

The City Council of the City of Charlotte, North Carolina convened for an Action Review on Monday, November 13, 2023, at 5:01 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Danté Anderson, Ed Driggs, Malcolm Graham, Lawana Mayfield, Victoria Watlington, and Braxton Winston II.

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

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Mayor Lyles said good evening, everyone. I am Vi Lyles, and I'm going to call this meeting of the Charlotte City Council consent and Action Review to order. We'll begin with introductions.

Councilmember Bokhari arrived at 5:02 p.m.

This meeting is an opportunity for us to address issues that are going to be coming forward in the next several weeks or the next month. With this, we also begin with the idea of are there any questions on the consent agenda items.

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ACTION REVIEW

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

Mayor Lyles said Ms. Harris is here. There's a report at your place for, I think, several questions that were asked and answered. So, we'll go to anyone that would like to have any item removed from the agenda or for a separate vote or would like to make a comment on it.

Councilmember Mayfield said I first want to step back and say, welcome back to Ms. Stephanie Kelly. We have missed you, so welcome back to us. Marie, thank you for getting an update. I still have a longer question for Item Number 14, which is on our business agenda, the Carolina Theatre. So, what I'm trying to figure out is we, the City, have an additional funding request out there. What is the additional funding request from the county, when we look at the total amount of funds that we have already contributed to the Carolina Theatre, and looking at the breakdown of the dollars, Mecklenburg County has already committed \$4.2 million, the City of Charlotte already has \$4.5 million contributed to this, and this request this evening is for an additional \$2 million? So, I would like to know exactly how much is the county also being asked, so that we don't have an imbalance with the city putting almost \$7 million into this project, and with that being very close to the corporations, foundations and the individual donations they have made?

Mayor Lyles said thank you, Ms. Mayfield. That's in a business item on our agenda, and I think Shirley has some remarks about it. It's really, from my experience, the city and the county often have been asked for things to do. I just met with the West Boulevard coalition, and we put in \$1.5 million, and the county put in \$3 million. So, it's not always equal. So, I think if we can have some examples of where we had equality of equal contributions, as well as those things that we have not, and the reason why, we can talk about that at the business meeting this evening.

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CONSENT AGENDA

ITEM NO. 2: CONSENT AGENDA ITEMS 19 THROUGH 41 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS REMOVED BY A COUNCIL MEMBER. ITEMS ARE REMOVED BY NOTIFYING THE CITY CLERK.

Motion was made by Councilmember Anderson, seconded by Councilmember Driggs, and carried unanimously to approve the Consent Agenda items 19 through 41 as presented.

The following items were approved:

Item No. 19: Cooperative Purchasing Contracts for Vehicles and Equipment

(A) Approve the purchase of vehicles and equipment from cooperative contracts, (B) Approve unit price contracts with the following vendors for the purchase of vehicles and equipment for a term of one year under the North Carolina Sheriff's Association (NCSA): - Carolina Industrial Equipment LLC (NCSA contract # 24-08-0421), Ilderton Dodge Chrysler Jeep Ram, LLC (NCSA contracts # 22-08-0913RR and # 24-10 0912), Modern Nissan (NCSA contract # 22-08-0913RR), Modern Toyota Scion (NCSA contract # 22-08-0913RR), Parks Ford (NCSA contract # 24-10-0912), Tesla, Inc (NCSA contract # 24-10-0912), (C) Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts.

Item No. 20: Construct Pebblestone Drive Storm Drainage Improvement Project

(A) Reject the low-bid submitted by Onsite Development, LLC. for the Pebblestone Drive Storm Drainage Improvement Project, (B) Approve a contract in the amount of \$1,692,421.65 to the lowest responsive bidder Zoladz Construction Co., Inc. for the Pebblestone Drive Storm Drainage Improvement Project, and (C) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

Summary of Bids

Onsite Development, LLC*	\$942,541.15
Zoladz Construction Company, Inc.	\$1,692,421.65
United of Carolinas Inc.	\$2,345,572.20

*Was found not to be responsible for this bid

Item No. 21: Construct Storm Drainage Improvements Projects

(A) Approve a contract in the amount of \$2,746,696.70 to the lowest responsive bidder Zoladz Construction Co., Inc. for the Collective Storm Drainage Improvement Project - Series AB, and (B) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

Summary of Bids

Zoladz Construction Company, Inc.	\$2,746,696.70
United of Carolinas Inc.	\$2,968,370.13
Onsite Development LLC	\$3,013,247.60

Item No. 22: Engineering Services for Magnolia/Winthrop Storm Drainage Improvement Project

(A) Approve a contract amendment #1 for \$380,000 to the contract with The John R. McAdams Company for the Magnolia/Winthrop Storm Drainage Improvement Project, and (B) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 23: Engineering Service for the Franklin Water Treatment Plant Residuals Improvement Project

Approve a contract for up to \$1,933,400 with Hazen and Sawyer for engineering services for the Franklin Water Treatment Plant Residuals Improvement project.

Item No. 24: Little Hope Creek Tributary Sanitary Sewer Construction

Approve a guaranteed maximum price of \$8,310,505.02 to Park Construction of North Carolina, Inc. for Design-Build construction services for the Little Hope Creek Tributary - Madison Park and Collingwood Segment Sanitary Sewer Improvement project.

Item No. 25: Water and Sanitary Sewer Main Construction

(A) Approve unit price Contract 1 in the amount of \$10,511,301.00 to the lowest responsive bidder R.H. Price, Inc. for water and sanitary sewer main construction, (B) Approve unit price Contract 2 in the amount of \$5,874,958.10 to the lowest responsive bidder R.H. Price, Inc. for water and sanitary sewer main construction, and (C) Approve unit price Contract 3 in the amount of \$6,282,653.10 to the lowest responsive bidder R.H. Price, Inc. for water and sanitary sewer main construction.

Summary of Bids - Contract 1

R.H. Price, Inc.	\$10,511,301.00
State Utility Contractors, Inc.	\$14,580,245.00

Summary of Bids - Contract 2

R. H. Price, Inc.	\$5,874,958.10
Dallas 1 Construction, LLC	\$7,137,090.40
Propst Construction	\$7,628,079.80
State Utility Contractors, Inc.	\$8,315,656.80

Summary of Bids - Contract 3

R.H. Price, Inc.	\$6,282,563.10
Dallas 1 Construction, LLC	\$6,503,933.00
Propst Construction	\$7,307,328.60
State Utility Contractors, Inc.	\$8,149,790.00

Item No. 26: LYNX Blue Line Professional Services Contract Amendments

(A) Approve contract amendment #12 for \$1,715,889 to the contract with STV Engineers, Inc. for Professional Services, (B) Approve contract amendment #13 for \$1,536,105 to the contract with HNTB North Carolina PC for Professional Services, and (C) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts and these amendments were approved.

Item No. 27: LYNX Blue Line Rail Car Engineering Services

(A) Approve a contract with Hatch Engineering for Light Rail Vehicle engineering services for a term of five years, and (B) Authorize the City Manager to renew the contract for one, three-year term and to amend the contract consistent with the purpose for which the purpose for which the contract was approved.

Item No. 28: Airport Architectural Consultation Services

Approve contracts for architectural consultation services with the following vendors for a four-year term: The Wilson Group Architects, PA., RS&H Architects Engineers Planners, Inc., C Design Inc., GS-NC, PC, Passero Associates, Inc., Gensler Architecture Design & Planning PC, and Hellmuth, Obata & Kassabaum, P.C.

Item No. 29: Airport Boarding Pass and Bag Tag Stock

(A) Approve the purchase of Passenger Boarding Passes and Bag Tag paper stock by the sole source exemption, (B) Approve a unit price contract with Ryan Peterson Mang dba Vidtronix Ticket and Label LLC for the purchase of Passenger Boarding Passes and Bag Tags for a term of five years, and (C) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Item No. 30: Bond Issuance Approval for Union at Tryon

Adopt a resolution granting INLIVIAN's request to issue new multi-family housing revenue bonds, in an amount not to exceed \$5,000,000, to finance the development of an affordable housing development known as Union at Tryon.

The resolution is recorded in full in Resolution Book 54, at Page(s) 690-693.

Item No. 31: Resolution of Intent to Abandon a Portion of Public Right-of-Way Adjacent to Hive Drive

(A) Adopt a Resolution of Intent to abandon a Portion of Public Right-of-Way Adjacent to Hive Drive, and (B) Set a Public Hearing for December 11, 2023.

The resolution is recorded in full in Resolution Book 54, at Page(s) 694-695.

Item No. 32: Resolution of Intent to Abandon an Unopened Portion of Right-of-Way off Reston Road

(A) Adopt a Resolution of Intent to abandon an Unopened Portion of Right-of-Way off Reston Road, and (B) Set a Public Hearing for December 11, 2023.

The resolution is recorded in full in Resolution Book 54, at Page(s) 696-698.

PROPERTY TRANSACTIONS

Item No. 33: Property Transactions – 8701 Highland Ridge Lane, Parcel # 2

Resolution of Condemnation of 1,260 square feet (0.029 acres) Storm Drainage Easement and 307 square feet (0.007 acres) Temporary Construction Easement at 8700 Highland Ridge Lane from Bettina Sweet Hill and James Milton Hill for \$225 for 8701 Highland Ridge Lane, Parcel # 2.

The resolution is recorded in full in Resolution Book 54, at Page(s) 698.

Item No. 34: Property Transactions – Bryant Farms Road Extension, Phase 1, Parcel #9

Resolution of Condemnation of 2,617 square feet (0.060 acres) Fee Simple Outside of Existing Right-of-Way, 2,905 square feet (0.067 acres) Sanitary Sewer Easement and 13,869 square feet (0.318 acres) Temporary Construction Easement from Raeburn Homeowners Association, Inc. at 12049 Parks Farm Lane for \$55,475 for Bryant Farms Road Extension, Phase 1, Parcel # 9.

The resolution is recorded in full in Resolution Book 54, at Page(s) 699.

Item No. 35: Property Transactions – Bryan Farms Road Extension, Phase 1, Parcel # 11

Resolution of Condemnation of 1,240 square feet (0.028 acres) Fee Simple Outside of Existing Right of Way, 614 square feet (0.014 acres) Storm Drainage Easement and 1,665 square feet (0.038 acres) Temporary Construction Easement from Raeburn Homeowners Association, Inc. at Parks Farm Lane for \$6,675 for Bryant Farms Road Extension, Phase 1, Parcel # 11.

The resolution is recorded in full in Resolution Book 54, at Page(s) 700.

Item No. 36: Property Transactions – Bryant Farms Road Extension, Phase 1, Parcel # 14

Resolution of Condemnation of 1,131 square feet (0.026 acres) Fee Simple Outside of Right-of-Way at Bryant Farms Road from Reavencrest Homeowners Association, Inc. for \$3,725 for Bryant Farms Road Extension, Phase 1, Parcel # 14.

The resolution is recorded in full in Resolution Book 54, at Page(s) 701.

Item No. 37: Property Transactions – DeArmon Road Improvements, Parcel # 36

Acquisition of 3,681 square feet (0.084 acres) Permanent Slope Easement, 2,452 square feet (0.056 acres) Permanent Utility Easement, 1,814 square feet (0.042 acres) Sidewalk Utility Easement, 1,559 square feet (0.036 acres) Storm Drainage Easement and 6,121 square feet (0.141 acres) Temporary Construction Easement at 12301 DeArmon Road from Claudia Sandra Jacobs for \$82,500 for DeArmon Road Improvements, Parcel # 36.

Item No. 38: Property Transactions – Monroe Road Multiuse Path, Parcel # 3

Acquisition of 327 square feet (0.008 acres) Permanent Shelter Easement, 3,341 square feet (0.077 acres) Sidewalk Utility Easement and 2,202 square feet (0.051 acres) Temporary Construction Easement at 5105, 5107 & 5109 Monroe Road from Charlotte Natural Health Group, LLC for \$66,935 for Monroe Road Multiuse Path (MUP), Parcel # 3.

Item No. 39: Property Transactions – Monroe Road Multiuse Path, Parcel # 4

Acquisition of 95 square feet (0.002 acres) Storm Drainage Easement, 1,227 square feet (0.028 acres) Sidewalk Utility Easement and 1,421 square feet (0.033 acres) Temporary Construction Easement at 5201 Monroe Road from William L. Bryant for \$33,350 for Monroe Road Multiuse Path (MUP), Parcel # 4.

Item No. 40: Property Transactions – Monroe Road Multiuse Path, Parcel # 9

Acquisition of 703 square feet (0.016 acres) Sidewalk Utility Easement and 2,026 square feet (0.047 acres) Temporary Construction Easement at 5309 Monroe Road from Richard Beauchemin, LLC for \$24,825 for Monroe Road Multiuse Path (MUP), Parcel # 9.

Item No. 41: Property Transactions – Monroe Road Multiuse Path, Parcel # 11

Acquisition of 927 square feet (0.021 acres) Sidewalk Utility Easement and 2,064 square feet (0.047 acres) Temporary Construction Easement at 5401 Monroe Road from Five Associates, LLC for \$29,875 for Monroe Road Multiuse Path (MUP), Parcel # 11.

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ITEM NO. 3: ACTION REVIEW AGENDA OVERVIEW

Mayor Lyles said the next thing we're going to do is turn it over to the Manager for review of the agenda items that we have that we're going to be looking at and previewing this afternoon.

Marcus Jones, City Manager said thank you, Mayor and members of Council. We have two items under the Action Review for tonight. One is the tree canopy update, as well as the bus operations contract update. I do believe there's a closed session item also, Mayor. So, what I'd like to do is just make sure that you have enough time to have good discussions. We've set aside approximately 10 minutes for the presentations related to each one of these, and about an hour for the Council discussions. I will tell you that during the Manager's report, if you need to pull the bus operations contract over to that, I think that would be fine, but I just wanted to make sure that you have ample time to have discussions about these good topics. Mayor, unless there are any other questions, I'd like to turn it over to Alyson.

ITEM NO. 4: ACTION REVIEW ITEMS

Alyson Craig, Planning, Design and Development said alright, good evening, Mayor, Manager, and members of Council. We are here tonight to provide you with an update on the tree canopy analysis work that has been done in partnership with TreesCharlotte. Trees, of course, are very important to Charlotte and to our residents providing a multitude of benefits to our community. So, what the analysis found, is that Charlotte continues to have a robust tree canopy, and so what the analysis found, was that our tree canopy coverage is at 47.3 percent, which is down a half of a percent from 2018, which is a much slower decline than previously thought, which is great news. We can attribute this to canopy growth and to planting and preservation. However, the study does say that our tree canopy coverage is still declining, and that on our current path, we would not be able to reach our 50 by 50 goal.

Councilmember Johnson arrived at 5:08 p.m.

We have certainly strengthened our tree canopy regulations through the UDO (Unified Development Ordinance) which, of course, would not have been picked up by this analysis, because they just went into effect six months ago, but they do lay a great foundation for future work in the future to meet this goal if that's what the City aspires to do. So, I wanted to mention that we won't have all the answers tonight. This is a brand-new analysis. We're still combing through the data, but early review is starting to reveal some great opportunities for us to improve on our policies, on our programs, planting and regulations, in partnership with TreesCharlotte and the county, to better support our tree canopy assets.

So, tonight, at the end, Tim will also talk about next steps. We certainly will have more information for you in the future as we start to work towards our Tree Canopy Action Plan 2.0 and update our future tree canopy goals. So, I want to turn it over to Tim, but I also wanted to recognize that Jane Myers from TreesCharlotte is here, as well, and can answer any other questions that you may have about TreesCharlotte work. So, thank you, Tim.

Tim Porter, Urban Forester said thank you, Alyson. Good evening, Council members, Madam Mayor. Very pleased to be here this evening to provide an update on our tree canopy. I also wanted to mention, as Alyson stated, Jane is here, and this was a joint project between TreesCharlotte and the City of Charlotte. TreesCharlotte served as program management lead and funding lead, and it's been a great path working on this with Jane and her team. So, very excited about that. The analysis looked county-wide, of course, with a focus on the City of Charlotte canopy trends, and this will serve as a foundation for multiple tree canopy efforts including TCAP-2 (Tree Canopy Action Plan), which is our working title for the update to the 50 by 50 tree canopy goal, and Urban Forest Master Plan. PlanIT Geo was the consultant, and they analyzed the canopy cover in 2022, looking for the changes that occurred from 2018 to 2022, targeting things such as ecosystem benefits, what available planting area exists across the City canopy as it relates to urban heat and harmful urban temperatures and overall distribution across many geographies and demographics.

A core part of this project also includes, the assumed to be implemented new online mapping tool, called TreePlotter Canopy. General Services Landscape Management Division currently uses this online mapping tool for an engagement program called TreeByTree. It also displays the street tree inventory, and this new tool will display the results for the community of our tree canopy distribution and also serve as a planning tool for staff, the community and TreesCharlotte as we move forward for future efforts with canopy. The methodology is important to note. As with anything technology in our lives, it's evolving quickly, the data accuracy, the actual way the data's analyzed. It's exciting that AI (Artificial Intelligence) is now everywhere in our society. Urban Forestry is no exception. So, this assessment utilized modern machine learning techniques and looked at high-quality, high-resolution aerial imagery. That differs significantly from the 2018 analysis, which was more human computer model-based assessment. We're positioned really well for the future of apples-to-apples assessment to make sure we can have a benchmark and measure success against that moving forward. Of course, Jane, I welcome any comments you may have.

So, as I also mentioned, we're at 47.3. A lot going on on this slide, but our canopy cover declined 0.5 percent over that four-year timespan from 47.8 to 47.3, further confirming that we have a very robust canopy, and we'll see some numbers later on how we compared quickly with other peer cities. Decline is slower than we previously thought. We're not yet on a path to 50 by 50, but this data suggests that is still attainable. In our canopy efforts, not just the City, but TreesCharlotte and all their partners and residents, those canopy efforts are having impact and they're much easier to assess and to detect given the new AI assessment methodology.

No surprise, residential areas have the highest land area canopy cover and canopy loss throughout the City, including the most potential planting opportunities in area. Public property, public rights-of-way, that includes City-owned properties, all saw increases. City-owned properties are currently at 46 percent coverage. Canopy is not distributed

equally across Charlotte, we'll see in a moment. There's a map that shows a by neighborhood profile area, and gains were not equally distributed. Each area had gains and losses, but they're all starting from different places, which is important to note for equity reasons.

