a six month timeframe for the other option, but the unanimous conclusion of the Committee was that we did want to go with number two, i.e., aim at a possible Council action that would address the question of whether or not some of the development that is being proposed in these N-1 Districts can be defined a little more carefully.

Then, the only thing I'll say about that is, what we are talking about here is a refinement of the existing UDO. It's the work that we knew we were going to have to do in order to take the thing as it was originally written and sort of conform it to some of the reality based on experience, based on what we're seeing. So, this does not reverse anything. This is not a reexamination of the decisions that we made about the UDO. It is simply the fact that we knew it was a living document, and we will continue on a case-to-case basis, to take situations where we have maybe an unintended consequence or other issues that call for a text amendment or further study.

I mentioned in this meeting that I think it would be good, as we consider the density in these areas, to be more mindful of congestion issues, because, as we know, the way the thing was written, we're seeing some petitions being offered, and my personal opinion, this is not the committee, but I don't think that what we have right now, the traffic impact study, offers a whole lot of comfort on the subject of whether or not we're going to see relief in places like Providence Road, Steele Creek and some of the others. So, maybe a criteria, as we consider the kinds of the density that would be offered available in these N1 categories, could also be sensitive to that.

In any case, what the committee decided was to go with her plan two. Let her and her staff work on it, report back to us, which we would then share with the full Council, and see whether, as a result of that, we get a proposal that could be voted on by the Council to make a text amendment or a change. Committee members, if you would like to add anything to that summary, please do.

Councilmember Johnson said thank you. I just wanted, and I mentioned this during the committee meeting, that I wanted to be clear and to be transparent, that the referral was not normal process in the UDO process. We know that we're going to be working on community benefits agreements, and there are some refinements; however, the referral to committee was outside of the normal process. We are, based on concerns from the community, looking at the policy, specifically like the referral was for the duplexes and triplexes and large subdivisions.

So, I think that it's fair. I understand the political aspect on this, but the reality is, this was a committee referral that is outside of the normal UDO processing. The UDO was approved last August and based on the new Council concern in the May 22, 2023, meeting, this referral was made.

We see the changes, and likely, I hope that we are not making a referral to Committee with a predetermined outcome. It's my understanding that it was sent to referral based on a motion to send this to the Committee, based on the community's input. So, if we sent this to the committee, which again is outside of the normal processing, we all have to admit that. I think that we just need to be very transparent on that.

Mr. Driggs said so, Ms. Johnson, I'm not sure what the normal process is to which you refer. I'm not aware of a policy that we have that describes what we can and can't do about the UDO. All I know is that our Committee received a request that we consider this issue, and the staff worked on it and came back to us with their findings, and the

outlook now is that, on a monthly basis for a couple of months, we're going to get their recommendations and findings, and the Council will then have an opportunity to decide whether or not a text amendment or revision is indicated. It feels to me like that's a pretty normal Council process.

Councilmember Anderson said I think this topic is a topic that we need to be very careful about, because it's easy to create confusion, in particular, in the minds of constituents. I know I've received lots of emails and phone calls and so have you all. Before I was on Council, I watched these meetings as a private citizen, and you all were deliberating and debating the UDO. The tenure around the UDO has always been that it is a living document, and that there will be times where text amendments will have to be made. It won't be on a weekly basis or a monthly basis. This is a new process for our City. It's just become onboard June 1, 2023.

So, the regular process would be, if there are areas where we feel like there needs to be additional attention or it's not operating properly, that we do refer it to committee, and we do work with staff to do additional work to potentially make text amendments or potentially say, we don't need to do that. Certainly, I voted for the motion when we did this at the last meeting, and I voted in the spirit that this is a part of the UDO process of being a living document. It was certainly not, at least from my lens, a way to usurp the UDO or bypass the UDO or reopen or relitigate it. I think it's a very cloudy subject, and the more that we communicate in an unclear manner about this, the further we confuse constituents, and this is an area where we need clarity and not confusion.

Councilmember Winston said I just want to talk about the two recommendations that staff presented in committee. One was gather data within six months and come back with recommendations. That was a motion very similar to a motion I made the other day. I just, again, would like just to plead the case for my colleagues to consider that. I do think recommendation two is very in line with the intent of the comp plan and the UDO to provide choices in housing. Basically, as I heard the presentation, I heard it explained, it's anywhere that duplexes or triplexes are being built in the N-1 neighborhood, that those neighborhoods can't be exclusively duplexes and triplexes. Basically, saying that there has to be different types of housing in any neighborhood, which again would provide options theoretically for people who are growing through their economic mobility to be able to have housing choices without having to uproot and displace their families.

So, I think all and all, that is a good idea, it's interesting, but understanding that there are a spectrum of ideas around here. I would, again, just beg that if we constrain our policy at the beginning without letting it live and breathe and learn from, we might end up missing out on opportunities to improve it, again, amongst the various different kind of policy lenses that the 11, 12 of us, look at things by. So, I would just, again, advocate that we let this thing live and breathe for six months before we come back to constrain it anymore.

Mayor Lyles said alright, are there any other questions regarding the report? I wanted to thank the staff. I know that they worked really hard to come up with the options that the Council Committee members chose, so we can continue to move forward. I also really appreciated that they reminded us of what we had approved. When you look at the document, I think to Ms. Anderson's point, the material that we have with the referral and the discussion out of the Committee, ought to be really distributed when people are talking to us about the UDO, because you can see we have some things in place, we may have other things in place. That's what it means, that this is where we are now, and we're going to look at what needs to be done differently, while at the same time allowing for people to have more choices around housing.

I wanted to just say thank you. I think the presentation went really well, and the discussion was good. We will continue to work toward something that is going to work for Charlotte, because a lot of places have this effort, and we can learn a lot from them and ought to, and also pay attention to the team as they tell us what we've got already under play. So, Mr. Driggs, anything else from your committee?

Mr. Driggs said no. I just wanted to say that based on the unanimous approval of the Committee and barring the possibility that everybody else on Council disagrees, I will regard this as a Council supported action, rather than just the Committee recommendation, and therefore, our intention is to proceed, and that concludes my report. Thank you, Mayor.

Mayor Lyles said alright, thank you very much. I have to tell Mr. Graham that he had, I think the last time we were having a discussion, it was all around committees and it was a little bit warbled, and he said, "Well, when a policy item is ready for action and the overview is provided from action to the full Council," and that is true because when we, Council, vote on an item shared during the action review, will occur at a future Council meeting. So, Mr. Graham, you've got a better memory than I do. So, thank you for that.

So, the next committee report that we would have been the Budget and Review. What do ya'll call it, BGIR (Budget Governance and Intergovernmental Relations Committee). Alright, BGIR.

Councilmember Ajmera said Happy Monday, my colleagues. We had the Budget Governance and Intergovernmental Relations Committee meeting earlier today. Let me first recognize committee members, Mr. Vice Chair, Mr. Mitchell, Ms. Mayfield, Ms. Anderson and Mr. Bokhari. So, we had two agenda items today. First is review of our attendance policy for Boards and Commissions, and second item was Debt Financing and Hospitality Revenue Policy update.

So, the first one around review of attendance policy for Boards and Commissions. Our committee likes to refer to that as Ms. Mayfield amendment. As you might remember, Ms. Mayfield had actually suggested that we review our attendance policy. We actually have a very stringent policy for Boards and Commissions, which limits as to who can serve on those Boards and Commissions. So, after a brief discussion today, Committee voted to recommend several changes that will allow more diverse representation on our Boards and Commissions. So, here are the changes that the committee approved.

First is allow members three medical-related absences from regular meetings during a calendar year. Allow absences for funerals and bereavement. Allow absences for the birth or adoption of the Board member's child for 90 days after the birth or adoption. Allow absences for military service. Request for excused absences should be formally made in writing via email to both City Clerk and the Board Staff Advisor.

So, these are the changes. I can attest to one of these. If I was actually expecting a child while serving on this, I would not have been able to serve. So, I think these are really good revisions that allow members who are serving our Country and allows absences that are, I think, critical. So, I hope that full Council will support these revisions. Any questions on that?

Mr. Driggs said I'm fine with it. I'm just wondering whether that requires a formal Council action, and if so, do we need to put it on an agenda for a future meeting?

Mayor Lyles said that's my question about the referrals. If Council accepts and hears a report from a committee, and there is no objection, then it will go to a future agenda. It doesn't say when or the date, but I think that it just depends on who has to write it all up and get it in order, so it will go on a future agenda.

Ms. Ajmera said I do expect this to be on our future agenda. Mr. Baker, is that correct?

Patrick Baker, City Attorney said that's my understanding, yes.

Ms. Ajmera said okay, alright. So, that's on attendance policy. Second item we had was discussion on Debt Financing and Hospitality Revenue Policy update. So, for those of you who've been around, you probably remember that Council had adopted a policy back in 2021, and that was an update on the Hospitality Revenue Capital Investment policy. I think that was under Mr. Driggs' leadership. So, I'll dive into that, but first let me

just give you a quick overview update on the debt financing process, including the types of debts that are being used and planned timing of upcoming Council actions.

So, Committee discussed in more detail the types of debt that City utilizes for different types of capital projects, including their credit ratings. So, from housing to enterprise related debts to COPS (Certificates of Participation) to short-term debts. Committee also discussed the Holistic Capital Project Lifestyle, including the connection of Council approving a capital project, and the timing and connection to the specific approvals required for the debt financing.

We also reviewed a plan calendar of upcoming financing approvals that will be required by type of debt and estimated amount. So, you should see several actions coming in front of us for debt financing. First one was for affordable housing. Second one was for Spectrum renovation. There is a municipal debt that will come also in front of the Council, and there is one more, but there is a detailed list along with the timeline. Mr. Bergman, if you can just pass that on to the full Council so that everyone has that calendar in front of them.

There were several questions that Committee had asked, as to what additional debt for affordable housing will look like for neighborhood improvement, transportation projects, all of that, what that could look like for future budget cycles. So, that will be part of our followup report. Any questions on Debt Financing before I just give you a quick update on Hospitality Revenue?

Mr. Driggs said I just want everybody to be aware. Our steady state debt incurrence analysis implies that if we were to contemplate new borrowing for a particular purpose, that would have the effect of lessening our ability to borrow in future periods. So, I just want to approach that with a lot of caution.

Ms. Ajmera said absolutely, and I think, Mr. Driggs, you are the one who actually introduced the affordability model, and I think right now it's at \$210 million. It was a little bit more, but because of the increased cost in borrowing, now it stands at \$210 million. So, let's say if there is a proposal to increase one, we had to figure out how do we address the other parts, whether it's CIP (Capital Investment Plan) or other infrastructure projects.

Second is an update on the Hospitality Revenue Capital Investment policy, that was approved by Council back in 2021, which requires update to the Committee on Hospitality Funds. We actually had a very lively discussion on that. Committee discussed an overview of hospitality tax revenue sources, including a projection of Fiscal Year 2023. We reviewed information outlined in the policy, including fund balance, maintenance, debt parameters, so all the fun stuff. Then Committee requested some information on how the tax revenues are paid and whether there are opportunities for differentiating resident versus visitor payment and/or benefit.

So, as many of you know, when we talked about sales tax for mobility plan, we were looking at about 40 percent of that revenue coming from commuters/visitors. The committee was interested in diving deeper as to what that revenue looks like for our occupancy as well as rental vehicle tax. So, we'll get more information on that, and I think that will ultimately help us make some of the tax policy decisions in future. Also, Committee requested followup information regarding maintenance for our existing assets, especially our cultural facilities. So, that's all I have. Committee members, feel free to chime in if I missed anything. Thank you.

Councilmember Mayfield said thank you Madam Chair. You captured all of it. I just wanted to give a little bit more background. When I asked about looking at what our taxpayers in the City are already paying, and when we look at hospitality and tourism. I gave the example of Walt Disney World as well as Orlando Studios. Regardless of what's happening in Florida, as a resident, you paid a very different rate for accessing those amenities than you did if you were visiting from outside.

When we think about the fact that our residents are already paying taxes for the City and the County, if you live in one of the MSDs (Municipal Service District), you're paying an additional tax. What are we doing to give back to community? Because if you've been in Charlotte more than 10 to 15 years, you remember a time where we had multiple community festivals, events, different things, that your taxes had already paid for, we don't see that anymore. It's getting kind of difficult to explain how we're being good stewards of your tax dollars and we're doing all this because our tax dollars are paying for all this development. What would that look like to be able to differentiate and to be able to let our residents clearly see a positive net win for what their taxes are paying.

Also, I was trying to get clarification on the request. We're going to have \$75 million that's in the municipal goal. In our housing, we had our \$50 million in the bond and we had \$25 million rolled over. I asked for staff what to present to this body for us to start the conversation of what would a \$100 million versus a \$50 million Housing Trust Fund look like. We know it's a \$250 plus million challenge. I don't necessarily believe that we're ready to jump to that number, but I do think that the community sees the challenges that we're having and there maybe be some bandwidth, and when we look at our AAA bond rating.

I asked for both Finance and Budget in collaboration, if they can bring back to the Committee, give us some numbers of what that potentially could look like as far as debt capacity if we were to go to the community with \$100 million bond ask on our next bond cycle which will be next year, and to help Council to start being prepared to have these conversations.

Ms. Ajmera said Madam Mayor. I just want to highlight that we have a very good credit rating. So, I just wanted you all to know that.

Ms. Mayfield said right, Madam Chair is correct, which is the reason why we're speaking with Mr. Bergman and with the team, how can we better utilize that top rate AA, AAA, even though we have a AA minus for the airport, and there's a reason? We know that we have that rating, which means we get to pay less in debt. Let's look at some ways that we could be more fiscally responsible with utilizing that debt capacity. Thank you, Madam Mayor.

Mayor Lyles said may I offer a context that the staff would have this ready. I don't know if the budget office actually has the budget ready yet, but we are voting on it no matter what they're going to present to us. It's going to come out. If you recall, we talked about how we want to do our retreat in December. I want to make sure that the Manager and the Budget team and Finance team have an ability to really have a discussion around our financial capacity and ability, especially as we're adopting new policies and making things change.

So, Ms. Mayfield, and to the Chair of the committee, I think instead of doing it piecemeal, perhaps we could have a session in December at the retreat, specifically fiscal health for our City, and what that means. If that's a friendly thing we can do, and then maybe Mr. Driggs and Ms. Mayfield can work out what's on the agenda for that meeting to help us do that. We'll have to wait and see, and see how it goes.

Ms. Mayfield said more so just introducing the conversation, let's get through this fiscal budget, but to start to give staff a heads up.

Mayor Lyles said yes, that's an important one.

Mr. Driggs said happy to discuss that.

Mr. Winston said one of the requests I had being in Committee was to be able to do a comparison of how these hospitality revenues are funded. Who's funding them? My hypothesis is that when these taxes were created, it was believed that a certain class of folks were paying this, visitors, not so many people who live in Charlotte. People who

are coming in and staying in hotels, renting cars. My working hypothesis is that is probably still mostly true, but how has that balance flipped? We know that, for instance, there's a much greater number of people paying occupancy taxes because of the affordable housing crisis. We know that we have CMS (Charlotte Mecklenburg Schools) buses pulling up and leaving a couple times a day to hotels and motels where folks who can't afford to or are unable to secure housing, have to live.

We know that, for instance, even the rental car situation, Lyfts and Ubers and other rideshares, these are local workers now that sometimes rent. Again, how marginal or how impactful the balance is, I think it is a good conversation to consider in the overall tax policy conversations that you're having as it relates what the impact is for people to be able to afford to live in the City. Is there a different way we balance it now? I don't know, but I think it's something that we should be looking at, because I just don't think it was considered whenever these things were considered.

Mayor Lyles said yes, I would agree with you. I think that the food tax was really the one that everyone understood that that was going to be something that our residents would pay, and they would pay just like anyone else. When it comes to the occupancy tax in the hotels, that probably wasn't a consideration. So, if we have a retreat in Raleigh, we're going to invite you over. So, don't forget that. Alright, okay. So, anything else from this committee, Madam Chair?

Ms. Ajmera said no. I just would like to thank Mr. Bergman and Theresa. You have an excellent finance team. So, thank you Mr. Jones for your leadership.

Mayor Lyles said alright. Our next committee report is from Jobs and Economic Development. Mr. Graham.

Councilmember Graham said thank you, Madam Mayor. The Jobs and Economic Development Committee met today as well. Members of the Committee are Vice Chair Driggs, Ajmera, Molina, Watlington, ex-officio the Mayor Pro Tem, and we had a guest today, the Mayor was there. As usual, we talked about Eastland, which is a very, very important topic. We always start the meeting by trying to be as factual as we can, which is to underscore what we're actually doing there and the progress that we're making. We understand the history of 10 years of waiting, but we're really trying to solve an equation that existed about last year this time when we found out that Tepper Sports were pulling out from 29 acres at Eastland. Last year this time, the puzzle was solved, and so we're trying to solve that puzzle.

The progress underway is the groundbreaking was held August of last year. The first property closed for Crossland Southeast May of this year, which is for the senior affordable housing development. The expected delivery date for those is the fourth quarter of next year, 2024. Subsequent property closing for Q3 and Q4 of 2023, will be the mixed-use development parcels. Anticipated delivery date on those is Q3 of 2025, single and family townhouse development parcels, first quarter of 2024. Single development partner and predevelopment, the builder has submitted for design, review and approval.

Mecklenburg County conducting community engagement for their 4.6-acre park. They've already had two community meetings, which leads us to, again, 160 single-family homes that's being built, 260 apartments [INAUDIBLE] housing, 1,700 square feet of retail and office. The 4.5-acre Mecklenburg County Park, as well as the [INAUDIBLE] that we approved three weeks ago, which includes \$11 million for roads, parking, streets, sidewalk, traffic control, etc.

I think it's really important that we articulate to the public what's actually happening there, as Councilmember Anderson has said in terms of not confusing the public. There's a lot happening at Eastland over the last 11 months, which led us to our discussion today in reference to solving the equation for the 29-acre site that is left undeveloped. Staff made a recommendation, and we evaluated the two standing

proposals, one which was the Carolina Serves. Staff evaluated that and made a recommendation to alleviate that from consideration.

They also brought forth the QC East at Eastland Yards. That's the proposal that includes soccer fields. It includes an entertainment venue for live entertainment. It also includes East Forge Center, which I think a lot of people are really excited about. I get so many emails in reference to that portion of it that's very exciting. It should be also noted that we did discuss at the meeting today the conflict of interest that may or may not exist. The Attorney General said it doesn't exist with one of our colleagues, literally under eight percent of ownership there, and I think you all received an email to that effect as well. So, there's clear, clean hands there, and so that proposal was moved forward for consideration.