The highlighted second bullet here is an important theme we wanted to mention, is that best case scenario if we stay on the current path, is 40 percent by 2050. This aligns with analysis from the 2017 Urban Forest Master Plan that said, 41 percent is the maximum canopy if you stay on your current path. So, every site at full development with a fully mature tree canopy, that's the number, 40 percent, that's projected from this analysis. Another thing I think is really important to highlight, relative to efforts that are having impact, is that the overall gains almost offset the overall loss, which is important, because we haven't really had that talking point to really champion before, so that's important. We're still losing canopy, but the gains were significant incrementally, and it's much easier, and I think canopy loss is felt in a way very different, it's very immediate and acute, because a tree is there or forest is there, and then it's gone. Gains are much harder to see. They're much harder to feel, but it's happening, and we have really good data to show that.

Twenty-nine percent of Charlotte's impervious, and this was very eye opening. Only nine percent of our canopy covers impervious area, which was very interesting. Focusing more on the City, the ETJ (Extraterritorial Jurisdiction), and rights-of-way. If you add the City limits and the ETJ for Charlotte, we're approximately at 49.9 percent collectively. The ETJ has a much higher canopy coverage than the City. City-owned properties, diving a little bit deeper there, had an increase in canopy and there's still opportunity to plant more. This is a general assessment of potential planting area. It does take out things like golf courses and Bank of America Stadium. You can't plant trees on football fields and things like that. So, that kind of stuff has been taken out of this potential planting area; PPA, that's an acronym you're going to hear throughout the presentation. Public street right-of-way saw an increase as well, which is exciting. There's also more opportunity to plant there.

A quick look at how we compare to some other peer cities. Doing fairly well. Atlanta's going to release a canopy analysis very soon. So, interested to see what they find. We're at 47.3. Also interesting, all of these cities have adopted city-wide canopy cover goals, which is interesting, because the biggest nonprofit, urban forestry consultant, Urban American Forest no longer recommends a city-wide canopy cover goal as your only or primary metric and objective. It still uses a tool, but should not be the only tool. It should be very specific to each city, and there should be scalable benefit-driven, data-driven objectives, to really deliver canopy and trees and benefits where they're needed by the people.

Robust canopy. Very, very high level of benefits being provided across multiple areas, \$52 million and change provided annually per this analysis, cleaning air, sequestering carbon, energy savings. Wildlife is an area we're being more and more focused on. Place Types. We saw canopy loss in nine out of 10 Place Types. The table, the bar chart on the right there, numbers were rounded to whole numbers, that's why you see some of them are even. Some of the losses were fractions of decimal points. So, this also speaks to almost all the gains, offset all the losses, but not quite, but there were losses occurring in every Place Type, except Parks and Preserves, which saw an increase.

Neighborhood 1 Place Type. The residential themed most loss, most canopy to lose, most area. Seventy percent of total loss occurred in this Place Type, approximately 700 acres. Also, it's the greatest opportunity for planting, over 25,000 acres, 66 percent of the city's total possible planting area or PPA exists in this Place Type.

Neighborhood profile area is a geography we're all familiar with. You can see canopy is not distributed equally. I do want to point out, there is high canopy in most residential areas, not all. We have identified, for a number of years, concerns of managing canopy, even in lower canopy areas, large tree assistance, canopy care, helping folks maintain

large trees on their private property is needed throughout the City. Most of the neighborhood profile areas had a canopy between 40 and 70 percent. When we look at canopy loss, this was very interesting. Unlike the last analysis, it occurred City wide. The darker orange, yellow colors, are higher levels of loss. It shows more of a distribution of loss across the City. Our last analysis had heavily concentrated loss in a few geographies. Of course, there's some concentrated areas, but it shows more City-wide loss across multiple neighborhood profile areas, and these are based on census block and census demographics, just to make sure everyone understands these geographies.

So, canopy gain is a little bit harder to see on this map, but every area had canopy gains. This map shows what the overall net reality was, loss or gain. So, incrementally, gains are occurring everywhere. There are some areas who start with much lower canopy, so there's less to lose. This map doesn't show all those realities. We are going to dig deeper into this data that we received just a few weeks ago and report out in the future.

So, some major takeaway themes, is that the methodology, the technology, the data accuracy has evolved significantly in just four years. We're very excited to have a new reality with AI that can really give us a higher level of accuracy and set us on an apples-to-apples comparison path. We really want to highlight that our canopy is still robust, it's resilient, but it's facing some challenges, and there are threats out there. It is still declining, but results indicate 50 percent canopy cover, 50 by 50, that one metric still may be achievable. There are some models in the report, it's not in this presentation, but there are some data models projecting current losses, projected losses, plus tree planting efforts. The equal a number, they look at business as usual, increased planting at one level, increased planting at a higher level, and it projects how many trees are needed to achieve 50 by 50 or more.

Canopy equity is something that's really important. There is a lot of data out there on temperatures. This analysis provided even more quality data on neighborhood temperatures. There's a lot of work to be done focusing on policy on canopy equity. Additional analysis is needed, and we look to complete that in future policy work in TCAP-2, which again, is an update of a 50 by 50 canopy goal and the Urban Forest Master Plan. Some work that has occurred already, connected to this analysis, or just canopy coverage is in the UDO. The last analysis we saw decline in residential areas. Residential infill development on single lots is now regulated. Something we previously didn't do. June 1, 2023, with the UDO, we started requiring street trees to be planted on these infill lots that trigger compliance. We're also preserving Heritage trees in all areas now, including residential areas. Tree Save requirements increased from 10 percent to 15 percent of all new single-family subdivisions. So, the concern about canopy loss in residential areas was acted on by Council and the City in the UDO. Really, really early look and something to consider, the impervious item of only nine percent of our canopy covers impervious coverage. That's eye opening, and so that's something we may suggest focusing on in the future to better reduce temperatures. Trees are a great tool to do that. There could be some regulatory or strategic programs that target that in needed areas.

Next steps, as Alyson mentioned, further review and just understanding of the data that we have. The data will be made available, we're seeking for tomorrow for it to be published online, where we can have links provided to the public. TCAP-2, or Tree Canopy Action Plan 2, is what we're calling the update to the 50 by 50 canopy goal in Urban Forest Master Plan, and we plan to take that on next year, 2024. That is a quick update on where we are with our tree canopy.

Mayor Lyles said well, Tim, thank you for this. I tell you, there are three things that I noted that give me great hope for what we are trying to accomplish. One, first of all, the technology and access to the public. So, you've worked with AI, but you also are going to put in a place where the community can understand and read, and especially those in the sustainability world to help us address this. Then, the other thing that I thought, is that you gave an ability to identify by category. You can actually pull out some things

that are more important or could be done more easily than not, and I think that information is very, very helpful. Then, I guess, my final thing is, you gave me hope because you said 2050 was feasible, that it is possible, and that kind of hope is really important. So, thank you. For the team, I want to thank TreesCharlotte. I remember being one of the people on the board years ago and being able to see this today, as opposed to what it was before, has been really significant.

Now, this is in the TAP (Transportation Action Plan) Committee, so I'm going to recognize the Chair, and I think everyone wants to speak.

Councilmember Driggs said I first want to note, this is really valuable data. It's important that we have the facts, because the conversation is often emotional. You've got the developer community, and then you have interest groups advocating for trees. So, we need to have an objective frame of reference, so appreciate that. I thought, listening to your report, this wasn't as bad as I expected. So, I had a bigger concern than is reflected in a lot of what you told us. That's good news. I'm happy about that. I'm also a little concerned that we not get complacent and think, Okay, this isn't as tough as we thought, and so we take our foot off the gas or something.

The other difficulty I have is aligning everything you told us with the kind of public conversation that takes place in the context, for example, of our zoning meetings and so on. So, I have three big rezonings pending right now, involving 200 acres that are very lightly, if at all developed, and the prospect is that they will be essentially clear-cut, subject to Tree Save. So, an idea has taken hold in the minds of the public that we are just running roughshod over our trees. I think we need to figure out how to get from what you're telling us, to a policy conversation that's more recognizable, I guess, in the minds of a lot of the people who are watching us work. I'm not sure what that looks like you have indicated there. I'm still, in my own mind, trying to figure out how will we progress from what you're doing to rules and to provisions in the ordinance. I would say this, by the way also, a little bit about traffic. People are upset about traffic and they're not seeing relief in the work that we're doing in our UDO. So, that would be a concern I have.

I do have one question, and that is, how are we adjusting for changes in the composition. You have a percentage number, there are mature trees, there are new plantings. So, are we somehow taking into account the quality of the canopy, as well as just those percentage numbers?

Mr. Porter said we are. That's a great question. The bullet here of additional analysis, that is something we want to target. We targeted that in the initial Tree Canopy Action Plan work that was part of the comprehensive plan initiative, where we really got into looking at the types of trees, the types of canopy, and the benefits they provide, but also the quality. So, we had some steps forward in the UDO regarding prioritizing quality in the placement of tree preservation, but we can do more. So, that's something we're considering. This analysis was a GIS (Geographic Information System) top-down assessment, which is very valuable, but with trees, there's also great value from a bottom up, where you actually go into the field and assess trees from a human perspective. So, that is something we're considering doing in TCAP-2.

Additionally, we want to look at an assessment that projects the canopy coverage that we achieve out of our regulations. What level of canopy is likely going to occur for a commercial multi-family residential base on our current regulations? We have reacted and provided new concepts to implement in the UDO related to canopy issues, but we can be more intentional and learn more about each type of development type and what that canopy provides to guide us for our rule making.

Mr. Driggs said I appreciate that. I just look forward to us having the opportunity to figure out what action is indicated by the analysis, but I appreciate your work. Thank you.

Councilmember Anderson said first I just want to acknowledge TreesCharlotte and all the work that they do to preserve and extend our canopy. As we know, our tree canopy is a huge attraction point, because it differentiates Charlotte from other cities that haven't really been mindful about the canopy. So, I want to thank TreesCharlotte for all their efforts to protect that. I too was a little bit surprised that we haven't lost more canopy, given the rate of growth and development that has occurred. So, when you think about those two things in tandem, it's very surprising that we've only lost 0.5 percent of our canopy. Having said that, as Mr. Driggs just mentioned, one particular project may potentially wipe away 200 acres of canopy, and that's effectively 20 percent of the canopy that we lost over the last several years. So, we do have to be very, very mindful about how we embrace these major, large development projects.

One thing that I noticed, as you were going through the information, is that clearly the residential areas have the largest lack of canopy, if you will, and that creates that urban heat impact for residential areas that will increase their utility bills. So, I have some real concern about that, and as you go into your additional analysis, it would be great if you could maybe address that specifically, how we can tackle that effort. The other thing that I was a little bit concerned about is this whole concept of impervious landscape and having only nine percent of our canopy covering that. That creates a whole host of ecological and climate challenges that we have to deal with, and I think that's another big issue that I wasn't expecting to see out of this data and information.

On the slide 13, where you talk about our canopy gain and [inaudible] the loss, it effectively feels like there's going to be a significant area right in the middle of the City that's going to have significantly less canopy. In some terms that makes sense, but in other ways I think we could be very strategic about how we can fight that, and I'd like to see some steps as you come back to address that potential issue. Lastly, I just want to ask you, when are you going to come back with next steps? What are next steps as it relates to action points and when we can be able to stand those things up?

Mr. Porter said right now, we're tentatively thinking in calendar year 2024, as we want to take some time to review this data, a number of months. Again, it's a joint project with TreesCharlotte. So, it's their data too, and we want to be in locked step with them as much as possible, but we want this data to be quickly supportive of policy work in 2024, that's going to look at our canopy goal, as you said to be more strategic. If the community decides to keep 50 by 50, that's going to be a tough decision, but I think you hit the nail on the head. We have to be more intentional and strategic on multiple scales. Canopy cover in some of the urban core areas may not be achievable at 50 percent, but we can deliver trees where the people are, increasing planting and canopy coverage over sidewalks, multi-use trails, and things like that. So, 2024, we're looking to start and complete TCAP-2, which is that policy work.

Ms. Anderson said okay, great. I'd like for us to keep the 50 by 50, because that's a big hairy audacious goal, and if we work towards that, even if we don't hit it, we'll be in a better place. So, I would like for us to not move or pivot from our original goal. So, it would increase our efforts in this regard. So, thank you for all the work that you've done, and thank you, Madam Mayor.

Councilmember Watlington said I've just got a couple of quick followup questions, more general for my understanding. As I'm looking at the tree canopy, I'm understanding here, that on slide six, it says that there's 40 percent maximum canopy cover projected in 2050 if it's business as usual. I just want you to unpack that, because I'm bouncing that versus this graph here on slide 10, and I'm seeing the gains offset most of the detected canopy loss. So, can you help me understand how those pieces work in concert?

Mr. Porter said I can to a point, but the model is a little bit more complex than I could just relay right now, but we can provide a more detailed answer on it. I welcome Jane to add anything here as well. So, the model that's projected, that takes into account a number of different loss types and gains type and planting efforts that we identified with the consultant. We provided average planting numbers collectively between the City

and TreesCharlotte. That doesn't capture the community or Mecklenburg County or other partners, but that's assumed in the model. So, it takes known variables and assumed variables, and provides an annual loss projection for development-related laws. I believe there's some part of an aging canopy factor in the model as well, and it says, if your planting efforts, your current regulatory approach, if all these assumptions stay the same through 2023, over the next 27 years to 2050, they project that 40 percent coverage is the maximum. Overall, it's going to decline slowly on an annual rate and that's the maximum we can hope for, unless we change path and change tactics.

Ms. Watlington said right, and certainly I'm sure you all find that alarming, as do I. So, then I see these gains offset most of the detected canopy loss. How am I to understand that within the context of what you just shared?

Mr. Porter said I would add that the ability to detect gains has increased so significantly, and multiple people have mentioned loss is so much easier to see and feel, because typically it's not a branch, it's a tree or a mass clear-cutting. So, we saw gains in every Place Type in every Council District, in every geography that we've looked at. There were incremental gains. So, the assessment methodology and technology can detect if tree branches on average grew six inches or 12 inches. So, we can pick that up now, and when you add that into the model, that takes in account loss of 20 plus acres of canopy from development or trees that died in people's yards. Overall, the incremental gains in tree canopy, which is almost all gains are incremental, they offset all the different types of loss across the City that's occurring, just from a net approach.

Ms. Watlington said I apologize. I know I missed a moment of what you said. I don't want to belabor the point, but I just want to make sure that I'm understanding. Based on what you said, our regulatory landscape, the forecast of what we can expect, is that we will see a decrease in the canopy cover. We can expect 40 percent maximum, but we're also saying that the canopy gains have offset the detected canopy loss.

Mr. Porter said almost. The detected gains, I think to the point of there's some surprise over the loss wasn't more significant, we detected more gains than we expected, and the consultant actually said in the report multiple times, I believe, that the efforts of the City and TreesCharlotte and everyone in the community, of planting and preserving trees, almost offset all the losses that we're seeing. So, planting more trees, all of our existing canopy just growing slowly every year, as trees kind of spread out and their canopy coalesces, collectively that almost offset all the loss. I think the consultant was a little surprised as well.

Ms. Watlington said okay. So, am I to take that to mean, if people were not planting new trees, we would be expect 40 percent maximum canopy cover, but because people are planting trees, because trees are growing, we're actually seeing just a small net gain in tree canopy?

Mr. Porter said no, not a net gain. We're seeing canopy gains that have slowed the decline.

Ms. Watlington said okay, but overall, it's going to be a decline?

Mr. Porter said we're still going down. So, all the efforts are working to, I would say, slow the canopy loss. Yes, Jane, please jump in.

Jane Myers, TreesCharlotte said thank you for having me and thank you all for recognizing TreesCharlotte and the mission and all your years of support. I am delighted about our partnership and the opportunities we see in front of us and the ways we're working together to preserve what we see as our greatest natural hallmark of this city, and appreciate how concerned all of you are, because that's how we're going to get some things done. I think about it in terms of how mature our canopy currently is, and they have a natural lifespan. It does take some time to wrap your head around this. Like we keep saying, it's easy to see the 200 acres that are clear-cut, but the way I think about it is, if you haven't seen your niece or nephew in six months or a year, and the

growth, that's kind of the way it resonates with me, but we have such a mature canopy that that loss will be more significant down the road, and that's really what their projections were trying to tell us. If we keep doing what we're doing, we're no longer going to have the incremental gain offsetting the loss, that it will be significant and dramatic or drastic, as time progresses.

So, we have to step up our efforts to try to one, preserve where we are now, but also even more so dramatically step it up to be able to reach the 50 by 50. I share that excitement and the hope that you expressed, Mayor Lyles, because when I first started two and a half years ago, I thought, there's no way we could do 50 by 50, and I've heard that said in different meetings and things, and that was the first thing that popped for me. I'm like, Oh my gosh, we can do it, we can do it. The City can all come together, but it's going to take all Charlotteans and ya'll's continued support and leadership with that, and our continued partnership for that.

Another thing I did want to add to with the urban heat, that you had mentioned. We'll also use this data as we are able to dive in deeper to understand how TreesCharlotte can focus our efforts within the communities of need that have the lower canopied areas. So, we're really excited about this data too, in particular the canopy layer that goes with the TreePlotter software, because anybody can go in and look and see the eco-benefits and the differing components of a specific neighborhood or a specific address even. So, that's going to be really useful information for all of us to be a part of this mission. So, I just wanted to add that.

Ms. Watlington said awesome. Thank you for that clarification. Okay, that definitely helps. So, the message then is loud and clear, that we've got to do something on purpose, to not only offset business as usual, but also to reach our 50 by 2050 goal. Thank you so much.

Mr. Porter said yes, absolutely. Thank you, Jane, for saying that much better.

Councilmember Ajmera said really good presentation, Mr. Porter. Appreciate the work that you have done. Certainly, this issue is near and dear to my heart. I've advocated in the past for TreesCharlotte and keeping the 50 by 50 goal, and I'll continue to do the same. I think this is really good news, that we can still meet our 50 by 50 goal. So, that's great news. I wasn't expecting to hear that. So, you just made my day. I appreciate the work that TreesCharlotte has done and continues to do. I attended the Fall Festival recently, and certainly appreciate the work that you are doing. You can continue to count on me as the advocate for TreesCharlotte, because of the great work that you all do. I know this is a little bit early, but I'm looking forward to seeing the policy recommendations, as to how we get there. I know you mentioned by 2024, we will have some policy recommendations. I think if we can get those recommendations sooner, so that we are working towards 50 by 50 goal.