In addition to alleviating Carolina Serves moving forward, the QC East proposal, we received another proposal at 1:40 p.m. on Friday afternoon for an AAU (Amateur Athletic Union) facility for Eastland Yards Indoor Sports complex. Staff had the opportunity to do a cursory review of that proposal, nothing in depth at all. We had a discussion about whether or not that proposal should move forward, because it came to the game late. We received it Friday at 1:40 p.m. Again, staff did a cursory review of it, and also recommended that it moves forward, and I'll use the words in our write up, potentially Eastland Yard Indoor Sports Complex with a lot of due diligence needed to occur with that proposal, so that moved forward.

So, in short, we eliminated Carolina Serves. We moved forward QC East at Eastland Yards, which I called 1A, and we also moved forward potentially 1B, which would be Eastland Yards Indoor Sports Complex. We'll have community input on both of those projects. The tentative dates are for June 24, 2023, or June 28, 2023. We're working around schedules with Commissioner Jerrell, Councilmember Molina, myself, to kind of get together and make sure that we get community input from the community. While we're doing that, staff will be doing a deep dive in terms of evaluating, not the concepts, but where the rubber meets the road. The financials, the capabilities, the feasibility, show us the money, the maintenance, the upkeep, those types of things that are really, really important, so that a future Council won't be back here three, four, five years from now, trying to resolve this issue once again.

So, the dual-track staff will begin to do a lot more investigation, deep dive, really analyzing, making sure that people can deliver from a financial perspective, while the Councilwoman and the Commissioner will be engaging the public in terms of preference and desires. One thing that we want to do is make sure that we give them a comprehensive understanding of these proposals from the City's perspective. A lot of the community engagement that has occurred over the last couple months were from the petitioners themselves, and if you're going to show someone your good side, you show them your good side. You don't show them everything.

What we want to do is make sure that we give the community a comprehensive perspective of, not only the initiative itself, but the financial capabilities of the petitioners, the ability to deliver on the promise which is extremely important. So, our goal and objective is to have that done relatively shortly, by the end of the month, and hopefully by our next meeting in July, that we make a formal recommendation to the Council of the proposal of choice based on the background checks and feedback that we get from the community.

I see there's one loan representative there from Eastland. I want to thank them for their patience. Maureen, I want to thank. She's been here for the last three months at every meeting. I want to thank the community for their patience. As I said at the community meeting today, the goal and objective were to get it right, and I think that's what the Councilwoman wants. I know that's what the Commissioner wants, and it's what the community expects.

I think we're to a point now where we have 1A, 1B. I won't say a preference, but I know more about 1A than I know 1B, and soccer and live entertainment, e-sports. Those

things are consistent with what people are looking for. We've just got to make our decisions based on a wide variety of factors, which is community input, and again, understanding the backgrounds and the performance. That's, a brand-new car without gas goes nowhere. So, we just want to make sure there's gas in the car for whatever proposal that we choose, and I'll yield the floor to my Council members on the Committee if they have additional comments.

Mr. Driggs said Mr. Chair, excellent report. I would just note, my biggest concern in all of this is the conflict between soon and good. I think that's what we've been wrestling with. The community is impatient. They feel that they've waited a long, long time, and so they need an assurance that we have the right level of urgency. I think we do. I think what the Chair described is a very short timeframe. There was a question as to whether a late coming proposal ought to be taken on board as a matter of principal, and I believe Councilmember Molina said, "Could I please get some guidance from others?"

My own recommendation was that we do not slam the door on it right away. I was interested to know what the community thought about it, like we don't shut something out that maybe was appealing to the community. I think, for one, the urgency is there, and the funding is there. So, if it takes this little bit longer, all it's about making sure that we do something that is durable, that is going to be successful, that is adequately funded, and that will serve the priorities of the community. Thank you.

Ms. Ajmera said so I agree with what Mr. Driggs just mentioned. One thing that I did bring up at our committee meeting was just the financial stability. I think some of this due diligence that's being done is to ensure that there is not a disappointment, because I think the East side has seen multiple disappointments in past 10 years. We just have to ensure that there is a partner that is at the table that's going to provide that sort of financial stability. I know we did review the two proposals that are in the pipeline. One, where they'll have to go out and raise funds within 30 days. The other one, where 90 percent of it is going to come from them directly without having to raise.

Mayor Lyles said I was really wondering if that's what he said. He said he thought that that was something.

Ms. Ajmera said Ms. Dodson is here, no.

Mayor Lyles said no, I don't think she's here, but it's just a question. I just want to make sure.

Ms. Ajmera said that's what I heard. That's what I interpreted.

Councilmember Watlington said they said that 80 percent of the private funds could come from one donor, and they've got the money in pocket, the request for the project is [INAUDIBLE].

Ms. Ajmera said so, the commitment is already there.

Mr. Driggs said [inaudible] to over \$20 million plus the land. So, that's an accurate representation.

Ms. Ajmera said right. So, I think to me that it's major, because as Mr. Driggs just mentioned, there is a sense of urgency. We have heard loud and clear from the community, and I'm sure that Councilmember Molina probably has tremendous pressure. I don't know what it would be like to govern under that pressure, but I think we need to do everything in our power to make her job a little bit easier. So, that's all I have. Thank you.

Councilmember Mitchell said Todd, can you approach please? I just have a couple of questions and a big thank you for you and your efforts. I know, to the Chair, in part the proposal came in and you went on vacation, and you still being committed to review it. So, I appreciate your dedication to the Eastland project. So, Todd, I'm looking at slide

number 11, and it has the layout. Can we get that queued up? This is from the presentation and the committee meeting. So, Todd, the question is, though, on the Crosland side, the County already has a park, about 4.5-acre park, \$8 to \$10 million, correct?

Todd DeLong, Economic Development said that's correct.

Mr. Mitchell said and on the 29 acres, has the County shared any type of interest in partnering on the 29 acres?

Mr. DeLong said from a financial perspective?

Mr. Mitchell said yes.

Mr. DeLong said not yet. I think it's something that, once there is more resolution around what the concept is, then there may be a conversation there. We have explained to their Economic Development Committee that we're not seeking funding from them for this, because they made it clear to us not to come to them to seek funding for this, but that's the case so far.

Mr. Mitchell said thank you. You just clarified one conversation, I had a little confusion is, when you look at both proposals, neither one had an ask from the County.

Mr. DeLong said correct.

Mr. Mitchell said correct. So, part of the committee discussion was the availability of County Commissioner, Mark Jerrell. I talked to Mark today, and Mark did say, he threw out some dates, June 24, 2023, or June 28, 2023. I'm kind of confused, why does his availability impact us going to the community when there's no ask for either one of the proposals from the County?

Mr. DeLong said so, we've always been wanting to have the County as a partner throughout this entire site, not just one piece of it or another piece. Through the approval of the Tax Increment Grant, the County has an interest of what happens on the eastern portion of the parcel. There were some contingencies there that they had in order to approve the Tax Increment Grant, they needed to have a few items that they listed when they approved the Tax Increment Grant back in August of 2021 or 2022. A lot of that was around the involvement of Tepper Sports & Entertainment and Charlotte FC (Football Club).

When Tepper Sports & Entertainment and Charlotte FC left, those contingencies remained. So, in order to get the County to approve the Tax Increment Grant without those contingencies, we wanted to make sure that the County was still involved, in terms of if any recreation or active recreation or space there, still involves some amount of community use, which lives up to the intent of their approval of the Tax Increment Grant previously.

Mr. Mitchell said okay, thank you. Let me just share some of my frustration with some of the residents and some of the folks around here at this dais. This has been a long time, and I think we're close. I think this is going to be a struggle for us to try to get a community meeting. So, let me start with the first one. What is the expectation of the community meeting?

Mayor Lyles said let me just talk, because I think it's really important. I have been watching what the County does, and it's a digital response. You basically showed the two footprints of what you're doing. They say which one of these represents and which one do you choose, and it's real life. I think that the growth in the district, and the number of people that live there, Ms. Molina, tell me is it 128,000?

Councilmember Molina said we're around 128,000.

Mayor Lyles said 128,000 people living there, and I think that it would just be worth the check, because I think the demographics have changed in some respects. You've got some great communities. You know people that live in Far East, and what their needs are might be a little bit different than what we see in the immigrant community that has settled in there. So, I thought it would just be a check, that says these are the two, looking at what we had from 19 years ago as the community and the leadership, and I understand that there are organized leaders that have held this thing, and I would say, kept the flame going, kept the fire hot. I think that we know those, but I'm not sure that we know the other changes. I think it's just a good way to document.

Mr. Mitchell said Mayor, couldn't you take your June 12, 2023, City Council Meeting and accomplish the same thing if staff did a presentation?

Mayor Lyles said I think that this ought to be something that would go out digitally. I'll leave it to Ms. Molina in-person meetings. For me, I think that doing what the County does, you have the website, and then you get to do this. So, it depends on when Ms. Askew can probably help us get this data thing together, but I don't have a feeling one way or the other on in-person meetings. I think Ms. Molina might know better.

Mr. Mitchell said so, I think what you're describing, Mayor, there's more of an IT function, and I think we surely have the capability to do a digital survey from our side. I just think you're going to have a struggle trying to get a meeting, June 24, 2023, or June 28, 2023, and my frustration is, June 28, 2023, is after June 26, 2023. We need to get this solved this fiscal year. That's just my preference.

So, you got two proposals. To me, if you use our current calendar, you can do June 12, 2023, have Todd and them do a nice presentation. We can have the website. They go on the Charlotte website. You heard the presentation. Give us your feedback on Monday, June 12, 2023, instead of trying to coordinate calendars and hoping they get a large turnout from community leaders. I just think, logistically, how are you going to accomplish that in three weeks?

Ms. Molina said I second. I like your proposal. Was that a motion? I was seconding it.

Mayor Lyles said Well, I don't know whether the Council can decide when they want to put something on the agenda. When we have people sign up for public hearings, they're generally the same people that we've already heard from. So, I would say that we don't have to have a public hearing on this, because so many people have already come, but I think they're the same people. As I said, I think the demographics are much bigger. If we got 30 people out of 128,000. If we got 10 percent of 128,000, that would be a lot more input, but that's up to the Council and the process the Council wants to have.

Mr. Mitchell said that's why I say, what are we trying to accomplish? Because if we're trying to accomplish a survey and feedback, I think we can do that without trying to schedule another meeting. I keep going back to June 12, 2023, because it's on our structure. If you don't call it a public hearing, but you can have the link sign up, and say "There'll be a presentation made on the two options at the City Council Meeting, please weigh in by midnight on your preference." I think logistically trying to pull off something in a short period of time, and I going to say prior to June 26, 2023, I'm going keep encouraging June 26, 2023. I don't think we need to go into a new fiscal year, July 10, 2023.

I think Todd has done a great job under pressure and duress. I would like to hear from as many people as you can, but I want us to be clear. Of 128,000 people we have in District 5, how many do you really think going to show up at a meeting? What are we trying to accomplish? If it's a survey, I would like us to go electronically. If we think we're going to get over 2,000 people that come out for this topic, it'll be a better turnout than all our town halls being put together, because none of us have had that.

Mayor Lyles said I don't know. Ms. Molina, how many people did you guys have at your town hall, 200?

Ms. Molina said it was over 200.

Mr. Mitchell said but, once again, you're talking about 200, and you gave the number of 128,000. I think we can get 200 from the digital survey.

Mayor Lyles said Well, I would hope so. That's what I'm saying. I think the digital survey is fine, but I don't know what the relationships are with how the Council member feels about it, but I think today that's a choice. So, I'm fine with the digital.

Ms. Watlington said I'm not sure why this is such a conversation. To your point, this conversation has been going on 10 years. If out of 10 years, you haven't weighed in yet, you're probably okay with what happened. So, frankly, I think we're at a position where, pending the additional information from staff's analysis for this newer proposal, we can make a decision, and we have to stop hiding behind this community engagement piece. The community has been able to be involved this entire time. So, let's grow closer to a solution and make a decision and live and die by the decision, 10 toes down. I like what you've proposed, and if that's a motion I'm happy to second it. If it's not, I'll just weigh in informally that I agree, and would like to do so at least, but I would prefer that we make a decision about the path forward.

Motion was made by Councilmember Watlington, and seconded by Councilmember Mitchell to proceed with the two proposals and not accept any new proposals received.
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Mayor Lyles said so, that is now second, and so we have to have a conversation around the motion.

Mr. Winston said but that motion will be in conflict of the recommendation that comes out of committee which set a timeline.

Ms. Molina said absolutely.

Mayor Lyles said so, help me, Mr. Baker. The Committee has a recommendation. That's one motion that was approved. So, now, as we're talking about how we deal with this question of a second motion to change the Committee's recommendation. If I look at this document.

Ms. Ajmera said can you bring up recommendations on the slide, so that we're all on the same page.

Ms. Molina said I had something that I wanted to say if you don't mind.

Mayor Lyles said I just want to make sure that Ms. Watlington and Mr. Mitchell are okay, because they have a motion. So, I'm asking the City Attorney if that opens up this discussion. I think you can certainly have any comment, but I want to make sure that I know which motion. So, you have a recommendation from the Committee, and then there's a motion that was put on the floor that's different from the Committee. So, Mr. Baker, help me understand.

Mr. Baker said, going back to the [inaudible] here with the Council. Typically, what happens is the committee comes back to the group and has a recommendation. That recommendation typically then, at another meeting, goes to the full City Council for a decision. This is obviously under significant time constraints here, but it doesn't appear to be consistent with the policies that you've set out, in terms of how recommendations from the Committee come forward as well. This comes back to, we're in a Council meeting right now, but you don't have an agenda for making decisions on any of these recommendations tonight, which seems to be by choice, in terms of how you put together the committee referral process anyway. It's inconsistent with your own policies that you've created for your committee report-outs.

Ms. Watlington said point of information then. I see you looking at a PowerPoint slide, and you're referencing a policy. Just so we're clear, what are you referencing?

Mr. Baker said this is the document that came out when these new committees were created. This was the document that went out to all of you, and I think the Mayor just sent it out as well recently, that set forth the process by which committee referrals were going to be sent out, they were going to be received, and then moved on to Council.

Ms. Watlington said when did you send this?

Mayor Lyles said actually, it was at the beginning of us being sworn in. It's been there for a while, and the reason I pulled it out is that, when Mr. Graham raised the issue about the ability to have a committee item on the agenda, I wanted to clarify that. This statement clarifies that when a policy item is ready for action, an overview is provided during the Action Review to the full Council. Council shall vote on the items from the committee at a future Council meeting. That's basically what it says.

Ms. Watlington said, then I would rephrase my motion then. If the issue is the motion that came out of the committee as a recommendation, would it be consistent then with a process that I offer a substitute motion to the recommendation?

Mayor Lyles said maybe we're making it too complicated. What I would say is, why don't we have a discussion around it and see where we land, and it can be either the Committee's recommendation or whatever, but I think the point that Mr. Mitchell was making, it ought to be on June 12, 2023. That's really what he's saying. I'm not sure about the substance, but I think that's what he is saying. The vote would be, whether or not you have it on the agenda on June 12, 2023.

Mayor Lyles said okay, alright. Ms. Molina, can I have the Mayor Pro Tem and then come to you next?

Mr. Winston said I'll be short, because I don't disagree with what Ms. Watlington said. I don't necessarily disagree with what Mr. Mitchell said, but the feedback that I got back from staff, from being in the committee today, is that they have a proposal that is 72 hours in their hands, and they like some things that they would see, but they need the opportunity to vet it. Part of what this time period has for the public recommendation, is that they think that's enough time where they can get some more feedback back, so that you can have a real, at least somewhat more clear presentation to Council, and therefore, the public. Please Todd, correct me if I'm misstating anything, but the time period that was set is with the anticipation of we do have to get this done, but we have to do this in a responsible fashion given the information that we do and don't have.

Mr. DeLong said that's correct. So, some of the things we were thinking about for the community meeting, while an agenda hasn't been set like we mentioned earlier today, is really just reaffirming some of the feedback that we received during the 2019 community engagement effort. Also, getting a better understanding of the prioritization from the community in terms of economic catalyst spark for the economic growth of the East Side and the community use, because sometimes they don't always align. Just want to make sure that we fully understand what are the priorities there as we continue vetting these proposals.

We're also looking at setting up a website this week that will do many of the things we talked about with respect to a survey. We can have a host of questions on there that would be similar to a survey where we can ask some of these questions and get some of that information at the same time.

Mr. Winston said thank you. That was all my comments.

Ms. Molina said so, I'm going to start from the beginning for me. What I was originally going to say was, as far as the Committee is concerned, we only have one proposal, because at our last Council meeting, the only thing that we talked about were three

things, and that's it. We talked about a public option, we talked about QC East, and we talked about Tepper Sports and Entertainment, and that's all we know about. What came in on Friday is an option. To say here in this Council meeting that, oh, we need to not only not know what's going on, but fast tracking and say to the people that I serve. The people that email me that see me in the grocery store with my kids, who hold me accountable on the spot, because I live there, is what's at hand right now. I want to be clear about that.

I asked the Committee to have this new item that just came in to be considered, because after meeting with just 10 people, because that's all that know about it right now except for the people who watch the meeting, 10 folks, that's it, out of 128,000. Just because they say yes, that does not mean that this is unanimously accepted. First it needs to be vetted, second it needs to be heard about, and people need to know what's going on. The majority of people who at work, especially where I represent, because we've got a lot of people, working class, where I represent working class folks, who probably at work don't even know what's going on. They're going to hear about a whole bunch of this secondhand, and they may even like it.

To have this conversation, all of a sudden, that feels like, oh, well, no, we need to make a decision next week, when the staff hasn't even vetted it yet. You beg for an opportunity for it to be vetted, and then there's this opportunity like, I'm afraid to make a decision. I'll make a decision right now if it was the right one, but if it was not the right one, I will say hell no, but that's the point at hand. This isn't about right now, real fast. I agree with my colleague, Mr. Driggs. I don't want to put fast before doing this right, because that's what we owe the people who've been waiting 10 years.

I'm not here for the blame game. I don't care who did what. I don't care what Council it was on. I don't care when it happened. We are at a precipice where I thought through every single one of the seven Districts, and everybody in this room can say that District 5, where I represent, does not have an economic catalyst. Nothing. I can think of District 1, it's the Mecca. District 2, you're rocking over there with JCSU (Johnson C. Smith University). You've got a medical hospital coming, and you've got some rock star people over there, too.