So, I really liked what Ms. Myer said, that we need to focus on preservation as well as planting. Preservation, I think it requires a lot of policy work to ensure that we are continuing to preserve what we have. I appreciate the work that our planning director had done, especially in our UDO. That was one of the big reasons why I had supported the UDO, because it helps us protect our important asset, which is our natural resources. So, glad to see that you highlighted that in our current UDO. There are certain protections in place that did not exist before. I would like to see some new concepts. I know you have highlighted those, and hopefully we'll get to work on that with our TAP Committee Chair, Mr. Ed Driggs, and I look forward to reviewing those. Thank you again.

Councilmember Johnson said can you go to slide 12 please? I want to understand the graph. So, can you just go down the graph please? I see 99 to 25 percent at the top, but at the bottom I see 25 percent to 100. So, I want to understand what these numbers mean?

Mr. Porter said so, at the top with the darker orange/red colors, those indicate classes of loss. So, the darkest color possibly could have lost between 25 and 99 percent of its total canopy cover for that neighborhood profile area. As you move down the spectrum, the loss numbers, again in each class, decreases until you get into the greener numbers, which indicate gains. So, the bottom four green colors, or canopy classes, indicate canopy gains. So, we have the minus numbers next to loss colors and there's no minus next to the greens. As you can see, there's very few dark greens, if any, on the map. There are some slightly dark colors. Most of the concentrated canopy growth occurred north of the City limits in northern Mecklenburg County and some of the towns up there.

Ms. Johnson said okay. So, the next slide, it says canopy gain, it's the same thing? There are losses and gains on both slides?

Mr. Porter said yes, it's the same map. It's just two slides, one for loss, one for gain. Same exact map.

Ms. Johnson said okay. So, I would like to see, when you talk about the loss, and it looks like District 4 is probably the Mallard Creek area that I'm always advocating for, but I'd to see the range to be broken down a little more. Twenty-five to 99 percent, that's a really large range. If 50 percent is our goal, or 46 percent is the number that we're working with, I'd to see 46 to 99. So, which area should we be concerned about? This also, for me, leads into our infrastructure discussion, and as we are approving petitions, I remember, I think it was last month's zoning meeting, we had to defer a 180-acre petition, but we still approved over I think 300 acres that night in District 4. So, I'd like to see these numbers analyzed from an equitable perspective. If we're looking at preservation as a goal or a necessity, then we need to start considering these and looking at the specific areas where we are at a loss, greater than 46 percent. I think we all know that, but for me, what I need is the data.

Mr. Jones, I know we'll get some more information in 2024, but I'd like to see us be more intentional in looking at these numbers as we talk about infrastructure in December 2023. I'd like to see what districts or what areas we should consider as canopy loss, as we're considering the rezonings. So, if we know that that area with the golden at the top, there's a high canopy loss, as we are reviewing zoning petitions, and I think we are, I think we're looking in that area at a petition with 183 acres our next zoning meeting. So, is this something that we should consider? I'd like to see a much deeper dive and some more information as we are considering. Are there some areas where we really, really need to be concerned with the tree loss? So, I think that number from 99 and 25 percent, I'd like to see a breakdown sooner than 2024. I imagine we have that now.

Mr. Porter said we do. We have 40 pages of data and endless GIS and excel sheets. So, we can definitely provide that, and we can change the legend here and break it out more into strategic, more applicable, reasonable classes of loss or gains.

Ms. Johnson said especially those with the golden color. If we know what those numbers are, those really might be numbers that we need to consider as we are looking at petitions. We need to look at that now, because like Mr. Driggs said, there are petitions on our desks right now or in the pipeline that have huge amounts of acreage. So, we need this information in order to make an informed decision. So, what I'm asking for, I guess, a further breakdown of the legend sooner than later. I'd like this information considered in our infrastructure meeting. We have an equity framework. So, we should be looking at this from an equitable lens. All those areas with this excessive tree loss, in the central area, how are our residents being affected from an equitable perspective? So, thank you for the work. I know I've been asking for it for a while. So, thank you for the work, but I think we need to be able to utilize this from a practical perspective as we are making decisions for growth in our City. So, Mr. Jones, if we can have a further breakdown or some more detail when we have our infrastructure discussion, because this was one of those areas that I talked about, and we need to be looking at the cumulative impact. So, thank you for the information. Thank you.

Mr. Porter said thank you, Council member.

Councilmember Mayfield said thank you for the presentation. I have a couple of questions for you. We can stay on this slide, and this one really isn't a question. It ties into how you may be able to break out the legend. When we get to the stakeholder public engagement, it may be helpful to juxtapose this map with our Crescent and Wedge map, that might be a lot clearer for us and for the community, when we're looking at it, because of course, the community they want to know exactly how does this impact their neighborhood. That map will help to identify that a lot clearer.

We have this slide nine that goes over the total annual benefits. So, we look at the wildlife habitat as a benefit, but we also say that when it's time for us to make decisions, that we can't use wildlife as one of our deciding factors when we are contributing to our wildlife, whether they are in the air or on land, and where they're being dispersed to. So, if we're going to be able to utilize that as a factor, then it will be helpful if more information is provided to us. This is really for you, Manager Jones. When we're looking at potential developments that's going to have clear cutting, if we're going to show on this slide, the impact of wildlife, then we need to be able to utilize the impact to wildlife in our decisions. If not, showing this is not balancing the conversations that we're having when we're talking about a development.

I also want to get an idea of, going back to slide six, when we look at the project results City wide, I think I understood that what was shared to Dr. Watlington was the 40 percent maximum capacity cover. If business is as usual, this ties in with the trees that are being planted. So, when TreesCharlotte has their multi-annual tree event, of which I'm a major fan, and so thank you for that, that this is keeping it as is. Somewhere in there, there has to be a conversation regarding when we've allowed clear cutting in new developments, and the fact that we have horrible soil in large parts of our City. So, I can give the example where, it's coming up on two years, and trees that are planted two years ago, are at the same height that they were when I planted them. Are we looking at that? So, we can that we have dispersed X number of trees, but if we're not tracking those trees, especially when it comes to new subdivisions, because the new subdivisions, as they built the development, all of the dirt, all of the things that's found in the ground goes to the end of the development until that's developed and that ends up, more often than not, what ends up in the ground. So, we don't have quality soil in a lot of areas, so the trees are not growing at the levels that we would anticipate.

So, I want to make sure that we're having an apples-to-apples conversation, and not just looking at the number of trees that have been signed out. We're actually tracking, okay in this two-year period, in this three-year period, in this five-year period, are these trees actually growing to hit that goal, because if we do the same thing, we already know we're going to be at 40 percent. Ya'll have identified that. We have an opportunity with updated language, and we say 2024. Well, we're in FY (Fiscal Year) 2024 now. So, we're in FY2024 now, so it will be helpful to know, are we talking about first quarter, second quarter, third quarter, when are we looking at possibly getting more detail, because, as was mentioned by my colleague, Councilmember Johnson and Councilmember Driggs, we are constantly approving projects on Mondays. These projects are impacting this goal.

I kind of like the fact that we can breathe in the City, because we have trees that help to oxygenate. So, I think about. what was it two weeks ago, woke up. There was fall, which was crazy to me. I was driving along Brookshire Boulevard, where right before getting to Brookshire Boulevard, and there was like a neighborhood, because the neighborhood went down in the valley, where it is like the fall just sat there. So, the site to get out of that neighborhood, you literally could not see from this table to the end of the table where Councilmember Mitchell is. That is also part of when we talk about that environmental impact, it is not just the heat, it is also those other impacts that we take into consideration. That's why I think it will be helpful if we do that Crescent Wedge map to get a really good idea of where we're seeing the greater impact. Again, if we can start looking at, not just the trees that have been picked up by community which is an amazing program, are those trees in good soil, are they growing and is there a

conversation on the front end that we could be having with developers regarding how they are grading land and/or creating the policy language so that our planning department knows, here are the expectations when you're grading in order to make sure that we get quality trees, and not just have a tree for the sake of having a tree.

Slide 15 was the current UDO, increase preservation and planting in residential areas. We have on there increase tree save preservation from 10 to 15 percent in single-family subdivisions. What are we talking about for multi-family, because there should also be an expectation when we look at the number of multi-family develops, and are we identifying, still keeping it single-family as quad, duplex, triplex, and multi-family is still a 50 unit up. What are their expectations and goals, and more importantly, requirements for tree save in those areas? I know you already said you have stacks upon stacks of data. That information could be helpful. Thank you.

Mr. Porter said thank you, Council member.

Councilmember Winston said I just have a quick comment/suggestion, perhaps, on how we might look forward. If you go to slide seven. I agree, it's been said many times over, that this is a good report and gives you more hope that we can reach our goal. I would also suggest that we keep the goal of 50 by 50, and I would also suggest, something I learned today, is considering the ETJ. My suggestion would be to count the ETJ towards canopy goals, and I don't say that just to kind of conveniently cook the books, to find a closer way to 50 by 50, but I think it makes logical sense. Our rules govern the ETJ, particularly our development ordinances that are kind of guiding these tree canopy goals. Also, it might be a way that we can consider these land use decisions that come forward in the ETJ. If we can optimize the ETJ for canopy preservation and expansion goals, maybe we do treat our rezonings in the ETJ a little differently than we would do within the City limits. It seems like this might be a shift in the way we use our policy, but also it seems like it could provide a kind of common ground path forward. So, the folks that we often wrestle with, the folks that live in the ETJ, and the folks that live near it, they don't want things to change, because that's what they've gone out there to live next to. We also wrestle with the idea that we want more housing in Charlotte. It's a divine goal. However, we as an organization have said that, and especially in the Comp 2040 Plan and UDO, we want development kind of tracks that are going to produce less sprawl and more density. So, if we treat development in the ETJ the same way, that means well, we're kind of saying, Hey, we want sprawl, because that's the type of development that happens in the ETJ. So, it would seem that the people that live there, that live next to the ETJ, and our goals for how we want to see our City develop, and these canopy goals, would seem like kind of one of those sweet spot common ground areas where we can achieve many different goals by looking at a specific area of our policy that could create different outcomes if we applied it differently.

So, again I would suggest, those things that's what jumped out at me, please take a look at how you approach the rezonings and expanding land use changes, especially around large tract changes in the ETJ.

Ms. Myer said sorry, I just wanted to add on to that. That was an excellent point, because one thing we did learn from this assessment, and correct me if I'm wrong, that the ETJ is where the biggest risk to tree loss is. So, I appreciate that point. I wanted to call that out from the report on concert with what you said.

Mr. Winston said thank you.

Councilmember Graham said I won't be long. A lot's already been said. Again, thanks to TreesCharlotte. I do agree that we should try to contain and meet the goal. It's aggressive. I think we can do it. Also, what gets measured, gets done. So, it's really the policy recommendations that's the most important thing. Thank you.

Mr. Driggs said a couple of us have commented on the fact that we really want to see what this policy looks like. I've just been talking to Ms. Craig. We're going to talk about

what the tools and possible policy options are alongside this work, rather than wait until this is over before that conversation starts. So, I would hope that we could sort of proceed on both fronts, and then drop the data into the final policy conversation. Thank you.

Ms. Watlington said just real quick. I love what you said, Mayor Pro Tem, in regard to different outcomes in different places, because that's exactly what I think has been the conversation, especially as we talk about our regulations and what not. Let's think about what's great about certain parts of our City and how do we preserve that, and how do those parts work together to deliver the overall whole. It doesn't mean that it's homogeneous, but it means that it does come together. So, I think this is great example of how do we execute and craft smart policy that reflects what we need overall, even though that means there's diversity of the outcome.

Mayor Lyles said this has been a great discussion. For those of you that came in a little bit later, I'm sure that Tim will be glad to go over all 55 slides with you, and memorize every percentage, but I think that the key part about it is that you have enough data to look at how you want to move things along, and so that will be a part of, I'm sure, the infrastructure, as well as our budget discussions. So, with that, this is in committee. It is in TAP Committee. We have 30 minutes. We're going to ask Brent to come in and help us with the review that we have planned for today's agenda on the bus operations contract. So, we'll go from there.

Brent Cagle, Interim CATS CEO said good evening, Mayor. Good evening, members of Council. I will move through this pretty quickly, and happy to answer any questions. I will also start out by letting you know that this is an Action Review for an upcoming request for Council action on November 27, 2023, for your next Business meeting. So, a little bit about the Bus Operations Division. The Bus Operations Division, we sometimes refer to it as Transit Management of Charlotte, as far as the employees go, or you may here the contractor, RATP Dev (Reliable Asynchronous Transfer Protocol Development). I want to give you sort of a little bit of background on TMOC (Transit Management of Charlotte) and the Bus Operations Division, and make sure that we don't confuse the two, because while they're similar, they are not the same thing, even though sometimes we refer to them sort of interchangeably.

So, the Bus Operations Division is the largest division within CATS (Charlotte Area Transit System). TMOC employs about 734 union operators, maintenance technicians and administrative staff. The overall operating budget for Bus Operations Division is approximately \$80 million annually, and the number of vehicles we have is approximately 252 buses, of which 18 are battery electric, with new battery electrics on the way. Again, I wanted to give you this background. As you consider the contract in two weeks, just understand the 734 employees of TMOC are not employees of the contractor, RATP Dev, or their successor. There are three employees of the contractor, and they constitute general management, and this structure is not unique to Charlotte. It is found in the southern United States. It's because of the state laws preventing us from being able to collectively bargain, but also because of the federal requirements to allow the employees to be unionized. So, TMOC provides a smooth transition for those day-to-day operators when we change the contractor. So, none of those employees will be at risk. There is no transition for them. They are TMOC employees, and they will remain TMOC employees.

Charlotte Bus Operations history. In 1976, City of Charlotte bought the bus system from City Coach Lines, and at that time there was an established labor union. In order to receive federal assistance for public transit, the City, back then and now, has to acknowledge the existing union and allow them to exist and collectively bargain. Again, because of state law, the City cannot do that, so we have a third party. Starting in 2003, and continuing today, the City contracted with McDonald Transit, who became RATP Dev, and currently holds the contract, so roughly 20 years between McDonald Transit and RATP Dev. Again, light rail operators, STS (Special Transportation Service) or paratransit operators and our services, those employees are City of Charlotte employees, because those services were created after 1976.

So, this year we started a procurement process. We issued an RFP (Request For Proposal) on April 18, 2023, and two responses were received. RATP Dev chose not to propose for this contract, two other providers did, and I will say in the world of large management bus operations contracts, we're talking about a pretty small universe of qualified firms, really six to 10 firms' total. So, while two may seem like a small number, it was a pretty good turnout for a contract of this size and the specialized service that's provided.

National Express Transit was the selected firm. They were determined to be the best to meet the City's needs in terms of qualifications, experience, cost and responsiveness to the requirements of the RFP. National Express has proposed an experienced management team that will be relocated to Charlotte to oversee TMOC. National Express will also provide corporate resources for labor negotiations as needed, service optimization, policies and procedures, and system performance audits, as requested or needed, and the estimated top end annual expenditure for the first year of the contract is estimated to be \$1.65 million annually.

Who is National Express? They're headquartered outside of Chicago. I'm not sure how to pronounce the name of that town, Lisle, Illinois, so outside of Chicago. They have over 60 clients nationwide, two actually in North Carolina, Greensboro and Durham Transit. One in South Carolina, Charlotte. They also have the District of Columbia, WMATA (Washington Metropolitan Area Transit Authority), MBTA (Massachusetts Bay Transportation Authority), Boston, and Pace in Chicago. Their 2022 revenues were approximately \$500 million.

So, what's our approach? It's a more integrated approach with the contractor. We want the General Manager of National Express of TMOC to be integrated as part of the CATS leadership team. They serve a vital function. They oversee the largest division in CATS, and they need to be a vital, crucial part of our leadership team. So, that's the first key. The General Manager is a direct report to the Chief Operating Officer and will directly interface with myself and the rest of the executives. We have also identified ways that we can enhance the performance metrics, both in the form of penalties for failure to perform and incentives when they overperform or exceed expectations. The old contract had seven of these metrics, and they were limited to liquidated damages or penalties for failure to perform. So, we're increasing the performance metrics and we're adding in penalties plus incentives for overperformance, and we're establishing a Performance Monitoring Program with National Express, and a Secret Shopper Program on the CATS side, just to monitor day-to-day operations with the contractor.

So, what are our next steps? We're finalizing the transition plan from RATP Dev over to National Express. We're working with National Express to clearly define the roles and responsibilities of CATS management and their management, and we're working towards that successful transition in February 2024 at the latest. As we continue to work through this with National Express, if we can transition over to National Express before February of 2024, we will do that, but at this point we're working through all of the transition. Again, this contract comes before you for consideration in two weeks on November 27, 2023, and with that, I am open to questions.

Ms. Anderson said first of all, I just want to acknowledge Mr. Cagle in the interim role of CEO (Chief Executive Officer) of CATS, and all of the work that he's been doing. I've had the opportunity to work very closely with him, and I see the progress and I see that we are improving significantly. So, I want to just outwardly thank you and acknowledge your performance. I think the details that you ran through on slide six are excellent, to have the general manager be a part of our leadership team creates that level of transparency, but also engagement, and adding the additional incentives for overperforming or outperforming the metrics, creates a carrot for this entity to actually, not only perform but perform well. There's a carrot there for them, a sweetener, if you will, and I think that's wonderful. Then, this whole concept of a Secret Shopper Program allows us to have constant monitoring that reflects the actual experience of a ridership, and I think that's important too. What you've laid out here, I think, will allow us to have a

new beginning with a new partner and increase the overall experience of CATS. So, I'm excited to see what comes forward out of this approach.

Mr. Driggs said just further to Ms. Anderson's remarks, this marks a significant step in the overall process of moving us out of the depths of the issues at CATS, which I think we all remember, and Mr. Cagle has done an amazing job. I head up this working group. He's done an amazing job on all fronts of dealing with issues that came to light. One of them was the bus service and absenteeism by drivers and so on, and one of our problems was that the terms of our old contract gave us limited ability to kind of crack down on that. So, we're fixing that, and I think this is just going to be part of a renaissance for CATS and a recovery. Mr. Cagle, I just want to tell you, we're very grateful. Thank you.