District 3 has got the airport. It's got the River District. It's got all of these booming places that are just popping up out of nowhere. District 4 has got a whole research university and the boardwalk and a mall. The mall is a contingency, but still, the mall and so many other things. District 6, you've got South Park, you've got partners, you're just bursting at the seam. District 7, you've got Ballantyne. I need one of you to tell me what we've got in District 5? Tell me where you can drive in the District where I represent, where you can come and do one thing? Tell me if you come to the District where I represent, what do you see? Where do you come to come over where I live to do something, come to a grocery store, because I probably go to one of your Districts to do what I want to do, and so do the people I serve.

To say that I am, I'm not rocking on nothing. If it was in front of me, I would decide right now, and I would actually caucus, because that's what this is. It was, If I had an idea, I would caucus behind the scenes. I don't need a microphone. I'll call every last one of you and tell you what my position is and why if I needed to, but I don't even see it right now. Now, if this new one is it, it's it, but if it's not then it's not. The people need an opportunity to see, and 10 people can't decide that. I don't need a big town hall. I can do that by myself. Me and Mark Jerrell have been organizing for a long time, and you put the two of us together, and we're going to rock it out. So, he is absolutely necessary in most everything that I do, because not only is he a constituent, but he's also a very powerful resident that I depend on, and I bounce ideas off of.

I'm excited and blessed, and it's probably the best part of me being in East Charlotte to have a partner like that, who I can absolutely bounce ideas off of and he can stand beside me. Digitally, I'm absolutely a proponent of having a digital message where we can reach the most people to let them know what's going on, but I believe before we even do that, we've got to make sure that we have two solid things to offer to them. I am

not trying to ask for new information from them. Hey, what do you think? No, you know what, here's what we've got. Hopefully, there's two, but maybe there's just one. Based on what happened today, if there's not two, there's only one. So, we also need to be conscious of that.

We've still got to vet the second one. The second one is not even a true opportunity yet. I don't even understand this whole we need pressure kind of deal, unless we understand that we've got two on the table, because obviously we may only have one, and I find that sad. Let me tell you something. The one thing that has caused me sickness, since I have been sitting in this seat, is the amount of, not even pressure, because I was born for pressure. I am the queen of overcoming obstacles and I'll go task for task with anybody who'll challenge me on that. That's not the issue. The amount of people that are disappointed because they live in District 5, because they have no access to economic anything, grocery stores, jobs.

I'm telling you that that District needs absolutely everything, and the amount of disappointment is heavy. So, I know with 100% certainty that nobody represents in the same way that I have to. Right now, this is a decision that we all have to make, but understanding it intimately, I live walking distance from Eastland, and I have for 13 years. I'm a native North Carolinian, and I lived in Charlotte for 20 years. This isn't an, I'm thinking about it, or I know what it is. No, I live there. I live there. My children were born there, and I've got to listen to people who email me, catch me in the grocery store, see me out in public, telling me their grievances every single time they see me, and they expect me to do something in eight months. I'm going to have to tell three people, I'm trying, but what can we do? It starts one vote at a time, and this is the beginning of that.

So, I push back on what just happened, completely, with every fabric of my being, to say that, we've got more work to do. Now, if we push it up, that's fine. It doesn't even need to be a meeting. I've heard people say, I've heard like five people, because that's all it is, about five or six people, say that it doesn't need to be a meeting, but if you ask everybody else, you don't know what that is. So, maybe it's a quicker meeting where people can come, can't come. To me, the most important part of that is the digital piece of it. How do we reach out to people digitally? We create a website, make a QR (quick response) code, send emails, put it on our social media. I'll put it on every single social media I've got, and I hope that you all with too, so that we can collect as much data as we can. If you know a person who may even be connected to our District. Maybe they can answer it. Something where we can collect more information on what we have, because if we're two, then it's one or two and that's it. I need to be clear about that, because if not we're going back to the drawing board, or it's just one because that's what the committee said today. I think, to me, that's a more important dynamic of the conversation than anything else, is that if the second one doesn't even vet, then all we have is the first one, and that's what we're going to have to go with, unless we go back to the drawing table. So, I don't care when that meeting is. I've got a town hall, Shameless Plug, on June 22, 2023, and it is completely unrelated to Eastland. It's about the fact that we need opportunities and jobs. I've got a whole bunch of people that come and talk to my people about that.

I left Eastland out on purpose, because we need more than just Eastland. We need a whole bunch of stuff. So, if we've got two, great. It's not about me. I don't need the extra anything. I didn't even necessarily say, oh, let me get. That's not it. It's about reaching the most people, making sure we're the most effective, and we get the most feedback based on what came out of Committee today. That's what it is for me.

Mayor Lyles said okay. So, has everyone that has not had a chance to speak that wishes to speak?

Mr. Graham said I'll speak to the motion.

Mayor Lyles said Well, I don't think there's a motion right now. It might be helpful for the Chair to tell us what we're vetting. Did everyone watch this meeting?

Mr. Mitchell said Well, I thought it was two proposals. I just want to make sure there's some clarification.

Mayor Lyles said there are two proposals.

Mr. Mitchell said there are two proposals.

Mayor Lyles said one has to be vetted, right?

Mr. Mitchell said so, how long is it going to take staff to vet the two proposals?

Mr. Graham said Todd is back there. We've had the QC East proposal since the third week of April, and that vetting has already started, and got to a point where staff made a recommendation that we move forward with that. We just received the other one Friday at 1:40 p.m. I didn't even look at it until this morning. I just got it. So, respecting the Councilwoman's desire to get more information in reference to the second one, we advance both, but literally, no one has seen the proposal, other than the quick review that Todd did, I guess, over the weekend to put on the presentation. No vetting of it at all, other than here's what they said, and we put it on a PowerPoint.

Ms. Watlington said the problem is that there is no guarantee that this won't happen again in 30 days.

Mr. Graham said well, the only guarantee, and again, is to not accept the proposal at all, and then all we have is one.

Ms. Watlington said and that's a decision.

Mr. Graham said that's the decision for this Council today.

Ms. Watlington said but the way this process is shaping up, is there is nothing at all that prevents tomorrow, the day after, the day after that, for us to be sitting right back in the same situation. So, either we need to put some boundaries around this process, or we'll be subject to do this very same thing again.

Mr. Graham said well, we can put boundaries. I'm not married to any outcome, other than making sure that they get the resources that they need for District 5, whether it's basketball, baseball, hockey, I don't care. I think what they want is a viable proposal that has longevity to it. So, I don't care about the outcome. Now, we could have said today that we had a hard deadline, which was May 1, 2023. We gave 60 days. You were at that meeting, Mr. Mitchell, and you complained that 60 days was too long, and then yet another proposal came Friday of last week, 30 days after May 1, 2023. The committee gave the Councilwoman a courtesy. We could've said no right then. So, I'm with you, Victoria. I told you that early today. I'm ready to make a decision right now.

Mr. Winston said but we have boundaries. Our staff is our boundaries. If this didn't have any legs, they would've said we shouldn't consider this, and they said that about one of the proposals.

Ms. Watlington said when I say boundaries, what I mean is we're closing the door on new proposals.

Mr. Graham said we could've closed that door today if we wanted to, and we didn't. We can close it right now.

Ms. Watlington said thank you.

Mr. Mitchell said so, can your committee make a motion to close the door on the two said proposals?

Mr. Graham said what we're saying is, be careful what you ask for.

Ms. Watlington said what I'm saying is right now, there are two proposals. We had five or however many. We've voted three of them down. We have a new one. There are two today. At this point, my opinion is these two, and if you didn't come through the gate before then, too bad. We're going to decide between these two, and we're going to do that before this fiscal year is over, is my preference.

Mayor Lyles said okay. I want to make sure that I've done this, because I'm going to ask Mr. Baker to talk to us about process. What we have done in the past is we've gone through this and how many proposals and whether or not we close, how do we close all of these things? Before that, let's have each Council member that wants to comment on this, or ask a question, because when I saw this, I thought that we had one proposal that was in the hopper and one that came in on Friday, and that the decision was to vet both. I think what was brought up was, let's plan for a vote June 12, 2023. Then, we kind of lost where we're trying to go, because the Committee discussion was all about that motion that you see before you today, and I believe it was approved.

Mr. Graham said it was approved unanimously.

Mayor Lyles said unanimously. So, now we're kind of thinking about something a little bit different.

Mr. Mitchell said Mayor, just clarification. My question was not to vote on June 12, 2023. My conversation was about take the digital input, the digital survey, do it on June 12, 2023, not the vote. I think the Committee did a great job. You've got two proposals that the Committee is recommending. Potentially Eastland Yards. So, you have two, and staff has to do their vetting, that everybody has agreed must take place. So, I'm not trying to change anything, but if you want the community engagement, do it through a digital platform. Don't try to schedule one January 24, 2024, and January 28, 2024, when you've got a June 12, 2023, meeting. That's all I was saying, doing it earlier.

Mayor Lyles said okay. I was always thinking about a digital process, but I also respect the experience of the Council member that represents the District for a town hall meeting. I don't know what that means or when it would be, but I think that it is certainly the purview of the District Council member if they want to have an in-person meeting. Okay, so I think the next question that was raised for me is, Mr. Baker, there's been a suggestion that we create a boundary or a closure on accepting new. Can you address that for us?

Mr. Baker said well, again, I'm sort of stuck between the process that you've laid out, and what you're asking me to do, because it's inconsistent. There's something specific about no votes on the same night as the presentation. Tonight, is the night of the presentation, so what you're talking about is inconsistent with the process that you all agreed to.

Mayor Lyles said so, I do think that there is a reason that processes are put in place, and likely it's because we're not really equally informed in what we're trying to accomplish here.

Ms. Anderson said so, we have a process that we laid out at the beginning of the term, and you shared the parameters, and you circled that back up into the top of our mailboxes. We've been saying that tonight is an opportunity for us to receive committee read outs. So, we've put something in committee, they have voted unanimously on the position and they're presenting that to us. Yet now there's consternation around what the Committee is presenting. They did exactly what we asked them to do, and they're presenting something, which is our process. Councilmember Molina has been vocal about she supports this moving forward and getting vetted and having the community input.

So, my question is, we've asked the committee to do this, they've done the work, they come back unanimously with an approach, we've said we're going to add a digital element, so Ms. Molina's constituents can have input and maximize that net of

feedback. Why are we going against what the committee is proposing? What is so salient to go against that?

Mr. Mitchell said Councilmember Anderson, my [inaudible] is the timeframe and the logistics to try to do another meeting prior to June 26, 2023. In my mind, I think we need to accomplish this our fiscal year with staff doing their due diligence. So, the proposed two dates they are talking about are June 24, 2023, or June 28, 2023. I just think, as everyone articulated, urgency input from the community? I just think it could be accomplished before the 26th, because they say if we do it June 28, 2023, then we won't vote on it until July 10, 2023.

Ms. Anderson said, and we can also leverage the digital element that we can execute that Councilmember Molina is in support of.

Mr. Mitchell said I'm totally for the digital element.

Ms. Molina said so, Madam Mayor, where I'm divergent is the fact that the vetting process may or may not be done by that time. So, we're potentially saying to the community where I represent, that we've got you two options, but we don't even know if the two options are going to work yet. So, that's the competing contingency with this sense of urgency. Listen, everyone that I live around has a sense of urgency, but the business side of this, the business vetting and process, has to take place before we even understand what it is that we're actually committing to presenting to the community.

So, unless we've got that vetting process done by June 12, 2023, what are we talking to them about? We would potentially say, we're dreaming of giving them something. So, to me, that has to be done prior to even saying we're doing anything from a community perspective. This has nothing to do with me individually. I repeat, this has nothing to do with me or Mark Jerrell individually. This is not trying to get out in front of anybody. Like I said, I already have an existing town hall. This would actually be more work for me, to get in front of the people that I serve again to say to them, this is what we have, here's what it is, we want you to be absolutely educated on it, here's why, and we want to make sure that you have input on the choice that we're going to make as a Council.

I think that needs to be the clear home run. So, anything outside of that is actually painting a picture that that's not what we're intending to do, and that's exactly what the intention is, is to hopefully get both of them vetted, and hopefully be able to come to them with two proposals that we're ready to move forward with, that we can say to them, help us understand what it is that you would like to see in East Charlotte. I'm done.

Mayor Lyles said alright, Ms. Anderson, did you get your question addressed?

Ms. Anderson said I did.

Ms. Watlington said I was going to respond to Ms. Anderson's question, not specific to the specific thing, because I think Mr. Mitchell has addressed that. Nobody around this dais is saying that we don't want to vet. Nobody's saying that. Nobody said that. We're talking about a timeline that's sufficient to be able to address this. From a broader sense, and we can put this in the parking lot, if necessary, but as we talk about our policies, I know that this is not the first time that we've talked about adjusting a recommendation that has come out of a committee. So, my consternation as it relates to the broader process is that feels extremely inconsistent.

So, as we go forward, perhaps there's an opportunity to review and reset expectations around what this meeting is for, because if it's just a report out, I can get that in an email. I feel the value in this meeting is about discussing the committee recommendation and getting a sense of what full Council thinks about it before it shows up on the Council agenda. I think that we've made recommendations or adjustments to

recommendations in the past that ended up on the agenda. I think that we've got to make sure that that's baked into our policy just so we've got some consistency.

Then, the final thing that I will say is, again, the piece specific to this that I'm trying to highlight is that at this point, again, there is nothing that would prevent the same thing from coming 30 days from now. So, what I care about, just like everybody else around this dais, are the people that live in the city regardless of what District they live in and in order to be able to converge on a decision, we've got to make sure that the process will lead us there. So, as we've seen in the last three days, it's quite possible that another proposal can come up. So, that's the only other piece that I think is still missing from here is drawing boundaries around what exactly we're evaluating, because if Tom, Dick and Harry show up with another proposal, what do we do with it then?

Mayor Lyles said I think that's a great question, and that's why I asked Mr. Baker. I don't know if we ever said this is a process that we're going to follow through for 90 days, 30 days, 60 days. I don't know that. So, what I'm trying to figure out is, if you're the City of Charlotte and you've got two proposals that were submitted and they are being vetted and someone comes in and says, here's my proposal, what would our reaction have to be legally, since it's been wide open all the time? I don't know how you do that, or if you defend it, or how do you round that out? We never had a deadline for this project that said you cannot submit a proposal.

I'm really trying to say legally, if someone came and said, well, you've been doing proposals for the last 90 days, 120 days, what would you do? Now, I want to ask the Chair what the intent was because he did talk about, we will do this this time and whatever, but I'm not aware.

Mr. Graham said so, when we met in March, something similar happened where Carolina Serves, who started this whole unsolicited bid process, revised their bid two days before the committee meeting. At that committee meeting, we said it was unfair to those others who submitted a bid, that Carolina Serves had the opportunity to revise their bid and they didn't. We said very intentionally that we're going to give everybody 60 days to do any revisions. One, because Carolina Serves did theirs. Secondly, from my perspective, they all were lousy, and they needed to do a better job in terms of putting forth a true public/private partnership, where the City was suspending 90 percent of the dollars.

Then, thirdly we said, if there were any others out there who wanted to submit a proposal, that they could as well. That deadline was May 1, 2023. Two proposals staff received, they requested that they get all their information by April 16, 2023. Those were proposals that were previously submitted that staff didn't have to do as much work for and they complied. The others, QC East met that deadline and submitted theirs, I think, the fourth week of April, and then we had our May 1, 2023, meeting.

Mayor Lyles said so, Mr. Baker, you've heard what was intended. So, where would we land?

Mr. Baker said so, if you follow what was intended, you would only be considering those that came in at the deadline.

Mr. Graham said be careful what you ask for.

Ms. Watlington said but that's a false choice, because at this point, we've already said that they've got two. So, I'm not talking about what happened beforehand. I'm talking about today. If we've got two, is it going to be two and no more?

Mayor Lyles said I guess what I'm saying is that what would happen if we said no more. I'm asking the Attorney. What would happen if we said no more tonight, and then someone came in and said, well, I want to submit, even though you've said this is no more tonight.

Mr. Baker said well, ultimately, it's going to be the Committee that receives it to say, we're going to vet those that are in front of us. If we feel the need to go back out, you can go back out, because keep in mind, this isn't an RFP process. This is truly an informal solicitation for a public/private partnership. So, you have the ability to say what we said is what we meant and we're going to vet this project that's here, and if we need to reopen it, if it doesn't have the votes, you can go back and say, we're resoliciting for further bids.

The issue is, and this has nothing to do with the bids, but when you say 60 days, and then you start a vetting process, and then another one comes in like it did over the weekend, and then the Committee this afternoon decided to add that, then you're right. You do end up in situations where you put people's expectations that what you say, it's not final. That's really a decision that you all have to make going forward. It creates more consternation from the people who are abiding by the deadlines that you set.

Mayor Lyles said okay, what we've done is we've positioned ourselves in a way that we can say no, we don't want to see anything, but right now, we've said yes to everything. So, if this Council makes the decision to say no, or to say we're not accepting any additional, then that could be done. It will be the consequences that we know of now.

Councilmember Bokhari said yes, I want to clarify this point, because I think it's important. I agree with everything the District Rep said on the next steps, but to what Ms. Watlington said, I think that is the crux of the question. If you look back at what Mr. Graham laid on the timeline, we've got an unsolicited bid that started this. All of Council came together and put a process and a timeline together asking for solicited bids, open, closed, shut. Once that was done, as it was said, it was opened again for another 60 days for solicited bids and closed. What was handed to Committee at that point in time, was a set of, I believe, three or so options for, and it whittled down, whittled down.

So, Committee, in their scope, can go about doing further diligence, asking for what ultimately, they need to get to a recommendation, which staff had come to a recommendation. What Committee is not authorized to do, is within the last 72 hours, staff get a new unsolicited bid outside of that timeline, bring it in with a recommendation to Committee, and then Committee to decide yes, this is viable. If you want to know how to close that door, it isn't done in hindsight. It's done by full Council either opening up the bid again for everybody, or saying no. There's only two things on the table, and that was what was on the table in Committee today.

Anyone who thinks there's anything else you can do, go back to the exact arguments that were made the second time the bid was opened. No committee can take the will of Council or staff and say, no, we're going to do something different now, and that is not just an interpretation of what's going on. It's a legal aspect that needs to be considered. So, again, to paraphrase, we, I think either need to figure out how to vote as a full Council if the full Council does indeed what to reopen the bidding process for everyone and say, then it will close if that's the desire of the Council, or they need to say, "I'm sorry, you are outside of your bidding timeline petitioner, thank you. If something changes, we'll let you know, but we have our scope."

Ms. Watlington said to clarify, though. If I'm understanding from the Attorney, the full Council didn't make that decision, that was a Committee decision. So, that's the one caveat from what you said is that it wasn't a full Council meeting.

Mr. Bokhari said full Council meeting, every opening and closing bid deadline period together. The only thing that Committee made outside of that was this morning deciding to vote forward one of the items that was not in any of those parameters.