Mr. Graham said I too want to send my well wishes to the folks over at CATS and the jobs that you guys are doing, but quick question, though. I understand the relationship to CATS. What's going to be the relationship to the Council? One of the things that we got criticized for was just not being in tune to what's going on with the contractor. So, help me understand how that changes.

Mr. Cagle said yes. So, I've heard that from yourself and other members of the Council, from the public. So, as we turn the corner with the new contract, again, the contractor, their general manager, will be part of the leadership team and you should expect to see and hear from them, just like we will, daily. Ya'll won't see and hear from them daily, but on a routine basis, whether it be a committee or other places for the Council, they are part of the team. Whereas, I think over time, RATP Dev, that became less true over the 21-year relationship that we had with them.

Mr. Graham said so, that's great. What's the relationship in reference to public safety, safety of the workers and safety of the passengers? Any discussion or anything different in the contract that addresses that?

Mr. Cagle said yes. So, our Safety and Security Group, those are CATS employees, and they provide safety, security across the system, whether it be rail, bus, paratransit. So, we are making efforts to increase our presence with security, and think about a different approach to safety and security, not only for the employees, but also for the customers, for the riders as well.

Mr. Graham said and lastly, they do business now with two of our sister cities in the state. What's their reputation in terms of being able to deliver in those communities?

Mr. Cagle said they have an excellent reputation. I will also say, I'd love to say that I dreamed up this idea of them needing to be right here with the management team, but one of the things I do really well is identify good ideas that others have had. Early on when I started with CATS, I had a conversation with some of the others in these North Carolina cities, and they all said, "Brent, you gotta get them part of your management team," and it was very good advice, and I'm taking that advice.

Mr. Graham said well, I'm excited for the new start with the new contractor, and obviously the devil's in the details, and the oversight's going to be extremely important. So, I look forward to regular output at the Transportation Committee at the appropriate time throughout the year. I think it's really important that from the very start, there's a level of communication, progress updates, to the committee from time to time.

Mr. Cagle said yes, sir.

Ms. Johnson said Mr. Cagle. I have a question. So, the employees will have a new employer, essentially, right?

Mr. Cagle said they will have a new general manager. Their employer remains the same, Transit Management of Charlotte.

Ms. Johnson said okay.

Mr. Cagle said so, think about it like they have a new CEO, right? Because of how this structure works, that's why it's so confusing and so hard for all of us to explain. There are three people who will change, and they work for RATP Dev, and when RATP Dev is no longer the contractor, they're no longer here. They may be employed by RATP Dev, but they're not at this location. National Express brings in theirs, and they manage everyone else who is employees of Transit Management of Charlotte.

Ms. Johnson said but the employee's contract will change, like the union contract?

Mr. Cagle said no, all of it remains the same. Their employment status remains unchanged. The current status of the Collective Bargaining Agreements remains unchanged, and this structure allows for that consistency, so that there aren't 700 and some odd employees wondering what's going to happen when a new company comes in, because their employer remains the same.

Ms. Johnson said did we engage with the union for their feedback?

Mr. Cagle said so, we went through a City process. The union was not part of the proposal or the review of the proposals when they came in, but we did go through a City process to do the RFP.

Ms. Johnson said okay. So, will there be like a Q&A or a presentation to the employees to introduce the new contractor, and just to answer those types of questions?

Mr. Cagle said yes, absolutely. As we get closer, beyond November 27, 2023, and we start to figure out the exact transition of the new management team, all of that will start to happen with the union and with the general employees as well, because not every employee at TMOC is part of the union, most are, but not all.

Ms. Johnson said I think it's important to get the employees engaged very early on, so that we can build the relationship and not have the same issues that we've had before. I think getting them involved early, and being a part of the whole process will really go a long way. Thank you.

Mr. Cagle said yes, ma'am.

Ms. Ajmera said so I agree with some of what's been already said. Mr. Graham made a good point about devil is in the details, as always is. This is a significant step in the right direction to restore public trust in our CATS. This will help us tackle reliability issues, but the safety issues from what I heard, that will not be part of this National Express Transit. So, can you help me understand that, because I didn't quite understand the organization structure for the safety officers?

Mr. Cagle said yes. So, all safety and security functions of CATS, in the current contract or current situation and going forward, are employees of the City of Charlotte. So, we have a Safety and Security Division. Now, they have contracted for security personnel, for security contractors. So, they are contractors, but our Safety and Security Unit or Division remains part of CATS or City of Charlotte employees. They are currently and they will remain. Now, that is not to mean that National Express won't be helping us, the City, as we address safety and security concerns. They certainly will be.

Ms. Ajmera said it's good to see the performance metrics and really performance incentives, because considering the challenges that we have with CATS, this is a good way to measure and also reward based on the performance. So, I appreciate your work on that and your leadership. Thank you, Mr. Cagle.

Mayor Lyles said alright, before we go into closed session, I do want to recognize Councilmember elect, Tiawana Brown, who has joined us for this session, and as a result, she didn't quit, so we're in good shape. So, I want to say thank you very much for

coming, and any time the building's open and we'll continue to integrate into this lustrous group of public servants, and thank you for joining us tonight, and there is that. We are going to go into closed session. I'm going to ask the City Attorney to read this. Then, everyone else, we have one item that we need to address.

Councilmember Molina arrived at 5:49 p.m.

Councilmember Mitchell arrived at 5:50 p.m.

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ITEM NO. 5: CLOSED SESSION

Motion was made by Councilmember Winston, seconded by Councilmember Mayfield, and carried unanimously to go into closed session to consult with the City Attorney in order to preserve the Attorney Client privilege between the Attorney and City Council pursuant to NC General Statute § 143.318.11 (a) (3).

The meeting was recessed at 6:24 p.m. for a closed session in Room 267. The closed session recessed at 6:38 p.m. to move to the Meeting Chamber for the regularly scheduled Business meeting.

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BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, November 13, 2023, at 6:38 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, Victoria Watlington, and Braxton Winston II.

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Mayor Lyles said thank you for joining us today, as the City Council for the City of Charlotte has its first business meeting of this month. I want to call this meeting to order, and we're going to begin with introductions.

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INVOCATION AND PLEDGE

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

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AWARDS AND RECOGNITIONS

ITEM NO. 6: HOMELESSNESS AWARENESS MONTH

Mayor Lyles read the following proclamation:

WHEREAS, the month of November welcomes in both a time of Thanksgiving and a season for sharing our resources and our freedoms to worship, work and live as independently as possible, and

WHEREAS, some members of our community cannot find adequate employment or a place to live for a variety of reasons, both simple and complex. There are efforts to bring homeless children and adults out of the shadows of our abundance, to address the diverse needs among them, as well as to correct systemic conditions that have led to their poverty and homelessness. Our current economic challenges call for greater awareness and guidance to address needs among all our neighbors, and

WHEREAS, the Homeless Services Network of Charlotte Mecklenburg, its member organizations, and its public partners in the City of Charlotte and Mecklenburg County, desire to dispel myths and overcome stereotypes of homelessness, and to provide opportunities for all our citizens to learn about the plight, the hopes, and the achievements of homeless neighbors of our community and to welcome them. We commit to work together to overcome systemic causes of homelessness:

NOW, THEREFORE, I, Vi Alexander Lyles, and George Dunlap, Chair of the Mecklenburg County Board of Commissions, do hereby proclaim November 2023 as

“HOMELESSNESS AWARENESS MONTH”

So, with that, I'd like to ask all of our workers and people that really actively try to address the principles that were described in this proclamation to stand and be recognized.

I do have one special recognition, as we highlight Homeless Awareness this month. I'd like to recognize Deronda Metz, Deronda. Now, I know there's going to be a lot of red up there, but I want you to know we have two red that didn't wear their red down here, Ms. Anderson and Ms. Watlington. Ms. Cunningham, all of you celebrate together. So, I want to say this, because Deronda and I have known and worked together for a long time, and she is a Charlotte native. She's been Director of the Social Services for The Salvation Army of Greater Charlotte, and she's going to retire in the upcoming months. Deronda has worked diligently to serve her community as a leader in the fight to end homelessness. I cannot say how many years we've worked together around this, and I am so grateful for her leadership, her diligence, her efforts, the way that she actually makes people feel greater than. Deronda, for 30 years, you've been instrumental in making this place a better place. We can talk about all the plans and all the opportunities that we've had, but the one thing that you've been is a steady participant in the strategic plans that we have to address both homelessness and the lack of affordable housing in Mecklenburg County. So, I want to say, we're grateful for you. We love you. You deserve this opportunity to retire, and I know that you will not stop working, so I'm just going to say that. Do take some time, you deserve it. Thank you very much for your service. Let's stand and give her a round of applause.

Councilmember Graham said and Mayor, let me just add another special shoutout to Deronda from your CN Jenkins Church family. We love you.

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ITEM NO. 7: NATIVE AMERICAN HERITAGE MONTH

Councilmember Winston read the following proclamation:

WHEREAS, the area known today as Charlotte, is located geographically on ancestral land that has long been called home by indigenous people, and Charlotte acknowledges this land as Catawba, and home to many American Indians from tribes across the nation. North Carolina is home to more than 204,000 American Indians and has eight historic tribes legally recognized by the state of North Carolina, Coharie, Eastern Band of Cherokee, Haliwa-Saponi, Lumbee, Meherrin, Occaneechi Band of Saponi, Sappony and Waccamaw Siouan, and

WHEREAS, our City is home to the Metrolina Native American Association, one of four urban indian organizations which holds membership in the North Carolina Commission of Indian Affairs, and

WHEREAS, the City of Charlotte must preserve the rich history of American Indians to continue building a brighter future for all of its people, which includes maintaining a relationship with Metrolina Native American Association and Tribal Nations, and

WHEREAS, this month, we honor the vibrant and diverse cultures of American Indians across our City. Charlotte encourages residents to learn more about the rich history of American Indians and commit to preserving American Indian heritage and traditions for generations to come:

NOW, THEREFORE, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim November 2023 as

“NATIVE AMERICAN HERITAGE MONTH”

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Mayor Lyles said we still have another recognition to make. Tonight, we have a few special folks in our audience and they're special because of the work that they've been doing, as they graduated from our Charlotte Business Inclusion Contractor Estimating and Bidding Academy. Would you please stand if you are part of that class of the Academy.

This Academy offers a comprehensive five-week program designed to enhance skills and knowledge of contractors and bidding and managing public contracts. The Academy is especially designed for both new and seasoned contractors. It is a valuable opportunity to gain insights, tools and connections, especially connections for successful engagement in the public sector projects, particularly those that the City of Charlotte presents for bidding. The lessons that you've learned lay the foundation to support our MWSBEs (Minority, Women, Small Business Enterprise) with obtaining surety bonding. I know, in your recent cohorts, you had 29 minority business leaders graduate. I'm trying to count to see if there are 29 of you up there. We all, on this Council, want to say thank you for taking that five weeks to understand that you have the ability to change the world in so many ways. So, with that, I'd to say, great work to each of you and everyone. So, thank you very much for your attendance tonight, and thank you for what you're going to bring to our community to help us make sure that minority participation is not just something we say, but something that we do.

I want to make sure that everybody knows that each Council member has a directory with names in it, and who you are, phone numbers, emails, LinkedIn, who else, what else we can get to you, but to let you know that we remember this, and it will be something that will make a difference. So, thank you very much for coming tonight. I want to recognize Councilmember Mitchell, who often promotes this program, and makes it possible for us to really be engaged, because I'm sure that he came along and told you a few things about what to do and how to do it all the time.

Councilmember Mitchell said Mayor, thank you for those kind words. Thank you all for being here. Only thing I want to add, will Michelle and Steven please stand up and let's give our CBI (Charlotte Business INclusion) staff a round of applause. Thank you, Mayor.

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PUBLIC HEARING

ITEM NO. 8: PUBLIC HEARING AND DECISION ON A RESOLUTION TO CLOSE A PORTION OF OLD DOWD ROAD

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

The resolution is recorded in full in Resolution Book 54, at Page(s) 677-686.

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POLICY

ITEM NO. 9: CITY MANAGER'S REPORT

Marcus Jones, City Manager said so, thank you, Mayor, members of Council. In front of you, you have my 30-day memo, and as I discussed last time, there are a few items that we're going to get before you before the end of the calendar year. So, what we'll have at the end of this month is the 2024 Council Calendar, which will be presented by the Clerk at the next business meeting, as well as the 2023 Year-End Audit, that needs to be provided before the governing body before it can be approved. Then, in the first business meeting in December 2023, we'll have the infrastructure update as well as an Eastland update, two items that I mentioned last time we were together. Mayor, I know there are a couple items tonight that are pretty important on the Business agenda. So, I'm not going to ask anybody to come up and do a presentation, but we are here if you need additional information about the anti-displacement programming as well as the opportunity hubs.

A couple things I would like to do before I turn it back over to you, Mayor. In your packet this past Thursday, you received some information about the percentage of our owner occupied and renter occupied homes. I think that's a good foundation that we'll have in terms of being able to do apples-to-apples comparisons with some of the 20 cities across the country that we compare ourselves with, and it's something that Councilmember Mayfield had asked for, and I think it's eye opening as you start to look at that.

I do want to just end with this, Mayor. The couple items tonight, and it's just been an ongoing process with the Council in terms of some of the ARPA (American Rescue Plan Act) funds that have been received, the federal funds, and I'll channel Councilmember Driggs in the sense of the concern of having one-time dollars for ongoing projects. I will tell you that has not been the case for almost \$300 million of federal funds that we've received over the course of the last couple of years, but the two tonight which I think are very awesome, are Item 12 anti-displacement programming which about \$6 million. One of the things that we've talked about are items such acquisition, rehab, resell program. I believe, the last time I was at the dais, Councilmember Mayfield actually gave me a list of potential properties, so watch out, here we come, as well as Item 13, the opportunity hubs, of which about \$4.5 million is associated with those in our Corridors of Opportunity. So, that's about \$10 million just for those two items. Also, in the course of the last couple of weeks, with these stimulus funds that we've used or the federal funds that we've used one time, and not ongoing, you've done certain things like \$6.5 million for the Nonprofit Housing Support Grants, and those were those large grant amounts for five local housing-related nonprofits.

In your packet a couple of weeks ago, we did distribute about \$2.5 million to the Community Resilience Grants. So, while we didn't have a big presentation about it, that was 93 grassroots organizations that received funding. So, almost \$20 million of these CARES (Community Assistance Response and Engagement Support) funds, these

ARPA funds, and I'm teeing us up for a discussion in January 2024, at the Annual Strategy meeting, where we can see how we can scale up some of these programs that we have made investments in over the course of the last three years. So, a lot of good things on the agenda tonight, almost \$11 million as it relates to anti-displacement, as well as the opportunity hubs, priorities of the Council, and hopefully those items that will be approved tonight.

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ITEM NO. 10: CHAPTER 14 ORDINANCE REVISIONS

James Lee, 7705 Kings Ridge Drive said it's been a minute since I've been before you. I'm going to put my bike helmet up here for you so you can see it. One of things that's on the agenda I saw this morning from the news, is that you guys are going to talk about a fine for people that park in the bicycle lanes, right? I'm hoping that one day, that somebody else comes up here and doesn't show you this helmet with blood on it. We've got to do something about these people parking any way. We've got to do something about the bike lanes having so much trash in it, because I'm riding in the street. I'm not riding in the bike lanes that you guys are creating. I'm riding in the street, and I think it shouldn't be \$100 fine, it should be a \$500 fine, to make sure these folks understand how important it is for my safety, for them not to be in my way. That's just me. You guys haven't seen me in a while, because I've been in the streets, I've been on your streets, and the homelessness, the thing that you guys did, I came from that. You guys know that. You know my story. Now, my story is keep me safe on the road. Keep these people out of my way, that's all I'm asking. If they're going to be in my way, fine them, not no \$100, that's less than a week's worth of Starbucks.

So, we've got to do something about keeping me safe on the street. This is my only means of transportation. Charlotte is trying to be a multi-mode city with bicycles, all of this stuff. This is a car city, and it's fighting to stay a car city. I ride my bike everywhere I go in Charlotte, and most of the time I'm riding in the street. I want to feel safe riding bikes in my City. I was on the Bicycle Advisory Council, so I know about some of the ins and outs of the funding, and all this stuff. So, my plea to you is just to keep me safe. If they're going to park there, hit them, hit them hard, not just \$100, that's nothing. Hit them where it hurts, where they won't do it, because people are taking advantage of it, for their own comfort, so they don't have to walk a few extra steps.

This is my life that they're putting in the balance. I hope that you guys not only fine them, but fine them substantially so they won't do it again. Not only that, give me the ability to be able to take a picture of them while there in my way, and send it to somebody, so they can get found out. Put me as the police my own bike lanes. Do that for me, because I see at least a half a dozen every day in my way. So, give me, as a cyclist, that ability to show you who's in my way, and make the Charlotte roads safe for me, because this is my only means of transportation. If you guys want more people like me on the street, ya'll got to make it safer. You've got to clean the bike lanes, you've got to keep the cars out of my way, because I'm riding in the street. I respect all ya'll, and I appreciate it. Thank you.

Mayor Lyles said thank you very much, Mr. Lee.

Councilmember Bokhari said I'm supportive of this tonight, and I just would mention two things. For this one, where we're headed, I agree with the parking ordinance fees and the things we're going to add to it. I would just have us remember that there's a two-sided coin here. One is keeping our cyclists safe and making sure that people are not parking where it is illegal to park today. Two, and I think there's a lot of people in this community that feel like this, that we balance also the need in the car-centric world that we live in today for people to park, because right now if you go over to Pearl Park on any Saturday or Sunday, with the loads of parents that are there, you'll see one of the most beautiful bicycle paths ever, that literally blocks folks from parking and there's cars parked everywhere, and you don't see a single bike there. So, that's not to say that biking isn't important, and that we don't need to lean into that, but we have to spend

some time thinking about where these cars park in our community, every weekend, every day, because we don't put nearly the emphasis on that that we do the other side.