Mr. Baker said and that's the question, because I don't know the answer to that. I thought it was a full Council, but I've been told that it was actually done by the Economic Development Committee.

Mr. Bokhari said we voted as a full group. I remember when we sat around the dais discussing that.

Mr. Baker said 60 days. Remember we all voted on the 60-day window.

Mayor Lyles said we did vote on the 60 days.

Mr. Baker said no bid period has been ever opened where full Council wasn't the one saying, it opens on this date, and it closes on this date.

Mayor Lyles said that is a crucial statement that has to be factual. So, I don't have the agenda that that took place on.

Mr. Winston said so, it says May 1, 2023. This is from the presentation today. So, we can double check it. May I, Madam?

Mayor Lyles said yes, we can ask the City Clerk to go to the Council meeting of March 6, 2023.

Mr. Winston said March 6, 2023, Committee action was voted to extend review period by 60 days. Direct the City staff to accept new proposals during an extended review window. May 1, 2023, the Committee action was remove the recommendation from Eastland Aquatic Center to further discuss a public option, and in August return to Committee with an update. Develop, distribute in May, a scope of work for each proposal. It doesn't say whether or not there was full Council [INAUDIBLE].

Mr. Bokhari said point of clarification on that. On March 6, 2023, just like today, first Monday of the month, we had committees. Committee discussed it. We came around this dais. Several members did not want what had happened there, and we voted as a group in this very room at the 6:00 p.m. day as a full Council.

Mr. Winston said I think the question that we need answered is, was there a full vote of Council after March 6, 2023?

Mr. Bokhari said it was on March 6, 2023.

Mayor Lyles said if the clerk can look at March 6, 2023, and tell us the response. I also know that we also have additional Committee reports. I was thinking while the clerk is pulling that up, we could go to our final Committee report. Give us a breather, I think, from this one. Let's have the report from Housing and Community Safety Committee.

Ms. Watlington said thank you, Madam Mayor. I would say about this, if it happened on March 6, 2023, we said that these votes were not Council RCAs (Request for Council Action), so I don't know if that even counts, but that's a whole other discussion. Housing, Safety and Community Committee, two items. Number one, anti-displacement strategy. We heard from the NEST (Neighborhood Equity and Stabilization) Commission. They shared with us their overarching strategy for anti-displacement, and we'll hear more about specific recommendations come August.

The second thing was the Housing Trust Fund projects that we wanted to talk about eligibility for projects under construction. The Committee voted to recommend to full Council that we do not allow projects under construction to be eligible for Housing Trust Fund. However, the committee is also requesting that we take a broader policy question under advisement in Committee. Whereas this particular policy question specifically stated that we were to determine whether or not projects under construction could be funded out of Housing Trust Fund. While the Committee did not support that in particular, the Committee would like for staff to conduct an investigation with our partners to understand what other funds might be appropriate and what circumstances might be appropriate, in which to allow projects that are already under construction to request funds. So, the request then is from the Committee, that we take that particular policy item into committee.

Mayor Lyles said okay. That might be a good topic as we go through the budget in December as well, because they're closely linked. What's available for all of our housing initiatives and where do we want to put the money afterwards. I don't think that we have a resolution on the March 6, 2023, vote, which I think would be an indication of the Council as a whole having a consensus around something, not necessarily that it was on the Council agenda.

Ms. Mayfield said before we go to that, still on the Committee, the recommendation that came out of our committee, were there no questions from colleagues?

Mayor Lyles said okay, are there any questions for the Housing and Public Safety Committee?

Ms. Mayfield said okay, then we are unanimously good.

Mayor Lyles said I know that we're looking up what we're trying to do for closing and opening, but I thought it might be good for Mr. Graham to talk as well. The Committee did have a conversation about what would be vetted, and I think that we talked about some subject matter topics. Now, with this case, I think we actually have to begin to think what does vetting really mean and how does it work? Because I think we don't want to be back in this situation again.

Mr. Graham said that's a staff question, and Todd if you can help me out with that, because obviously the Committee won't be doing the vetting. The staff will.

Mayor Lyles said I think this is whether or not they would analyze the land, whether it was purchased or leased. Is that here, Todd?

Mr. Graham said we've also talked about doing a lot more extensive research in terms of the performers and background checks and those type of things that we have to ensure that people are representing themselves as who they are and the ability to deliver, but I'll let Todd talk about that.

Mr. DeLong said that's absolutely correct. We want to validate the information that was provided to us. We've only had a few days to look at the second proposal or this other proposal we received. We have had an opportunity over the weekend to do some Q&A with them, just to get some clarification on some of the items they presented. As I suspect, there will be additional followup items with the QC East team as well. Coming out of the community engagement, there will be some additional followup from the feedback we get through that process as well.

So, the plan that we laid out in the committee meeting this afternoon was that, in the month of July, we would basically take all the information that we have received from the community engagement effort, as well as the followup, the subsequent Q&A, with the respective submitters. Then, we'd come back to Council in August for a recommendation of what we would consider to be the lead proposal.

Mayor Lyles said I guess what I'm saying is within those definitions and criteria descriptions and examples, is there anything that would be added. So, let me give you the example. We're talking about, do we sell the land, or do we lease the land? How would the staff vet that, those two choices, and how would they look at what the City's best choice would be? So, tell me how that works.

Mr. DeLong said so, we would look at the bigger picture. Whether we lease or whether we sell, I think it depends upon what are we getting from our investment overall of that project? What are the terms that we can come to with the proposal team with respect to community use requirements? If there is a property sale, what does the reversion rights look like in terms of if they don't finish these milestone completion dates, we receive the land back by a certain date or something like that. So, those are things that we would get into in negotiating some of those terms. It is certainly something we take into

consideration, is the requested land structure, whether it's a dollar lease for 99 years, or if it's a full blown, just a market rate fee transaction.

Some of the other things we want to look at, to what Councilmember Graham mentioned, is looking at their capital structure. Do they have funding readily available? How long will it take to get secure deals? Not just raising funding, because the two have looking at right now, neither of them are actually doing a fund raise effort. They're basically saying they have partners that they would be taking on debt or equity, as the partners are now. It's just a matter of how long does it take to get those documents done and then the legal process, and really get hard commitments, rather than the soft commitments we currently have.

So, there's a number of things that we want to make sure that we're clear on, as well as like I said before, making sure that we fully are taking into consideration to the upmost accuracy, the priority from the community with respect to community use for economic impact generator in that we're also applying some of these funds in the appropriate manner as well. So, there's a number of things we've got to work through. Ultimately, it comes down to receiving the information from each proposing team and going through a Q&A and followup questions with those teams and making sure that we are clearly understanding what they're presenting and how it works. That way, when we come back to Council with an MOU (memorandum of understanding), or a perspective term sheet, that we are clearly articulating that to you as well.

Mayor Lyles said okay. Any other questions about the evaluation metrics or the content that you've heard Todd talk about for the vetting? So, make sure that if not, then we're okay with that, and if there are any others that we need to see, or you want to suggest. Let's figure that we are going to have to do that in a way that everyone has an opportunity to put it on a list, and get it in, and maybe we can electronically. I think if it works, if it's something that's important, and the staff identifies it as important, we should try to do it, okay. Alright, so I want to go back. I know Mr. Bokhari said we had a vote to close it out.

Mr. Bokhari said I'm 100 percent sure we voted here that night, because I remember it distinctly. However, even if we didn't, which we'll confirm that we did. I'm 100 percent sure. Even if we didn't, I don't think it matters, because the broader point is, application periods were both opened, and a close date was set. Whether that was done in Committee or whatever, it wasn't done because someone sent us a bid. It was done because we opened up the bidding process. This would be the only circumstance that came in 72 hours ago, where it was completely outside of all of that, and it was closed. So, again, I go back to point. Either the Council gets to a spot where they say, we are going to reopen bids again and go down another process, so that group or any others can be considered, or we're not.

Mayor Lyles said, and I think that's what Ms. Watlington was saying. That is the question. I think that we can give direction to the staff, but Mr. Baker, do we have to have that vote in a chamber meeting? It's not a part of our Committee meeting. It's not in our Committee review. So, when we talk about this, this is something that would be a motion that the Council would choose to take tonight.

Mr. Baker said yes. So, as a Council and your rules of procedure, you have the ability to add something to your agenda unanimously and vote on it. If it's not unanimous, then you typically kick it to the next meeting, if you follow that procedure.

Mayor Lyles said so, do we have a motion? Ms. Watlington, was yours to close the opportunity for submitting a bid? So, we have to have a vote to say unanimously.

Mr. Baker said it's already closed.

Mayor Lyles said I understand what you're saying, but I think that was what Ms. Watlington was saying, what happens if someone comes tomorrow? I don't think that we have an answer for that. That's what I heard the Attorney say.

Mr. Baker said so, what you need to do is have a vote to vote, if that makes sense.

Mayor Lyles said yes, that's where I was going, but I also want to say, Ms. Watlington, is that your motion?

Ms. Watlington said yes, ma'am.

Mayor Lyles said, and do we have a second?

Mr. Baker said, and you would be adding this to your agenda tonight.

Mayor Lyles said to add this question to the agenda, which requires a unanimous vote of the Council.

Mr. Driggs said second to Ms. Watlington's motion.

Mayor Lyles said, and we have a second. Any discussions?

Ms. Anderson said what did we just vote on?

Mayor Lyles said we haven't voted on anything.