The other think I'll mention is, we have something going on in committee right now with the rest of these ordinances, and while today is important, it's one step towards the defecation, the urination, all the other ordinances that our officer's have come and pleaded with us, that they need to do their jobs. It will not solve the problem, but it will be one part of the solution in where we head towards some serious needs that are going unaddressed in our community right now. So, I want the community to understand we are not doing that tonight, but that doesn't mean that we aren't. The work is underway, and I hope that we will emphasis the timeline of getting that back to us and getting that done, Mr. Manager. Thank you.

Councilmember Graham said I too want to thank the Quality-Of-Life Team for all the work that they have put into the agenda item tonight. I will approve it reluctantly, I think, and let me share with you my reluctance. One, the fines themselves. I do believe the fines simply just do not meet the bar to prevent people, and I'm narrowly tailoring my comments now to the commercial vehicles specifically. The fines for the other parking, I think is probably reasonable. The commercial vehicles, they're fined. I think it's not the problem of commercial parking throughout the City. It's getting worse day-by-day, especially in our intersections, and I'm not sure whether or not \$100 fine is a deterrent for that to stop that behavior.

In addition, I would love offline to talk with staff about the enforcement. How we're going to enforce the ordinance change. I'm glad now that we have something on the record that reflects the nature of the problem in the community, but how do we enforce it? How do we measure that we're getting done? I know there's been additional staff being hired, I think, Mr. Manager, to work weekends, and those type of things. Is there any thought about getting outside help to work with staff, especially on the weekends? It's just not that their parking the commercial vehicles, they're leaving the trailers and taking the cab and they're gone. So, they're literally using our streets and communities as extended storage, especially on the weekends. So, I hear the argument in terms of driver's time and their ability to having to stop, especially on Harris Boulevard and others, the trailers are there by themselves, the cab is gone, and there's no enforcement. So, I would love offline to ensure that, as we pass this today, that we really, really focus on the enforcement.

I'm not going to belabor the point tonight about the fees or the penalty. Hopefully, we could revisit that at another time when we get a lot more information, but if I was a truck, I would pay the \$100 and continue to do the same behavior. That's a business expense, it's just the cost of doing business. So, I'm very serious about these issues, narrowly tailored again to commercial vehicles, because that's where the problem is, from my perspective, and the calls that I get and the emails that I get. So, I think that addresses my point. The increase in fines, I think it's okay, I guess.

Then, more importantly is the enforcement. How do make sure that we change behavior and have dialogues with the trucking community about alternative places where they can park their trucks. We should assist in that. Clearly not our problem, but we should assist with that simply because of the logistics that they're providing for our communities with all the Amazon trucks. I get it, but again, the issue is quality-of-life and making sure that communities across the City, and this is not a district issue, it's a City-wide issue, because it's happening all over the City, and it's getting worse, not better. Thank you.

Councilmember Mayfield said do we have staff here that's presenting this, because I have a specific question? As they're coming up, as far as the comments, thank you James for sharing them, actually, we should be able to use our CLT+ App, to be able to take pictures and be able to track, but the fine issue is a different one. I wanted to give staff a chance to get here. So, thinking about what was just shared by Councilmember Graham, we have in here change trucks to vehicles, change drive or to drive, stop, stand or park in, some of the ordinance revisions. I don't see in here how we're identifying the trucks, meaning the larger vehicles, from a car vehicle, because the

trucks overwhelmingly are along the highway and major roads. Like if you come off of 485 onto, I think that's Harris, we have some areas where we have signs, absolutely no parking. Wondering for an update some time in the immediate future, why do we not expand that, the signage of absolutely no parking as one of the first steps? Because you don't see the trucks where you have those big red signs, but as was mentioned, we're seeing the actual body of the truck left, but the cab is gone and/or incidences where people pull over in the vehicle, those things. I'm trying to figure out why we didn't differentiate at the least the fine piece of what that would be for blocking versus a car vehicle that's parked all along Fourth Street where we have a bike lane, but the bike lane is being used as parking for a multi-family, because our language wants us to reduce parking, but yet, we have people with multiple vehicles, help me understand.

Debbie Smith, Transportation Director said sure, good evening, Council. Debbie Smith with the Department of Transportation. So, certainly there's a lot packed into that. What I want to make sure and just clarify, is that the definition of the trucks is following along the lines of our Unified Development Ordinance, so we're being real clear about what that language to define a large commercial vehicle or a commercial vehicle. So, we're getting real clear on that. What I would also like to say, is that there are rules and regulations as it relates to the Interstate, and you are not allowed to park on the Interstate unless it is an emergency situation. So, we worked really closely with our partners at NC-DOT (North Carolina Department of Transportation) to add additional signage in some of those places that we know are very egregious in that long-term parking, if you will, and leaving the trailers. So, we're continuing to work with our partners there.

The work that we're doing with this ordinance change really affects on the City streets. So, for us in combination with the Code Enforcement Rapid Response team, that's under Director Rebecca Hefner's group, that's really where we're enforcing the activity on City streets. We're continuing to work with our partners at the NC-DOT to ensure that the highways, the Interstates are also being monitored and enforced as well.

Ms. Mayfield said so, Rebecca, if you don't mind, a quick question. When you all were looking at the fine amount, and I note that you have in here that these increased fines are in line with other serious infractions. Was there conversation about a higher amount, considering the impact that one of our own Council colleagues was hit by a driver not paying attention? Did you all have a conversation about that fine actually being a fine that would be substantial?

Rebecca Hefner, Director of Housing and Neighborhood Services said thank you, yes, and good evening. Rebecca Hefner, Housing and Neighborhood Services. We had a lot of conversations about the fine, both with our internal Quality-Of-Life Team, as well as reaching out and researching how these issues are handled in other cities and our peer cities across the country, and in partnership with representatives from the trucking industry. We landed on a fine that was comparable to other infractions within the ordinance and an increase from where we are today, which is \$25.

Ms. Mayfield said do we have the opportunity to have a much more robust conversation regarding that fine increase? This really is a question, I guess, for Council and leadership. If I did a motion for the fine to be \$300, do we have the ability, or is this a conversation where we either need to defer to give a chance to come back with an amount that's actually going to be substantial enough to have an impact, or can we get a commitment that this will come back in a relative short turnaround time to give us an update on here's what the fines could be?

Mayor Lyles said that's a great question, Ms. Mayfield. I want to make sure. Mr. Baker, in terms of statutory rules, what are our limits? I think Ms. Mayfield is asking how high can you go?

Patrick Baker, City Attorney said I understand the question, and I'd ask Ms. Flowers, because I just texted you that very question, what is the maximum number?

Lisa Flowers, Assistant City Attorney said I'm pretty sure, I'm looking back through my notes, because it's been a while since I've looked at this. We have authority from the state, and I think we can set it at whatever we want, but I think we need to be careful that we're not overreaching, because the state could come back and take back some of that if they felt like we were being overzealous in our fines. So, we do have authority, but I think we're in line right now with what other cities have done. Going beyond that, I'm not sure how the state would look at that, if they would take back some of that authority.

Mayor Lyles said so, Ms. Mayfield, you heard the answer, you've got flexibility, and it's just a cautionary.

Ms. Mayfield said well, what I heard is a conversation of political will versus political ability. So, we have the ability to do it. Council, to my end, maybe the TAP (Transportation Action Plan) Committee had the opportunity to discuss some amounts, but as this is presented before us today to have a discussion on, we know that that \$100 is not going to be an amount that is going to have a relative impact when we have residents that use the bike lanes. We all see people that are out, whether it is for their primary form of transportation, and we say that this is a goal regarding sustainability and other things. Even if we were to say \$300, that is a number that would probably have more of an impact for you not to do this versus the cost of doing business at \$100.

Mayor Lyles said so, the Manager has been working with this team for a while. So, he has some comments that he'd like to make, and I think, let's share this information.

Mr. Jones said so, Council, there are several things that can happen tonight. One, you could approve this, and then we could come back, revisit, lift it, we could defer it, you could get more information. I believe I'm right with this Debbie. Wouldn't this be the highest in the state?

Unknown said yes, Mr. Jones, we would be the highest.

Mr. Jones said so, we what proposed was the highest in the state, and if you want to go beyond that, I just want you to know that they were aggressive. We were aggressive at the outset.

Mayor Lyles said I think one of the questions is, it's not just the political will, it is something new. I was writing down the change that we want to make, and maybe we ought to try something, and ask you for the metrics, how many didn't pay, how many people tore up the ticket, or whatever. We could get some metrics if we tried this, but I know that this has been stated as \$100. For every presentation that you have done, it's been \$100. So, how do we make sure that we are doing something that's consistent, but also have the ability to adjust it?

Councilmember Ajmera said okay, where do I start? I know we are highest in this state. This might be a legal question for Mr. Attorney. Would that mean, if we were to change it at the dais, we would have to go through a public hearing again because we are changing, because we had public hearing on this last month?

Ms. Smith said Councilwoman Ajmera, if it's okay, we'll take that question. So, it is not mandatory for a public hearing. We went through a public comment period in order to garner additional feedback from the community.

Mayor Lyles said I want to be certain, Ms. Ajmera, it was public comment. Remember, everybody was asking what's the difference between the two, and so I don't want the newspaper or the TV guys or even Mary, who's going on vacation pretty soon, to say that this a public hearing. It was a public comment.

Ms. Ajmera said yes, I think we had a discussion about that public hearing versus public comment, and I know Mr. Mitchell had asked what's the difference. So, you answered question about the enforcement that Ms. Mayfield had. So, W.T. Harris is a state road,

it's a state-maintained road, and that's where this problem of truck parking is persistent. I have not seen any improvement. So, what would the enforcement look like for the state-maintained roads?

Ms. Smith said so, certainly, Ms. Ajmera. So, with truck enforcement on a state-maintained road, that's not an Interstate, not an Interstate Highway, we could have the ability to use either CMPD (Charlotte-Mecklenburg Police Department) or our Code Enforcement Agents to be able to write citations on that, yes. So, we could enforce that, yes, ma'am.

Ms. Ajmera said so, that's great. So, when we talk about entrance of the freeway, right off of 85 and W.T. Harris, and I think that's what Mr. Graham was referring to, and that's in Ms. Johnson's district, right at the entrance, that would be NC-DOT?

Ms. Smith said that is correct. So, when it is Interstate ramp leading to the Interstates.

Ms. Ajmera said what would the enforcement like in a timely fashion?

Ms. Smith said and so, just to have the ability to be able to respond quickly and write that ticket and fine the owner of that vehicle. That's what we would be working on, and I'd probably defer to Director Hefner, on that.

Ms. Hefner said sure. So, we do have a small team, the Rapid Response Team, that has been set up around the quality-of-life issues in general, and we actually have authority under code enforcement for all of our inspectors to issue citations. So, we're taking a phased approach, but by early next year, we will have all of our Code Inspectors issuing parking citations, that's in addition to the response that CMPD also makes, both on a proactive basis and response to complaints. So, right now, residents can report illegal parking. They can report that by calling 911, or reporting it through the CLT+ App, and depending on the location, the time it comes in, it will be responded to either by CMPD or by Code Enforcement.

Ms. Ajmera said so, I know that Rapid Response was something that's part of our budget that we approved earlier this year, so that's great, that really gives us rapid resolution on this. Does NC-DOT have a rapid response team, because the challenge is not just on the W.T. Harris, but also at the entrance, especially at night where we have street light issues? It is very difficult to see the semi-trucks sitting right at the entrance of W.T. Harris, as you are taking 85. So, would this amendment revision in any way address that? What I'm hearing is that there is very little that we can do, that's what I'm hearing.

Ms. Smith said so, what I would say is that this continues to show our support to the increased fines and helping them to prioritize as well. The NC-DOT works very closely with the highway patrol in order to enforce those areas. So, for them, I think it really is about a proactive approach to putting up the signs and to addressing the situation before those tractor trailers are parked, but we will continue to work with them on these very important areas that you are sharing with us.

Ms. Ajmera said thank you. There are signs all over, and that's not been a deterrent. It's frustrating, and this is long overdue. This is really a safety issue for our residents, whether you are driving, whether you walk, or whether you are a cyclist, to Mr. Lee's point. I will be supporting these revisions and hopefully we can gather the metrics to see if this is effective. If not, we can revisit, and I'm open to increasing fine based on the metrics, but I would like to see the metric before making any changes at the last minute.

While you're talking about the enforcement, I know that was the question that Mr. Graham had raised, I know the scooters are not supposed to be on our sidewalks, but I do see that folks actually do ride on our sidewalks on their scooters. What's current enforcement like for them?

Ms. Smith said absolutely. So, switching gears and putting on my scooter hat. Scooters are allowed to be riding on the sidewalk in areas outside of our central congested business district. So, much like you would see a bicycle being allowed to ride on the sidewalk outside of those areas, within our central business district the congested area, we've actually worked really well with the scooter companies to lower their speeds. So, they have a maximum speed of 15 miles an hour in normal conditions. In the case of areas where we are concerned with them riding on the sidewalk, they have to reduce automatically to an eight mile an hour, which is a much slower speed on the sidewalks, but we're very aware of that, and work with the scooter companies to improve safety measures on the sidewalks as well.

Ms. Ajmera said so, Ms. Smith. The challenge with scooters is really in the Uptown area, because that's where you see heavy concentration of scooters. I struggle with the enforcement part, because it's not currently being enforced. When you go to Uptown, whether it's festival or any games, I saw, when I was attending the Arts Festival, a gentleman in a wheelchair wasn't able to access, because there were scooters that were obstructing the right-of-way. We are talking about sidewalk, and there hasn't been really any enforcement. Yes, can make all the revisions and updates, but if there is no enforcement, these are just going to sit and collect dust. I would really like to get an update on what we can do about the enforcement.

Ms. Smith said Ms. Ajmera, we'd be happy to put together a very comprehensive report on enforcement around the scooter activity.

Ms. Ajmera said okay, that's great to hear. I do support this, and I'm looking for metrics, and I know Sustain Charlotte had sent us a letter in support of this. This is really about protecting the most vulnerable members of our community. We're talking about cyclists, we're talking about pedestrians, children walking to school, our elderly who are walking, and we've got to make sure we are creating a safe environment for everyone, whether they drive their car or not, whether they're riding a bike or walking, and this is a step in the right direction. So, I appreciate your work, Ms. Smith, on this, but I would like to get an update, like Mr. Graham said, on the enforcement piece of it, because I think that's where we need to improve and we need to make more progress on. Thank you.

Councilmember Winston said so I found myself in the position to reluctantly support these changes to the ordinance. I say reluctant, because you've heard speak probably many times from the dais, that just punitive punishments are not good ways of trying to get community-wide changes in behavior. It simply doesn't work generally speaking. I think we are running up against one of the reasons why trying to punitively enforce misdemeanors, in particular, are ineffective, because I think regardless of how much you change the fine amount, it's not going to have an effect of wide-spread change in the behavior that we're trying to change. It might hurt a few people who live on the edges, on the margins, by getting these fines. I would put good money on, that you went and polled people out on the street right now at this very minute, they would think that parking in an illegal spot was probably more than \$100 fine right now. I would probably imagine that people would guess it'd probably be about \$200 to \$250. So, I don't think that \$25 fine is the reason that that behavior exists, and changing it to \$100 is not going to change it, let alone more.

I think my experience, with what Mr. Baker said, is correct, that while we might be able to change our fines on the misdemeanor to be more than \$100, \$100 is really the kind of upper level that has been set from a state perspective. This is something that we dealt with when we were dealing with the sound ordinance, the noise ordinance. It was \$100 per incident, and the idea was, if we went beyond \$100, that we'll find ourselves in a situation where if we fine somebody greater than \$100, they going to challenge that fine, and you can fight it day in and day out. So, the reason why I decided reluctantly, is because I heard from the bikes and pedestrian folks, that, "Hey, a community's values are found in their policies," and they saw themselves and their safety considered in this policy change, where they haven't seen it before.

When we talk about truck parking, this is not even just a state road issue. This is a national issue. This is something that trucking companies are dealing with, that people who use trucking companies are dealing with, cities, states, are all dealing with. So, if we really want to deal with that, we should kind of be leaders on the national level, look at our legislative agendas, talk to different cities, talk to the U.S. Department of Transportation, talk to businesses, and see how we can adjust these standards that are making trucks park the way that they park. When it comes to bike lanes and transit right-of-ways, rapid response removal is, when somebody shows up and their car isn't there, that can change behavior.

So, again, I suggested this years ago, we should really focus on the Gold line, and how can we do something along the Gold line, along the bike lanes to use technology and use whatever resources to identify those vehicles that are blocking right-of-ways and how do we remove them and create a program that can work and is repeatable in different parts of town? So, those are the type of efforts that are going to take a long time, that might change the behavior that we're trying to change, but this suggestion and any type of substitute motion, I don't think we'll get there. I hope we don't do that, and just let's go forward with this, learn from it, and figure out how do we do it better, and give our folks in the biking and pedestrian community the ability to see themselves in some of the policies that we're making tonight.

Mayor Lyles said I think about the number of boots over at the Starbucks on East Boulevard. If you put a boot on something, that will stop you in your tracks, and it's going to be about \$100, but it's at least something that is a deterrent that's physical and it's kind of like not an argument about it, I think, which is a lot of the other things that we also have to think about. People get really in tough situations. So, maybe that's another idea.

Councilmember Watlington said thank you. Just two things. Followup to Ms. Mayfield's item, was there any additional information in regards to that?

Ms. Mayfield said so, thank you, Dr. Watlington. No, I wanted to ask the question to find out. The Manager actually responded with the fact that we are at the max, so I do support us moving forward. I did ask the Manager if we can get a quarterly report, so that we can not wait a year to see what the impact is going to be as far as the fines, but I will say that I do like the idea of the boot, because that's immediate. I do support us moving forward, but I do think we should get a quarterly report on this, and not have to wait too long to see the impact.

Ms. Watlington said awesome, thank you for that. That clears some things up for me. I agree with you. I also agree with many of the comments that were made. I'd love to see us continue these ideas around what are the other options that might be more of a deterrent, but also specifically to the fee structure. I know that Driggs and Graham both spoke to, or alluded to this idea of it might hurt a commercial company more at a higher rate than what we would want to target for like a single occupancy vehicle. So, as a separate item, I'm interested in exploring that as well. So, just wanted to lift my voice up at that.

The last thing I wanted to do, Debbie, was I saw that you responded to my question regarding our strategy around the curb, knowing that we've got a lot of ride share, and that kind of delivery economy. So, just wanted to give you an opportunity real quick to speak about how that is being thought of in light of what we're doing here.

Ms. Smith said yes, thank you, Dr. Watlington. So, yes, Dr. Watlington and I were exchanging some conversation, along with Ms. Johnson earlier today, just how your ride share companies or your Uber Eats or your other delivery companies sort of interact in a right-of-way, and we're always thinking about that. Our strategic parking plan is thinking about that. We're looking at how our loading zones are utilized, and we're always looking for opportunity to make sure that we've got the right space for those activities to occur. So, that absolutely was part of our conversation, and appreciated you lifting that up.

Ms. Watlington said sure, thank you.

Councilmember Johnson said I want to follow up to Dr. Watlington's question about those gig workers. I think \$100 for an infraction is pretty steep for folks who are Uber drivers or Door Dash or Uber Eats, or whatever. Is it possible to have a permit for them or something, while they're loading or picking up food? We know Uptown, and there is limited parking in lots of places in the City. So, from an equitable and upward mobility perspective, how do we help those small business owners when there's limited parking, and we know that, and we recognize that? What can we do to assist them?

Ms. Smith said sure. Great question, Councilwoman Johnson. So, the idea is, I want to be really clear on there are areas where we absolutely, no matter what, don't want the vehicles parking in those spaces. That would be the bike lanes, that would be blocking the streetcar, and that was early on one of our greatest infractions, is the Uber Eats and the others, not picking on a particular company at all, but that type of activity happening, and that was very disruptive to the activity. No amount of time is appropriate for that driver to park and run in to conduct their business. So, really, it's that opportunity to start with the education and the enforcement, sharing with them where they should be parking, and then it was escalation to a citation of \$25, and now we think the next is that \$100 citation for that very serious infraction. With those infractions, we are also educating them on within that particular block where are the available parking spaces, and if we have places that are just over congested for those quick stop in, stop out, then we're looking to increase those spaces. So, it's an ever-evolving situation.

Ms. Johnson said I'd like to take a look at areas. I just think of Trade Street and Tryon Street where there's lots of restaurants and everything. If there's an opportunity to maybe have more loading zones or something like that. So, we are considering those folks who do drive and have to deal with the parking for a living. Then, you know I'm going bring up the state-owned roads, because there are so many in District 4. We've talked about W.T. Harris, and that affects District 5, 4 and 2. So, you mentioned the CMPD has the ability to enforce, you said, state-maintained roads that aren't highways. Is that correct?

Ms. Smith said yes, ma'am, as long as they are not the Interstate Highways, the CMPD or Code Enforcement Teams can run their enforcement efforts on state-maintained roadways, absolutely.

Ms. Johnson said but the roads that are highways?

Ms. Smith said Interstates, yes, ma'am. So, ramps and Interstates, those are under the jurisdiction of the Highway Patrol and the NC-DOT.

Ms. Johnson said okay. So, when I think highway, so 2949.

Ms. Smith said 2949 is an example of a roadway that the City could enforce with their enforcement or their CMPD.

Ms. Johnson said okay. I know that there are signs on some of the ramps and some of the streets, and I noticed additional signs. Thank you and to [INAUDIBLE] for that, and there have been some improvement, I've noticed that, but there are not these signs everywhere. Is it still illegal to park in these certain areas, whether there are signs or not? Is that correct?

Ms. Smith said yes, that is correct, that it is illegal to park in those situations, unless it is an emergency. So, the signs really are just supplemental to what the state law says today, but the signs can be very effective in their spacing to then physically not allow a tractor trailer to physical be able to park in that space. So, that's what we've been really working with the NC-DOT on, how that additional messaging actually physically prohibits the tractor trailers from parking.

Ms. Johnson said so, the issue of it's illegal and we see this constantly, I mean constantly, and it is a safety issue on W.T. Harris. So, the issue then is enforcement. So, what can we do to assist, because it's a state issue? We should be getting more help, I guess, from NC-DOT or highway patrol.

Ms. Smith said sure, continuing those conversations and having us ask them what we can do.

Ms. Johnson said okay. So, then residents can reach out to their state Senators, and ask for assistance on that. I know District 4 just formed a new coalition. I'm so excited, and this is an issue that they're addressing. So, I think that the issue is awareness, that these are state-maintained roads, and there's accountability at each level. Okay, and then as far as the Rapid Response or the Quality-Of-Life Team, when will that be effective?

Ms. Hefner said that team is already out on the streets issuing parking citations, and they're already in action. So, there are currently two vacancies still on that team for inspectors, but we have a supervisor and two inspectors stood up, and we've added a couple more people to the team to really round out the staff, and they're already out issuing parking citations to tractor trailers and to vehicles in bike lanes.

Ms. Johnson said and how do residents reach this team in the evenings and on the weekends?

Ms. Hefner said so, the reporting can be done either through the CLT+ App, by contacting 311, or by calling 911. The team does not respond immediately to the request always, and the Rapid Response Team is actually meant to say that, we are responding rapidly to emerging issues, like parking. So, we'll use our current code enforcement response timeframes to go out and issue citations for parking, but that staff is also out proactively working in our hotspots each and every day.

Ms. Johnson said we can talk about this later, but do we want residents calling 911 to report truck parking? I mean that ties up the line for emergencies. I mean, we can certainly talk about that.

Ms. Hefner said it's the option that CMPD has requested for areas where police would respond, and now that the Rapid Response Team is set up, the residents can also request investigation through reporting to 311 or the CLT+ App.

Ms. Johnson said and 311 is only open during business hours. Is that correct?

Ms. Hefner said 7:00 a.m. to 7:00 p.m., Monday through Friday. So, if you are reporting off hours, 911 or the Emerald Web or CLT+.

Ms. Johnson okay. Then, lastly, Mr. Lee brought up a great suggestion, thank you, Mr. Lee, as far as residents being able to report, like taking a picture for a car in the bike lane or anything. Is there a way that they could do that, uploading through the CLT+?

Ms. Hefner said there's currently functionality within the CLT+ App to take a picture and attach it to the reports that a resident is making through that App.

Ms. Johnson said so, would we have to talk about that in the TAP Committee. If CMPD would be able to act on that, a picture, if that would be enforceable? I mean, we really don't know that, do we?

Ms. Hefner said I'm going to defer to our legal advice on that question. We don't currently enforce, in code enforcement, anything by those means.

Ms. Johnson said okay, thank you.

Councilmember Anderson said thank you for this work. I clearly support the work that's here. I'd like for the Quality-Of-Life Team and your teams to think about expanding this ordinance to include noise issues, especially with the issues that we're having with cars taking over particular networks and roadways in our cities. There is an increase of modified exhaust on a lot of cars and that creates noise, and it's a quality-of-life issue. I've certainly heard about that from my district residents. I know that we have cities like New York City, for example, that has cameras that are noise automated cameras that can capture a photo if a resident is intentionally making loud noise and disturbing the peace and the quality of life. So, I'd love, as you go back and look at additional areas of expansion for this particular ordinance, that you investigate how we can enforce noise violations.

Mayor Lyles said thank you. After hearing everyone speak, I know that there's lots of conversation. I think that one of the questions that we have to ask is, we've been talking about this, it's been in the newspaper, it's been on television, and I wonder if we should consider what we have before us, take the time, I think Ms. Mayfield's point, to see what our results are, establish some metrics, and come back within a certain amount of time. I don't know whether that's six months or less or more. I think you've heard a lot about what we want to do, and I know you guys have worked really hard on it, but quality of life makes a difference, and quality of life across our footprint is not always the same. It could be noise, it can be trucks, or different pockets of our community that deal with this, but I also think of the enforcement issue and perhaps some other tools that we could use. We talked about the fines primarily, but maybe we have to be more aggressive in terms of where it hurts, which is where you don't find your car or your car is towed, and anybody that has had a car towed in Charlotte knows it's a very difficult experience. We've had public comment. We've had a lot of suggestions. So, I know that we've got this on our plate today, and I think that there is going to always be a need for this kind of work to be updated, but I think we've got to start somewhere if that's where the Council is. So, everyone has had a chance.

Motion was made by Councilmember Mayfield, and seconded by Councilmember Winston to approve the proposed amendments to Chapter 14 of the City Code.

Mayor Lyles said so now that we have a motion on the floor for adoption of the proposed amendments, I would add, and I think the Manager heard this, different tools, different ways, a reasonable amount of time to see what's working and what's not working.

Mr. Graham said could you define a reasonable amount of time, because I thought I heard quarterly?

Ms. Mayfield said when I say quarterly, I say in a quarter.

Mr. Graham said in a quarter. I don't want to be redundant. I'm going to support it for sure. I just don't want to lose the momentum, and again, I'm narrowly tailored talking about the commercial vehicles, because that's the problem, and the problem's getting worse, not better, and this is no reflection on the work that you ladies are doing. Jane has been outstanding every time I call, and they've been very forthright in terms of trying to address the issues. The volume of emails and phone calls that we receive, people stopping us in grocery stores, at churches, complaining about this, it's a community-wide issue, and I don't want to kind of lose focus on trying to solve the problem. We started talking about this last January 2023, and so, there's a sense of urgency, at least on my part, that we kind of deliver on the promise. I believe this is a very good first step, though, thank you.

Mayor Lyles said and I think that the timeframe is a quarter, okay.

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

Mayor Lyles said I want you to know how much we appreciate this, and it's going to always be an ongoing exercise. So, thank you for what you're doing.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 413-421.

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ITEM NO. 11: CHARLOTTE ARTS AND CULTURE PLAN

Motion was made by Councilmember Winston, and seconded by Councilmember Ajmera to accept the Charlotte Arts and Culture Plan to support the community vision for arts and culture in Charlotte-Mecklenburg and provide a strategic plan that residents, businesses, organizations, artists, creatives, and public officials can use to shape the community's arts and culture ecosystem and contribute to a vibrant and prosperous future for Charlotte-Mecklenburg.

Councilmember Johnson said I have a question. Thank you for this plan. I want to know from your perspective, is there anymore that you think that we as a Council can focus on to help the arts community, or if you just had to give us your top idea or top two ideas, what can we as a Council do to support the plan or support the community? Is there anything more that we can do for you?

Priya Sircar, Arts and Cultural Officer said more than what's in the plan?

Ms. Johnson yes, more from a Council perspective, and maybe we can talk offline, but I just wanted to know if there's anything that we can do as a Council to continue to encourage you for the improvements and everything?

Ms. Sircar said I would say that, I think the biggest thing that Council could do is to keep arts and culture as a priority for our City. What that could look like, is to keep arts and culture in mind as one of the ways that, if integrated into all the other things that we're doing as a City, can truly help us to continue to have a more vibrant and sustainable community.

Ms. Johnson said alright, thank you, and I'd like to talk offline also, okay. Thank you for the plan. I look forward to supporting it. Thank you.

Councilmember Driggs said so, I've been involved in this pretty heavily since the beginning, and I wanted to say Ms. Sircar and I have had a number of conversations. I'm not going to support it tonight. I believe that there is a lot in there that is good and represents the culmination of a great deal of work. A couple of things in my mind that are still missing. I was disappointed, which I think I communicated to you, not to see a more explicit recognition of the major venues that the City owns and our commitment to sustain their funding, and I think that's important partly because the people who work at those places deserve some recognition from us. I just feel that for us to talk in these general terms about the arts and not put some acknowledgement among our priorities or the fact that those are important institutions and the people who work there are important to us.

The other thing is, there were a number of questions I had about kind of the implementation or the details that, in my mind, haven't been fully worked out. To that extent, this is almost more of a vision statement, like a 2040 Plan, than a UDO, in my mind. So, I'm a little concerned about how some of those issues, and Priya, I have been clear about this, will resolve themselves. What exactly does the governance look like and what are the processes? So, I'm not discouraging anybody else from supporting it. I'm not saying it's bad, but I'm really not at a point yet where I can support it. Thank you.

Councilmember Winston said I've talked about this a couple weeks ago. I think Mr. Driggs is right. I am going to vote to support this, but this is very much like the comprehensive plan, that this is really the start, and I agree with Ms. Sircar, that we

need to maintain this as a priority. Once we receive this plan, this does give staff the kind of guidebook on how we can operate internally to fulfill this priority. Remember, we did not ever have anybody within our organization, the entire City of Charlotte, whose job was to understand public funding of the arts, and therefore, what we can do with it. So, we are really building something from scratch within this organization, and adoption of this plan kind of sets us out on the long-term path, to continue to act on that. So, this has been a long process. We hope that it will be a longer process, as in perpetuity of prioritizing this, but you go slow in government, so you can go a long way with government. So, I think we've done this the right way, and I think this is a good plan that, again, sets us up for the long term, and I look forward to voting yes for this.

Councilmember Graham said first, let me thank Priya for all your work. You've done a lot of work in a difficult environment, I think, in terms of working with a wide variety of stakeholders and kind of pulling everybody together for a common vision. So, I really appreciate the work. Arts and culture, sports and entertainment are a part of the culture of our community, and so I do agree with Mr. Driggs, that what I call the Blue Bloods, the major institutions, Discovery Place, The Mint, are part of who we are as a community, but there's also room for new emerging artists to do different things as well, and so it's not either or. My perspective is, how do we kind of have a vision to accomplish both, and have a new vision for the arts and culture in Uptown Charlotte and throughout the City? So, I look forward to continuing to do the work. There's a lot more work to be done, but I think this is the very, very first step, and I acknowledge that we have more work to do, but I think it's really exciting. I think, if we can make sure, as I said earlier, that we find a way to include arts and culture. Like the Whiz was in town this past weekend. We need more of that for our community, as well as identify spaces for emerging artists to represent and present and be a part of the changing arts landscape in the City of Charlotte. I look forward to being a part of that. Thank you.

Councilmember Bokhari said I want to start by recognizing that a lot of people have worked hard in the community on this, and that is appreciated. What they do in the arts and culture community is appreciated. I have some pretty strong feelings about all this, and I want to start by making sure that those who have worked hard, your efforts are very much appreciated. This isn't something that just popped up over the last couple months, or even couple years. We have been battling this, trying to figure it out for a long time. We were, what felt like ground zero, when the \$0.25 cent sales tax failed, when this community said, "We don't buy the vision, start over." What bothers me is that was 2019. We're at the end of 2023, and this is where we are right now, this 100 plus page document. For those of us who have worked hours and hours behind the scenes, trying to make this happen, it's a bit disappointing where we are right now.

What happens too much in government, is someone drops a 100 plus page plan in front of you, and then we all look at the plan and we show how thick the plan is and we say the plan is the plan, okay, we're making progress. I can summarize this plan. It's got eight priorities or points to it, and I encourage anyone in the community to go read it themselves, but I'll summarize the plan right now. Priority one, go get public money.

Priority two, then use that to get more private money that's dried up. Priorities three through eight are, here are additional things that seem to poll well, and people think are popular that you can do with that money. Where we set out where we needed to be by now, was looking at, here are the assets we have that are underperforming. Here are the buildings and the operations that are there that need to become sustainable. Here are the funding mechanisms that will get us there. Here's the policy that the City will use in order to put more money into the things that make outcomes that've happened. We started at the absolute opposite end of where we needed to be, and now we've got this kind of frame of a car. It's not a car that we could in and drive. It needs an engine built, and we might find out this isn't the shape the car needs to be in the end.

So, I think one lesson we have to learn is, this didn't start this year, it didn't start even in 2019 when the sales tax failed. You can go all the way back to, in 2008, 2009ish, when Mayor McCrory actually vetoed, and this was one of the vetoes that we're overridden by Council at that time, the money for the Mint, the Gantt Center, several of these

buildings, not because people didn't think they were valid and important, but because no one went into the weeds and figured out the sustainable operations model, and the funding that was going to get us to that point. We find ourselves over a decade later, still ignoring that conversation, and that is terrifying to me, because it's just kicking the can down the road.

So, I only bring this up in the hopes that we can sit down and figure this stuff out. I'm going to vote against it as well. When I look at the wording of all of this, it's us accepting this report. So, it was emailed to us, we've accepted it. I would encourage my colleagues to vote against accepting this formally, because there's nothing for us to be able to utilize here for what we need to do next. It's not to say that the next step, of us taking it and moving it to where we need to go, isn't exactly what we need to do otherwise. I'm completely on board with that, but I don't want to give the community a false impression that we've moved down the road to where we need to be, just because there's a lot of papers here. The same community that saw through everything in 2019, when they overwhelmingly voted down the sales tax for arts because we didn't have our act together, can see where we are today, and this is not going to solve for that.

So, we need to learn from those lessons in the past, we need to double down our efforts, because the arts and culture community is critically vital, and if we don't get this right, we're going to be doing them a disservice. We need to make sure that the organizations that perpetuated this stuff for decades, we have a clean cut and a path forward. So, I'm going to vote against it. I encourage all of you to send a message to this community that you get it as well, that this is not us making progress, but it's not a message to those who worked super hard on this. I really want to emphasize, this is our responsibility to be here at these decision points and make tough decisions, but is not an indication that your work is not appreciated and all of the effort you put into this community. It should be something you look at and say, Thank you. If you don't feel you're doing your job and what you should be doing with City dollars, you should be raising the flag right now on something this important. So, I hope that we can do that.

Marcus Jones, City Manager so, thank you, Mayor and members of Council. Thank you, Priya, and for everybody who's put a lot of hard work behind this. I just jotted down some notes and maybe level setting is the best way to say this. So, absolutely, there's more work to do. I think that's most important. Second, you're receiving a plan tonight. Words matter. I remember there was a plan that this Council adopted, which wasn't a staff-driven plan that years later, when folks said, "Hey, it's time to support this or pay for this." Council said, "So, this is a lot of hard work and you're receiving it." I really like what Councilmember Bokhari said, and I'm going to repeat just a little differently. So, there have been a couple of go-it-alone strategies that didn't necessarily work, and I think this is the first time they were getting to a let's work together strategy.

So, the \$0.25 sales tax, I believe county driven, that this Council was a little miffed that you were pulled in kind of late. When we did the Infusion Fund, this Council, the opposite feeling came about from the county. It's like, "Well, why didn't we have some seats? Why weren't we a part of this?" What's been happening during this process is collaboration and communication between staff, the city and the county, so that there can be something different this time, in terms of, let's think about it as restricted funds that would be associated with those things that are important to this Council and restricted funds that are items that are important to the County Board of Commissioners. I don't want to get too in front of them right now. Then, there would be pooled funds that would be something that may be important to all of us, as it relates to hitting some of the goals and objectives.