Ms. Watlington said so, I would like to add to the agenda tonight that we vote on whether or not we want to proceed with the two proposals that we have, and close the opportunity for any additional proposals to come in. So, what I'm saying is, I would like for us to decide tonight, okay, we've got two proposals, we're not looking at anymore, or we would decide to look anymore, but first we have to put it on the agenda tonight. So, my motion right now is to put that vote on tonight's agenda.

Mayor Lyles said so, can we simplify? I think your vote is to not accept new proposals while we're under the existing.

Ms. Mayfield said okay, that makes more sense to not accept any additional proposals.

Mayor Lyles said we're good, yes, to not accept any additional proposals as of now. I think that you've got to leave yourself, if something falls apart, we might be back, but then we'll be better at it.

Ms. Mayfield said so, just one last clarifying question. How does this proposal differ from the recommendation from the Committee?

Mayor Lyles said that's why I dropped out the proposals that are here. We still are talking about the two, but what we're saying is that after tonight, if we approve this, that we would not accept any proposals additionally coming in.

Ms. Mayfield said so, you're actually just doing an amendment to the proposal from the recommendation from the Committee?

Ms. Watlington said really, it's just in addition, exactly.

Ms. Mayfield said it's just accepting from the Committee and adding to close this process.

Mayor Lyles said let's go back to the committee recommendation that was on, that was approved and adopted.

Mr. Mayfield said because that's why I don't want us to get lost, because the Committee had a very clear recommendation.

Mayor Lyles said I know, but let's go back to it and make sure that everybody's clear on it. So, what it said was, this was the staff recommendation.

Ms. Mayfield said so, the recommendation is to eliminate Carolina Serves, recommend a June community meeting. So, because there was a whole lot of conversation, are we saying that the community meeting is to solicit feedback. That's where I thought a different suggestion came from, because for me, QC East at Eastland Yards, and potentially Eastland Yards, the recommendation is eliminate Carolina Serves, move forward with those two, with the addition of we're closing this now.

Ms. Watlington said that's what my motion is, is the addition.

Ms. Mayfield said that's what I wanted to understand. Thank you.

Ms. Johnson said my concern is legally. First of all, the window was closed. So, we'd have to vote to reopen it, I guess retroactively, and then close it, I think, but also is that fair to other parties who didn't know that it was open? Are we opening ourselves up to any litigation by closing this without public knowledge that it was open?

Mr. Baker said, and I wish I could tell you specifically, and I can't. I can tell you this. When you say you're going to do X, even in a voluntary process where you're simply soliciting partners, and then you start to do X plus one, X plus two X plus three, you raise issues that people may challenge. I've not been in the situation where we've been adding things to it without stopping the process saying, we're not satisfied with any, or we'll hold one and continue to review, and that's not what's happened here. That's the issue is that there wasn't an addressing of the 60-day period as whether or not you're going to do exactly what you've asked, which is to open it up to allow other people to consider.

Mayor Lyles said I think this is to actually get a sense of those two. We can always open it back up if we decide not to.

Ms. Johnson said I think that's the safest way. If, like Mr. Graham said, the other petitions maybe weren't viable or whatever. I don't mean to put words into your mouth, I'm sorry. If we've opened it up to this petition, I think to be fair and to protect the City, we almost at least have to give it another open period. I know that we want to make the decision, but we also want to be fair and transparent.

Mayor Lyles said so, I think that what we have on the table is a motion to close the opportunity for additional proposals until we consider, or make a decision on, the ones that we have. I don't think you have to say that, but it's basically to say, tomorrow if you want to send in a proposal, that we would not take it until we made a decision that we would need to open again, which would be another conversation like this one.

Ms. Johnson said oh, that's not what I said.

Mayor Lyles said I know. That's what I said, not what you said. I understand, you didn't say that. It requires a unanimous vote to put it on the table for tonight. If you don't agree with it, then we will not be able to do that.

Ms. Johnson said I'm sorry, just to clarify, and I guess that would be the motion. We just want to protect the city. So, does that mean we're opening it back up, even if it's for a short amount of time?

Mayor Lyles said I asked Mr. Baker that a couple of times, so I'm not quite sure.

Mr. Baker said so, it's a two-step process. You have nothing on your agenda to make decisions. So, you need to add this to your agenda, that's the first motion. You need unanimous consent to do that. If you don't have unanimous consent, then you'd need to move it to the next meeting, which I think is your June 12, 2023, meeting. So, the first motion would be to add that discussion point to your agenda, and if it's unanimous, then you could vote on that discussion point.

Ms. Molina said I want to make sure that I put a point of clarity in this. First of all, to the Committee members for Economic Development, I really appreciate you being open to having the additional consideration. I actually had that in the back of my mind, when realizing that this was coming in at the last minute and understanding that there could be implications is why I asked the question. I asked that question very clearly because I knew and remembered that we had voted and closed at 60 days.

So, my appeal for considering that particular petition was because I wanted the people that I serve to have more than one option to look at and to see if they were interested in more than one option, and I think that's only fair. To say to a group of people who've been waiting 10 years, that all you have is one option, it's a terrible message, it really is. I know that we have a precedent to abide by, and I'm obviously and many times, the main person talking about a precedent.

Councilmember Bokhari, I hear you. I hear what you're saying, and I know that both of these will have to go through a due diligence process in order to be considered. Understanding that, and I want to be clear because I do have members of my community who watch our meetings religiously, I will not be supporting closing this, and I'll be clear in saying why. We didn't even vote to open in the first place, and so we're not voting to close when there's nothing open. So, I'm a little confused as to why there's even a vote to close, when I'm begging to have an opening that we don't have. There is no opening. This is literally me begging my colleagues to say, using the power and the will and the force that we are, to consider something different than what was originally our plan. I don't know what that means for us legally, but I'm asking the Council for that.

I want to be clear to the people I serve. I will not be supporting closing this, because we technically haven't even opened it for any new bids. It technically is not even supposed to be a new bid on the table. So, if we can get past that hurdle and we can let that be what it is, and our kind friend Mr. Bokhari doesn't challenge us and let it go through the proper channels, then I think we've got two places that we can vet. That the people of East Charlotte can take a hard and fast look at without us making this too complicated. That's my bid. That's my position.

Mayor Lyles said so, you have a motion to add something to the agenda, but I think what Ms. Molina has said is that, because potentially Eastland Yards is still a potential, how will we justify through this? So, perhaps this isn't, we just hope nobody walks up from the stairs and says, I want to do a new project proposal, but perhaps we just look at the staff recommendation, which was approved unanimously with those timelines, and just get this done and not address a closure date. It might be simpler that way. The Committee Chair has already said that this has been a recommendation from the Committee.

Ms. Molina said, and I agree with the Chair 100 percent.

Mayor Lyles said, and it's agreed. So, we have the committee report.

Ms. Anderson said sorry, just a point of information. Is there an existing motion on the floor?

Mayor Lyles said we have one. Alright, Madam Clerk, will you read the motion.

Billie Tynes said moved by Ms. Watlington and second by Mr. Mitchell to proceed with the two proposals and not accept any new proposals coming in.

Mr. Driggs said that requires a unanimous vote. We've already heard that's at least one more vote, and the conversation ends.

Mayor Lyles said that would require a unanimous vote.

Ms. Watlington said procedurally, wouldn't we have to vote?

Mayor Lyles said yes, we would.

Mr. Baker said yes, to find out whether there's unanimity, correct.

Mayor Lyles said okay. I understand we have to vote to take that motion, because it's an addition to it. So, we can do that, or we could ask the motion folks if you would like to withdraw your motion, and we go with what's on the screen. So, tell me what's your thought?

Ms. Watlington said I withdraw my motion.

Mayor Lyles said okay, second's okay. Alright, so now we have before us the Committee's recommendation on the screen as read by, including some deadlines in there, and I want to make sure, because it says launch online site week of June 5, 2023. Now the County has a way to do that, so I think there's software that makes it happen and it's pretty easy. I don't know if we've done it yet, but Todd, do you feel comfortable with that?

Mr. DeLong said yes, we're working with communications team today, and to get this posted this week.

Mayor Lyles said okay. Alright, with that, I don't think we have any further discussion. All in favor of the motion, please raise your hand to accept the Committee's recommendation.

YEAS: Councilmembers Ajmera, Anderson, Driggs, Mayfield, Molina, and Winston

NAYS: Councilmembers Bokhari, Graham, Johnson, Mitchell, and Watlington

Ms. Johnson said can I ask a question?

Mayor Lyles said it's just automatically. It'll go to a future Council meeting automatically. That's the thing that Mr. Graham said last week.

Ms. Watlington said so, we did decide that we're opening it up.

Mayor Lyles said there's no action taken in that.

Ms. Watlington said I do have a question, though. Given that this says week of June 5, 2023, and we can't even vote on this until June 12, 2023, does that mean this just sits here until June 12, 2023? What I'm saying is, this a Committee recommendation, okay.

Mayor Lyles said that's what I just asked him, if he could go ahead and start getting the digital part of it out for the survey, and he said that would be acceptable, and I think we could accept it all the way through. Then, Ms. Molina is going to have an in-person one with Mr. Jerrell that they're planning, okay, alright.

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ADJOURNMENT

Motion was made by Councilmember Watlington, seconded by Councilmember Ajmera, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 8:27 p.m.


Billie Tynes, Deputy City Clerk

Length of Meeting: 2 Hours, 22 Minutes
Minutes completed: July 23, 2024