What we've done as a staff for you is always stuck by the recommendations from the Ad Hoc Committee, stuck by the recommendations of the four of you that carried that forward, so that when we get to the place in January 2024 during the Annual Strategy Meeting, where this will be a topic which we will talk about governance and we'll talk about funding, that our recommendations to you are going to be consistent with what you've been telling us to do all along. So, that's kind of the thought process where we

from a staff level have been, is that we're going to be consistent with what have been the objectives of the Council.

The other thing I think is very important to just highlight what is happened with this Infusion Fund over the last three years, which is extremely important. So, if we get back to 2022, let's call it the low point of funding for those organizations that we're associated with, whether it's Thrive or whether it is the [inaudible] organizations, some of those that are more diverse than others, \$4.3 million. Now, with the Infusion Fund, for the last few years, it's closer to \$8.5 million. For those Thrive organizations, from their low point to where they've been during the Infusion Fund, almost double, for those [inaudible] organizations, almost triple. So, a lot of good things have been happening while we have been protecting our assets from an economic development perspective, those buildings, and not just the buildings, but the people that perform in it, as well as lifting up these other organizations that for years have not gotten the same level of support. So, the thought process has worked with the Infusion Fund. It's how does it remain sustainable past 2024?

Councilmember Anderson said Priya has left, but I wanted to thank her for the work that she's done, because I've had several conversations with her, and I know this has been a heavy lift. When we think and talk about strategic plans and implementing strategic plans, we have to have metrics, KPIs, (Key Performance Indicators) ways in which we have a keen understanding that, whether or not the plan is working or is it not working. I know that in section five in this plan, there is an implementation guide that has outcomes tied to every action, but some of these outcomes are fuzzy, soft, if you will, and this is difficult to actually track them from a metric perspective.

The other aspect of this plan, as well as there are a lot of actions that have a long runway, so a lot of these actions have multi, multi years that it will be in flight, and it will be easy for us as a body to lose sight on whether we're making traction, is it working, is it not working, should we pivot? So, I'd like for us to make some attempt to tighten up these outcomes. Of course, some of them have to be soft in nature, but I want to be able to track our ability of how we are making traction on these outcomes. So, I'd like to have some level of metrics or KPIs that, as a board we are provided on a regular cadence, so we can add perspective on, yes, we're going the right way, or if we need to conclude that we need to pivot on some things, because it will be very easy for this to be in flight and we just lose sight of it and the effectiveness will be difficult to ascertain.

Mayor Lyles said I think the idea of creating those metrics is important. I also think it's important that we know what we currently do, and I think that's from Mr. Driggs comment, about the number of buildings that we program, support financially and maintain. So, we've got a part of a plan, but we really need to have a foundation of what we already have, and then look at the metrics of where we can go. So, I understand it says accept, and I just don't know whether that is a strong, vibrant word, or just kind of like, you know namby-pamby. It's kind of like, once we accept this, then does that cover the kind of focus and rigor that we need for the remaining parts of it?

Mr. Winston said so, I think accepting is the right verb, again, so that staff can continue to move forward. I think what Ms. Anderson stated is accurate, in terms of what we should desire, but what this does set us up for. The idea is that Council, as long as it keeps arts and culture as a priority, will be able to go in December 2023 or January 2024, when you have your retreat, to start giving those desired outcomes to staff, so that they can go and work on it. That's why I keep saying that this is really kind of a start, so that you can say, "Hey, we as Council want to prioritize for investing in workspaces this year." So that staff can say, "Okay, we're going to come up with a way to define success or failure, and that you can look at those things, or we're going to focus on bringing in jobs in the created spaces this year." This plan and accepting this, gives staff the continued kind of okay, to keep going forward to set up that type of workflow, because again, I would just remind us, we have people on staff that know how to build roads or make the land use maps or deal with law enforcement. We don't have any department in our organization right now that effectively creates those KPIs and everything like that. So, accepting this allows that process to go forward.

Councilmember Ajmera said so I recall having a presentation to Council a couple of weeks ago on the arts and culture plan, and I know Mr. Driggs had raised the concern around supporting the institutions that's a part of the fabric of our City, that is our City's responsibility. When we had that presentation, what we had talked about as a next step, this priority that we have here or this plan, does not prevent us from having that discussion in January 2024. We do can both. We can support our institutions as well as acknowledge historically marginalized communities that haven't been funded in the past. So, I think we're all on the same page here, in terms of doing both. I don't recall ever us having a conversation about stop funding what we currently do. I think that's our obligation. That's what we're going to continue to do. This just adds a layer where we have not funded historically marginalized groups and artists that we are going to do.

So, I look forward to having that conversion in January 2024, but I agree with Mr. Driggs. We do need to continue to deliver on our obligation, which is Blumenthal Arts and Mint Museum and other institutions, because ultimately that is our responsibility, but we've got to do more, because we do have a lot of artists or organizations that have not historically received funding from us. We need to also cultivate that culture where they feel that Charlotte is a welcoming city for all, whether you're part of this institution or you are someone new who has embraced our City and who is part of arts and cultural community. So, I think we can do both.

As part of our annual funding process, this arts and cultural discussion always comes up, and I see this cultural plan as more of a framework, not necessarily a policy document, similar to what we had done with 2040 Plan. I know that even with 2040 Plan, it was controversial, it was six to five. Anytime you have this big idea, because it's not specific enough, it's a very challenging effort, and I appreciate Priya's leadership. It's not easy. I know, not just among the Council members, but even among the advisory board that you have, there are diverse opinions, and you've got to balance it all, and I think this is a step in the right direction, but our work does not end here. I'm sure Mr. Driggs and others will be a strong voice for our institutions, along with me, because I think they are part of our fabric, and we need to support them. So, I will continue to support their work, but I just don't want us to send a message to any institutions in our Dity, that we are not funding them. I think we're going to continue to do that while supporting these historically marginalized groups.

Councilmember Molina said so I'm reluctant to speak of the organizations that have been traditionally underfunded in tandem with our institutions, because the nature of the two are totally different. So, what I learned, as a brand new Council member, is when we made a vote before, and I think Priya, I addressed this with you on the call, on my private social media post, I was bombarded with people that didn't understand the difference in the decisions that we were making, and because they have livelihoods that are attached to one portion of this decision, they take the entire the decision as it being a no to them and what they intend to feed their families. Now, we have the weight of trying to lift both of the institutions that are attached directly to the City, which Priya I remember the call where you had a board member ask you specifically about the language, and I followed up with that language to say we needed to be specific as well. So, even I'm a little shaky now, because the purpose of this lift is that we lift them both at the same time. So, I'm a little concerned, because absolutely, positively, do we have a responsibility to support the artists that are a very important part of our community, and support their efforts and provide the funding where we're able to from a body and a city perspective, but also we have this concurrent responsibility of the organizations that are attached to the City of Charlotte.

So, if you'll allow me, Mayor, there was a message that I got today from a former Council member that well precedes me, Councilmember Nancy Carter, who has a recognition of this beyond my own, and basically, she was sending a message of concern. She was like, "I just saw the article in the Observer about the state of our arts community. I am very anxious. Perhaps you may remember that I served on the Arts and Science Council Board for the City of Charlotte for 12 years, including the time building the new structures Uptown. Before that, I served as President of the Symphony Guild on the Symphony Board and the Board of Friends of the Opera in 2011," which

well precedes most of us, except for a person or two or three. She mentioned, she said “You know, I served on WDAV’s Board. The arts have been a significant and beloved focus in my life, and I’m very, very concerned about their welfare. I imagine the loans, which the City assumed for the new buildings because of the lower governmental rates for those loans, in lieu of the tradition of supporting the arts through employee’s donations, and through donations to support their activities, are close to being paid off. Would there be a way of transitioning to support through allocating funding.” So, she was specifically concerned about us being specific about supporting our institutions, because of the way that we’ve done it traditionally, and then the way that we transitioned over time away from it being donation based.

So, like I said, listening to the elders, because there’s nothing more important than building on what’s been built before us and learning from those lessons and continuing that bridge, I want a specific answer for that. I want to know what we’re doing. I want to know are we being specific in the language, in the details, and God, please help me, and we’re taking care of our artists that have been traditionally ignored and underfunded.

Councilmember Mitchell said Madam Mayor, this is a tough one, and I will be the first one to admit, I was going to stay in my lane and rely on you experts, Councilmember Bokhari, Driggs, Graham and Mayor Pro Tem, who put some time in and to bring this forward to us, and I’d never want to underestimate the time, Priya, you have spent putting together this plan. A couple of questions, I think Councilmember Driggs mentioned that kind of struck me, is our own facilities. We have spent a lot of time engaging our own facilities that we own. So, Priya, is there a reason why in the document, we don’t have any language around the African American Cultural Center, The Mint Museum, Bechtler, just out of curiosity? I think we’ve even got a split Ad Hoc Committee, 2-2. So, Priya, the facilities we own, was there any discussion with them? Did they see this document? Did they have any input? I’m just curious.

Ms. Sircar said yes. So, they have had input. Some of them served on the task forces that wrote this plan. I wanted to just share a refresher from our previous presentation that, our arts and culture community of all types and sizes of organizations and artists participated in giving shape to this plan. Some of them as Steering Committee members serving since last June 2022, and others as Task Force members who wrote the plan itself including members of the Charlotte Symphony, Blumenthal Performing Arts, etc.

Mr. Mitchell said Harvey Gantt Center, everyone? Okay.

Ms. Sircar said in the process from last year, yes, in terms of the arts and culture community engagement conversations and interviews as well. In terms of your question regarding language, so I believe I’m thinking of the same conversation, Councilmember Molina that you referenced a few moments ago, in which we talked about some language around the City-owned facilities and the organizations that operate them, and that was in our small group conversations back in August 2023, if we’re thinking of the same conversation. So, I just wanted to clarify that, following receiving that feedback in August, we did add language to the plan, and specifically we added language that says, “Support stable and effective operations and utilization of City-owned arts and culture facilities.” So, that was added to address the request for language from that conversation.

Mr. Mitchell said I’m going to yield to Councilmember Molina, Mayor, because she has a followup question.

Ms. Molina said well, we can’t name them, because I think that was the concern? The concern was actually expressly naming them, because in my mind this is a policy document. So, when we adopt a policy, we need to be as specific as possible, because that’s how we enforce the policy itself, when we can get granular and have some level of specificity. If I remember correctly, I think that was the request, to actually name them. They’re City-owned assets.

Ms. Sircar said so, my recollection is different, that it was not including naming specific organizations, but it was around the facilities, and also talking about the organizations that operate them. The way that we have talked about this document for the last several months, has not been as a policy document, but has been as a framework and a community plan. It's for the City, but also for our many partners, both public and private throughout the community to use, and so that's why, as the Manager had described previously, we have thought of this as a community plan that we are asking Council to accept, so that then we can develop policies and practices, and also update our policies and practices that the City is engaging in, that flow from this community plan.

Mayor Lyles said I want to go back. I do not believe this is a policy document. Priya's right. I remember we went back and there was a lot of conversation. I think what we're talking about is the guidance as the next step. What I've heard a few people say is that, if the Council chooses to accept the document, that they have the ability to begin discussions around how do we do all of those things that you said, both and, but I also understand where the policy really is going to require, I think more of a Council discussion. You're accepting all of this information, and a lot of it has been placed in a way that it is a guide. Policy would say, we will do this, and we will spend this amount of money, we will appoint these kind of people. None of that is in this document. It does say that one, we need to recognize that our plan in Charlotte did not include underserved artists perhaps as diverse as we want it in terms of our art capacity. What it really is saying is, it's a strategic plan that addresses the idea of how do we make sure both organizations and creative people in our community are accessing the arts.

So, I think the conversation has been great. I think what Mr. Driggs and Mr. Bokhari and Ms. Anderson talked about, first, that we want to make sure that we have some metrics when we come back with this, that we actually identify the existing cost and supports that we have to have in it, that there's specifics in the plan that can lead to a document that is a policy document.

Mr. Bokhari said Mayor, can I offer a proposal, because I think there's one way that could thread this needle. I just have some concerns like, when we say we're accepting something, and then three months down the road, somebody says, "Well, you approved exactly that." I think if there was a substitute motion of all the same words that are there, but instead of accepting it, we're confirming receipt. We've received it, staff can move forward, ultimately, and make the tweaks and bring back the policy recommendations, so that no one ever comes and says, "Well, you never named the names of those organizations and buildings, so therefore, that debate is done." I think what we're doing is, we're taking a handoff from one group, we're saying thank you for your hard work, and then we're letting staff and others move forward to the next stage of the work.

Ms. Anderson said may I add that, could we possibly attach some temporal setting to when we will see the KPIs and answer all those questions that you just summarized for us? It would be nice if we were to tie a date or a timeframe where we, the Council, can have that feedback.

Mr. Bokhari said so, if maybe refrain my substitute motion, I would say all the same wording, but instead of an accept, we are confirming receipt, and then with a comma afterwards looking for a more robust timeline within the next 30 days of what that timeline look like and what staff will bring us back, not the commitment in 30 days, but giving you guys 30 days to bring us back the next steps of the timeline.

Mr. Driggs said the difficulty I have is that the things we are talking about doing were expected to be in here. So, we've been at this for a couple of years. The original working group came out and said here's the idea, here's the plan, we're going to have this commission. The goal was that the Council would hand over to the arts community the responsibility for a lot of allocation. I actually wrote a memo that was superseded, but I said the main guardrails that the Council wants to establish are, there will be public funding, we will sustain the legacy organizations, and we will have money for all of these other things that are in the plan. The thing is that, when you talk about this and this, that part got left out, and a sentence was added largely as the result of my strident

objection, that we did not have anything about the inventory of our principle assets, or the importance of some of those. So, it's fine if we want to let this move forward, and if we want to undertake to do more work and so on, but a lot of people out there thought that this was going to be where we got all those answers. The idea was that we would be at a point right now where the Council said, "Okay, we're done, our requirements have been stated clearly, and we are very happy right now to turn over to the arts community decisions about where this funding goes." If you look back at the original memo from the working group, that was the goal, and we are now at least a year and half behind where we thought we were going to be. So, as long as the characterization of this thing is correct and people who expected more or thought it was something else understand, do what you want, but I thought we would be able to kind of lay this topic more or less to rest. I thought the Council would be able to say, "Our work is done, we now know where we're going with the arts, and we're satisfied that the requirements that we have are met," and we're not there yet. So, some of the questions that we don't have answers for, are important.

Mr. Jones said thank you, Mayor and members of Council. So, I'm going to lock into Priya to make sure that I'm saying these things correctly. So, this is a community's plan, and not just the Council's plan, and if it becomes the Council plan and you own everything, and that's not what you want to do, what you want is to understand what's out there in the ecosystem and what the need is. Then, at some point in January 2024, you're going to say, "This is all I'm going to do. I'm not going to own K through 12 education." So, you're going to take something and we're going to policies around that, and that's what we'll own. The county will pick something, that's with the private sector, but this is a community's plan that you wouldn't want to own all of it. So, I like the concept of receiving. I thought it was going to be receiving, so my fault. I like the concept of receiving the plan, because that's what you're doing tonight, and I hope the County Board of Commissioners does it, and the school board and everybody receives this plan, and we all figure out how we're going to work it.

Mr. Bokhari said if you don't mind, Madam Mayor, just to respond to the Manager, I'm 100 percent aligned with what you just said. I just have several scars of when we were approving or accepting, then all of a sudden someone six months later when we bring up the topic says, "No, no, that discussion is over, you accepted." So, as long as we're crystal clear that that isn't even close to being addressed by us, and we're a year and a half behind schedule to actually have the conversation, I'm on board with that if that's like tweak of in receipt or receiving.

Councilmember Watlington said that was actually going to be my question. I've asked the Attorney, and he said, and don't let me speak for you, but I'm about to, that it's not a legal requirement or anything, it's an us thing. I think we're clear about what the intent is. Is there a need to formally vote? So, rather than spend a lot of time figuring out a motion to raise our hands around, is it not enough to have received the comments?

Mayor Lyles said I do think there needs to be some guidance, because as you say, you're going to be going to the school board. You're going to be going to the county commission. There probably needs to be some opportunity to say this is what the Council as a whole did. So, I would, though, propose that, I believe Mr. Bokhari said, receive the Charlotte Arts and Culture Plan to support the community vision, as the Manager said, for arts and culture in Charlotte Mecklenburg. I think that then, we would have included in that, a report that we have a commitment to our institutional organizations, our unidentified underserved, that might not be the word, but we also have to create metrics, and I think that we need to put that in place. So, receive, acknowledge our support for people who participate in this, as well as our institutions, and when we come back with any recommendations, that it includes metrics.

Mr. Bokhari said and Madam Mayor, I'll put that substitute motion out there, and I agree with everything you said. I don't think we need to worry about word smithing that now, because to the Manager's point, that's exactly what our body of work is going forward. So, mine would be the exact wording in the current agenda action, except instead of

accepting [inaudible], it would just be in receipt of or received the Charlotte arts, so on and so forth.

Substitute motion was made by Councilmember Bokhari, and seconded by Councilmember Anderson, to receive the Charlotte Arts and Culture Plan to support the community vision for arts and culture in Charlotte-Mecklenburg and provide a strategic plan that residents, businesses, organizations, artists, creatives, and public officials can use to shape the community's arts and culture ecosystem and contribute to a vibrant and prosperous future for Charlotte-Mecklenburg.

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

YEAS: Councilmembers Anderson, Bokhari, Molina and Watlington

Mayor Lyles said the motion fails.

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

YEAS: Councilmembers Ajmera, Anderson, Graham, Johnson Mayfield, Mitchell, Molina, Watlington and Winston

NAYS: Councilmembers Driggs and Bokhari

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BUSINESS

ITEM NO. 12: ANTI DISPLACEMENT PROGRAMMING

Motion was made by Councilmember Watlington, and seconded by Councilmember Winston to (A) Approve the use of \$5,954,152 from the Coronavirus State and Local Fiscal Recovery Fund to implement anti-displacement programming as recommended by the Neighborhood Equity and Stabilization Commission, and (B) Authorize the City Manager, or his designee, to execute, amend, and renew contracts as needed to complete these transactions.

Councilmember Watlington said I'll keep it brief. I'm just glad this is here. We had a lot of discussion about this over the years, and it's building upon work that's been done by previous Councils. This is critical to delivering a policy that is going to provide for what we say want in this city, for folks all over the city of different backgrounds. I think what's going to be key, though, is to understand that this is just the beginning, and I look forward to January as we talk about how we expand, continue and broaden our efforts in regards to this. I'll leave it there for today. Thank you, to staff for your great work on this. I will say that, and to the Chairs, Ms. Graham and Dr. Harlow, of the NEST Commission, and all of the members of the NEST commission. Thank you for continuing to show up. I look forward to staying engaged with this work, as well as bringing in some additional connection to our neighborhoods and our grassroot organizations. So, thank you for this.

Councilmember Johnson said I concur with Dr. Watlington. I want to thank the staff and thank the members of the NEST Commission. I think this is a great first step. One of the things I do want to lift up is, we're really starting to see petitions for redevelopment of the hotels and the motels, and we know that that's where our vulnerable populations live. So, I want to make sure that we do have some type of displacement plan, as we recognize that those individuals are vulnerable. There's a petition we'll be hearing for a public hearing next week for one of the hotels or motels. Actually, two of them, in the 85 Corridor. So, I want residents to pay attention, so it's not a last minute alarm that these things are changing. So, I hope that we really are

intentional about developing displacement plans for our most vulnerable residents. Thank you.

Councilmember Mayfield said I am happy with the work that NEST Commission has done. I will state, which I had stated many years ago, I hope we put some guardrails in place. Yes, I am happy that we have homeownership opportunities here, but I need us to not forget TOD (Transit Oriented Development) and the original conversations around TOD in South End and then I repeatedly asked for some stopgap measures regarding housing affordability, where now when you drive through South End, you drive along the rail, you will see multiple high-end vehicles, but the individuals that we told the community we were creating this public transportation system for, have quickly been dispersed and displaced from having access to the resource that we told them, "This is for you." So, as we're moving forward with these recommendations and we're talking about allocating almost \$6 million, we have to have the very clear stopgap measures in place to ensure the community that we said is our target, is the community that's going to benefit.

The conversation, Manager, you and I have had, regarding going back to our current programs, and seeing what additional resources are needed, because we put investments in in 2016, 2017, 2018, in areas, and a number of those individuals no longer live there. Those homes have flipped. Unfortunately, there's been a targeting, especially of elders, in our communities. I spoke to an elder this morning, that in reference to an elder this morning over in Revolution Park, that had someone purchase a building that she's been in since the 1930s, her home. They purchased land next door and then told them, "I'm going to tear down, because this is my land." No, her land has been her land since the 1930s. So, we need to make sure that in this space of almost \$6 million, we're addressing the needs of our current, not only our elders, our residents, our homeowners, to make sure they're protected. Thank you.

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

YEAS: Councilmembers Ajmera, Anderson, Graham, Johnson, Mayfield, Mitchell, Molina, Watlington, and Winston

NAYS: Councilmembers Bokhari and Driggs

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ITEM NO. 13: CORRIDORS OF OPPORTUNITY BUSINESS OPPORTUNITY HUBS

Motion was made by Councilmember Graham, and seconded by Councilmember Molina to (A) Approve additional funding to implement recommendations associated with the Employment Study for the City's Corridors of Opportunity, comprised of \$500,000 in project savings and \$1,000,000 in interest earned on funds from the American Rescue Plan Act Fund, (B) Authorize the City Manager, or his designee, to negotiate and execute contracts with the following nonprofit organizations to provide workforce development and small business support through the Corridors of Opportunity Business Opportunity Hub Program: Latin American Chamber of Commerce of Charlotte (Albemarle) (\$1,500,000), Hispanic Contractors Association of the Carolinas (North Graham/ North Tryon) (\$730,000), Freedom Communities (Freedom-Wilkinson) (\$599,506), LISC Charlotte (Beatties Ford) (\$499,500), She Built This City (Sugar Creek) (\$302,267), The NEO Foundation (West Boulevard) (\$300,000), and (C) Authorize the City Manager, or his designee, to amend the contracts consistent with the purpose for which the contracts were approved, (D) Authorize the City Manager to negotiate and execute a contract with Schermbeck Consulting LLC dba Schermco for cohort project management for a term of three years, and (E) Adopt Budget Ordinance 650-X appropriating \$1,000,000 in interest income from the American Rescue Plan Act Fund to the General Capital Projects Fund.

Councilmember Watlington said we've got a lot of people who want to talk. So, I just want to say I'm very, very happy to see this. As we know, many of these Corridors sit in places that are near and dear to my heart, and I'm so happy to see us continuing to invest in this program, but I will defer to the Committee Chair to pour out all of the love on this program, but happy to support.

Councilmember Anderson said I absolutely support this effort and having two of the Corridors of Opportunity in District 1, understand that this is a very much needed tool in the communities, and as it relates to some of these Corridors, this is one of the number one asks in the playbook for some of them. So, I'm happy to see it here, and I'm excited about the work. I just have a question. We had some small group meetings with Ms. Holmes, and I want to ensure that all of these centers along all of these hubs are open and accessible to everyone in the community. When we had the discussion in small group, there was some mention of some of them being specifically focused on a particular aspect of the community. As I mentioned to you, I think that would dissuade the entire community and residents along these Corridors, to feel like this is a resource and tool for them. So, can you just speak to that since you're here, Ms. Holmes?

Monica Holmes, Planning, Design & Development said yes. So, we did reach out to those that we did get questions about, that were maybe seemingly focused, and confirmed with them to ensure that they were open to all in that geography and that they were targeting kind of the wider population in that geography, so as not to limit, so that they are providing services for the wider range, and making sure that they meet the needs of the businesses located in that Corridor. In addition to that, we are also working with a cohort model so that the hubs form basically a team, where if one cannot meet the services needed, then, let's say someone provides one-on-one coaching at one opportunity hub, and another one doesn't, they can refer to each other to provide that. I did want to confirm to you that they are targeted to meet, not just a kind of narrow population, but a wider range of businesses, entrepreneurs, workforce development, in that Corridor.

Ms. Anderson said thank you for that response. So, just so that I'm clear. For example, the particular one that's along the North Graham/North Tryon Corridor, which is in District 1, that particular hub will be open to all residents in that Corridor?

Ms. Holmes said yes, it will. So, they will provide specialty services for minority and Hispanic contractors and people looking to grow their contracting business, but they will have referral services and resources for all people in that Corridor.

Ms. Anderson said okay, great. Thank you so much.

Councilmember Bokhari said yes, I was just going to say to staff, this has been a rigorous process to get you guys to this point. I am hopeful to see what kind of outcomes come out of this, as we really analyze it as a more of a pilot process, to be quite honest, with the funding that's there, but I have a lot of faith in how you guys have approached getting us to this decision point, and I think it's worth us rolling the dice and seeing if it makes the level of impact that warrants the funding. So, I'll support it.

Councilmember Driggs said so, I'm very enthusiastic about this. I've been arguing for some time that workforce development is a more productive investment than housing subsidies, frankly. I think getting people to the point where they can pay their own rent is a better outcome. So, really excited about this. I hope that what this will accomplish is that people who have an aspiration, whether it's a business or a job, have a place to go where they can go to overcome obstacles to their success. So, we had discussed at some point in committee about workforce development, and the first report that we got back, if you recall, was a portal, which was a good resource, an important resource, but a number of us, I think Mr. Graham and I in particular, expressed concern that that's sort of passive, and we need to be active. We need to be on the ground and out there. So, I hope that this will benefit individuals and aspiring business people, and that it proves to be something in which we can invest more as we learn from the early experience. Thank you.

Councilmember Graham said I too am extremely excited about this agenda item. I told the Manager this was a very good agenda. There's so many good things on it tonight that improves the quality of life of our citizens, and certainly the Corridors of Opportunity, the continuing investment that we're doing, and this is a City priority. This thing started off in one district and now everyone's doing it, because I think we piloted this thing and I think a little bit beyond a pilot with the Corridors of Opportunity. Obviously, this scenario is one, but I think we found something here, and I'm glad that staff was able to hear me and Mr. Driggs and act on it. This is really about meeting people where they are, which is in their neighborhoods, in their communities, within these Corridors. It's focusing on workforce and small businesses, supports the HIRE Charlotte program, and more importantly, it really invests also in these Corridors, but also invests in people in the Corridors who's actually doing the work, which is these nonprofit organizations in every aspect of the city, the Latin American Chamber of Commerce, the Hispanic Contractors Association, Freedom Communities which is doing tremendous work over there, [INAUDIBLE] Charlotte and Beatties Ford Road. She Built This City, which is an organization I just was just really introduced to about several months ago, and I'm just pleased that they're on this list doing this type of work, identifying female contractors and giving them an opportunity to help build a better Charlotte. So, I'm really excited about that, as well as the Neal Foundation.

So, this is really good foundational work at blocking and tackling, helping people where they are, fulfilling a commitment to the Corridors, and I just look forward to, again, the results, making sure that, again as I said earlier today, what gets measured gets done. So, if we get some good measurements quarterly, yearly, that we can kind of see where we are in terms of making an impact. So, I'm really excited about it. Thank you.

Councilmember Mayfield said thank you for the work that you have been doing in leading it forward. I would just ask the same stopgap measures to be put in place to ensure the areas where we're making investments, that the residents who live there, not the potential residents who may come, those who live there are able to take advantage of these opportunities. I am very happy that She Built This City is on this list. They have made a major impact in a short period of time. I personally would've liked for them to have asked for more for the needs, because we have a lot of home repair needs, especially for elders, that are popping up, but I am excited, so just wanted to congratulate you on the work, and again, ask for clear stopgap measures to make sure we're achieving the goal that we are telling the community is our purpose. Thank you.

Councilmember Johnson said Ms. Holmes, thank you for the work. I've had the honor of speaking with you quite a few times over the past couple weeks. The work that you're doing is very intentional and it really does address the inequities in the City. I think this project is a win-win situation for our residents, but also for the small business owners. So, this really, really does address upward mobility, and continue to do the work that you're doing in your department. Thank you. Thank you, Mr. Jones. So, I'm excited about this. Thank you.

Councilmember Molina said there's been a lot of great dialogue around the room. Monica, thank you to you and your team. Mr. Manager. This is a win. I think every single group on this list is amazing. There are one or two that I don't know about yet, but I would love to know more about. There are two in particular that I have to lift up, because the leaders have actually waited for us to talk about it, and I see them in the room.

So, first, Griselda Bailey, is here from the Latin American Chamber of Commerce, and so I've actually seen the location two times. I've gone and I've viewed it, and it's actually literally off of the Albemarle Road Corridor, so of course, this is East Charlotte. Right now, it is a makeshift home to the open air market. I live right down the street, so I see it every single weekend, and it is vibrant and bustling with Latino business owners, and it is the most organic organization of entrepreneurship that I've ever seen in my life. So, I want to shout them out, because they're actually on a mission to raise around \$15 million, and the county beat us to it, by the way. We're coming in this second to the

county. So, shout out to the county for partnering in this goal for East Charlotte and bringing a model for entrepreneurship to the Albemarle Road Corridor.

Josh Jacobson, who's done a lot of work on that project, and everyone who's involved, thank you guys [inaudible]. All of you, thank you for waiting around. I'm really excited to see us as a stakeholder and to see what this project produces. I see Lissette Velez, she's here, and actually she is the Executive Director of the Hispanic Contractors Association of the Carolinas. So, if you've seen my profile picture on anything social, it's actually from the gala that I went to. The lighting for that little picture was great. I love it. I had the best time. I met so many amazing entrepreneurs, who in their own right, many first generation, many with a dream, many who do the hard jobs that keep our country moving. The things that, in some cases, people have forgotten about as an opportunity, but are lucrative opportunities. People with painting and construction and every single facet of construction that you can think of who, with a dream and a goal, have started institutions and in many cases are very successful. So, I'm extremely proud of the work that you're doing there. I'm happy that we're a stakeholder. I appreciate all of you guys waiting, and I look forward to supporting this as well as the other wonderful organizations that we're going to hopefully, as a body, support tonight.

Councilmember Ajmera said Mayor. I agree with everything that's been said. I just want to also highlight Chairman Graham's leadership on this, as the chair of the Economic Development Committee. I know this is something that was started with Beatties Ford and LaSalle, and now we have other Corridors, but this a topic that we have gotten continuous update on at the committee level. So, I appreciate everyone's work. Thank you.

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

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 422.

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ITEM NO. 14: THE CAROLINA THEATRE

Motion was made by Councilmember Mitchell, and seconded by Councilmember Winston, to (A) Authorize the City Manager to negotiate and execute amendment #3 to the Carolina Theatre Purchase and Sale Agreement with the Foundation for the Carolinas to extend the completion date to December 31, 2025, (B) Authorize the City Manager to negotiate and execute an amendment to the Public Private Development agreement for the restoration of the Carolina Theatre to include an additional \$2,000,000 in city funding, and (C) Adopt Budget Ordinance 651-X appropriating \$2,000,000 in fund balance from the Cultural Facilities Operating Fund for support of the Carolina Theatre.

Councilmember Ajmera said I have a question on this. It says the fund source is Cultural Facilities. Is that tourism bucket?

Marcus Jones, City Manager said yes.

Ms. Ajmera said okay, thank you. I also want to recognize Laura's leadership. Thank you.

Councilmember Johnson said one of the things I'd like to ask about is, when we talk about arts and science or arts being accessible to those who might not otherwise have access to it, can we start to work with the organizations that we fund through the Arts and Science Council or through operational funds to offer more than scholarships for a few, but access for low-income students or children? Where I'm from, in Columbus, there's a theatre that's in the inner city that's open to inner city children, and I'd like to see that as we are using public dollars to fund the arts and science and also the

theatres, that we have some requirement that these organizations provide, like I said, more than scholarships for a few, but actually programming for children who might not otherwise have access to the theatre.

Mr. Jones said so, that is, as we were talking about Arts and Culture Plan, those of things that you will do in January 2024 as you start to talk with these facilities to make sure there's access to people and artists in neighborhoods in those facilities.

Ms. Johnson said specifically, we're talking about funding this organization right now, specifically. So, I mean, I was even thinking for this organization to have that type of requirement.

Mr. Jones said and they have some provisions that would have access for the community to utilize the facility.

Ms. Johnson said well, when I talked to them, they said that there are scholarships, but I'm saying more than scholarships and actually general programming for low-income individuals. Thank you.

Councilmember Graham said I look forward to supporting it. I toured the facility. Their renovations are coming along greatly. If you haven't seen it yet, it's amazing. It also begins the revitalization of the North Tryon Street Corridors or the [inaudible] with the expansion of the new library, etc. So, there'll be a lot of activities happening on North Tryon Street for the next year or two or three. Certainly, supporting the conclusion of this construction will send us a good sign that growth and development is approaching North Tryon Street, and this is a really flagship project. So, I look forward to a performance real soon.

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

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 423.

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ITEM NO. 15: ROCKY RIVER SANITARY TRUNK SEWER REIMBURSABLE AGREEMENT

Motion was made by Councilmember Anderson, seconded by Councilmember Driggs, and carried unanimously to (A) Approve a five-year reimbursable agreement with 19300 Shearer Road Realty LP for construction of a portion of the Rocky River Sanitary Trunk Sewer project, and (B) Adopt Budget Ordinance 652-X appropriating \$2,700,000 from 19300 Shearer Road Realty LP into the Charlotte Water Capital Projects Fund.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 424.

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

Motion was made by Councilmember Molina, seconded by Councilmember Winston, and carried unanimously to adopt a resolution supporting a safety project on East W.T. Harris Boulevard at Delta Crossing Lane to improve traffic safety in support of the Strategic Mobility Plan.

The resolution is recorded in full in Resolution Book 54, at Page(s) 687.

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ITEM NO. 17: MUNICIPAL AGREEMENT FOR INTERSECTION MODIFICATIONS AT SUNSET ROAD AND MILHAVEN LANE

Motion was made by Councilmember Graham, seconded by Councilmember Molina, and carried unanimously to (A) Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation in the amount of \$86,500, and (B) Adopt Budget Ordinance 653-X appropriating \$86,500 from the North Carolina Department of Transportation in the General Capital Projects Fund for intersection improvements at Sunset Road and Milhaven Lane.

The resolution is recorded in full in Resolution Book 54, at Page(s) 688.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 425.

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ITEM NO. 18: MUNICIPAL AGREEMENT FOR INTERSECTION MODIFICATIONS AT MULBERRY CHURCH ROAD AND QUEEN CITY DRIVE

Motion was made by Councilmember Winston, and seconded by Councilmember Driggs to (A) Adopt a resolution authorizing the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation in the amount of \$45,000, and (B) Adopt Budget Ordinance 654-X appropriating \$45,000 from the North Carolina Department of Transportation in the General Capital Projects Fund for intersection improvements at Mulberry Church Road and Queen City Drive.

Councilmember Mayfield said Mayor, I do have a question for the Manager for the next upcoming Manager's report. It will be helpful if we can get a snapshot of South End, along the light rail where we did make investments previously, in order to see what does that area look like today along the light rail. We have already had a conversation regarding light rail fare versus bus fare, who has access to light rail versus who is stopped in the process of getting onto the bus, paying a fee. It would just be nice to get an update of what our area is looking like as the rail is continuing to be expanded out South Boulevard, going out towards Westinghouse, just to see TOD impact. [inaudible]. What has been the impact of TOD for community along light rail. Thank you.

Marcus Jones, City Manager said yes, INAUDIBLE one-on-one.

The resolution is recorded in full in Resolution Book 54, at Page(s) 689.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 426.

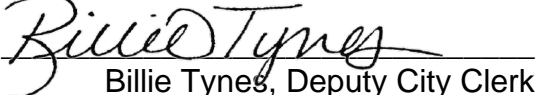
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ADJOURNMENT

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

The meeting was adjourned at 9:02 p.m.

November 13, 2023
Business Meeting
Minute Book 158A, Page 123


Billie Tynes, Deputy City Clerk

Length of Meeting: 3 Hours, 47 Minutes
Minutes completed: September 9, 2024