

The City Council of the City of Charlotte, North Carolina convened for a Special Meeting on Monday, January 8, 2024, at 6:02 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, Marjorie Molina, and Victoria Watlington.

ABSENT UNTIL NOTED: Councilmember James Mitchell.

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Mayor Lyles said good afternoon, everyone. I want to say that I've watched almost all of the Council Committee meeting [inaudible] that was of value in helping us move where we're talking about where we want to go with our community. So, this is our Special Meeting in this room today. We're going to start with our Consent Agenda, and we want to go over anything that we have following that. I think Ms. Mayfield asked several questions. Any additional questions, or Ms. Mayfield, do you want to review any of these that you submitted?

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

Councilmember Mayfield said Madam Mayor, I'm pulling all these for a separate vote.

Mayor Lyles said okay, we'll have these all for a separate vote. Alright, any other questions concerning the Consent Agenda?

Councilmember Johnson said I want to pull Item 23.

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CONSENT AGENDA

ITEM NO. 2: CONSENT AGENDA ITEMS 13 THROUGH 52 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 Molina, and carried unanimously to approve the Consent Agenda as presented, with the exception of Item No. 14, Item No. 15, Item No. 17, Item No. 19, Item No. 23, Item No. 25, Item No. 40, and Item No. 48 that have been pulled for a separate vote, Item No. 33, Item No. 34, Item No. 35, and Item No. 38 that have been deferred by staff, and Item No. 44, Item No. 45, Item No. 46, and Item No. 47 that have been settled by staff.

The following items were approved:

Item No. 13: Sexual Assault Kits and Secondary Evidence Testing Services

(A) Approve contracts with the following companies for Sexual Assault Kits and Secondary Evidence Testing Services for an initial term of one year: Bode Technology, DNA Labs International, and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 16: Municipal Agreement for Relocation of Water and Sanitary Sewer Infrastructure

(A) Adopt a resolution authorizing the City Manager to negotiate and execute a municipal agreement with the North Carolina Department of Transportation for construction of water and sanitary sewer line relocations, adjustments, and

improvements, and (B) Authorize the City Manager to approve the reimbursement request for the actual cost of the utility construction.

The resolution is recorded in full in Resolution Book 55, at Page(s) 042.

Item No. 18: Construct Brentwood, Glassy Creek, and Parkwood Stream Repair Project

Approve a contract in the amount of \$831,533.95 to the lowest responsive bidder OnSite Development, LLC for the Brentwood, Glassy Creek, and Parkwood Stream Repair project.

Summary of Bids

OnSite Development, LLC	\$831,533.95
Eagle Wood, Inc.	\$976,485.47
United Construction Company, Inc.	\$1,022,884.75
United of Carolinas, Inc.	\$1,298,824.95

Item No. 20: Airport Concrete Slab Replacement

Approve a unit price contract to the lowest responsive bidder Hi-Way Paving, Inc. to provide concrete services for a term of three years.

Summary of Bids

The City issued an Invitation to Bid twice; only one bid was received both times by Hi-Way Paving, Inc.

Item No. 21: Airport Historic Hangar Renovation

Approve a contract in the amount of \$778,220.00 to the lowest responsive bidder Carolina Contracting & Investments Inc. for the Historic Hangar Renovation project.

Summary of Bids

Carolina Contracting & Investments Inc.	\$778,220.00
Keach Construction	\$940,000.00
Messer Construction Co.	\$1,603,800.00

Item No. 22: Airport Lease Management System

(A) Approve a contract with ProDIGIQ, Inc. to provide a Lease Management System and support services necessary to keep the system operational for an initial term of five years, (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to purchase such additional software, licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the City uses the system.

Item No. 24: Airport On-Call Mechanical, Electrical, and Plumbing Services

(A) Approve contracts with the following companies for on-call Mechanical, Electrical, and Plumbing services for five years: AME Consulting Engineers, PC (SBE, DBE), LaBella Associates, McKim & Creed, Inc., Syska Hennessy Group, Inc., RS&H Architects - Engineers-Planners, Inc., and (B) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 26: Fourth Parallel Runway - Early Grading Change Order

Approve change order #1 for \$3,657,630.53 to ES Wagner Company, LLC for the Fourth Parallel Runway - Early Grading project.

Item No. 27: Airport Safety Management System On-Call Consulting Services

(A) Approve a contract with Landry Consulting, LLC (DBE) to provide on-call consulting services for an initial term of three years, and (B) Authorize the City Manager to renew the contract up to two, one-year terms with possible prices adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 28: Customer Service Communications Amendment

(A) Approve an amendment to the contract with True Image Interactive, LLC for the ongoing support of a suite of service communications systems for an additional four-year term, (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved, and (C) Authorize the City Manager to purchase such additional software licenses, services, maintenance, support, and upgrades as required to maintain the system for as long as the City uses the system.

Item No. 29: Resolution of Intent to Abandon a Portion of Alleyway between Scott Avenue and Fountain View Street

(A) Adopt a Resolution of Intent to abandon a Portion of Alleyway between Scott Avenue and Fountain View Street, and (B) Set a Public Hearing for February 26, 2024.

The resolution is recorded in full in Resolution Book 55, at Page(s) 043-044.

Item No. 30: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$36,814.73.

The resolution is recorded in full in Resolution Book 55, at Page(s) 045-048.

PROPERTY TRANSACTIONS

Item No. 31: Aviation Property Transactions - 8424 Douglas Drive

Acquisition of 28,140 square feet (0.646 ac) at 8424 Douglas Drive from David B. Zuppo for \$330,000, and all relocation benefits in compliance with Federal, State or Local regulations for Aviation Master Plan.

Item No. 32: Charlotte Water Property Transactions - Clarke Creek Basin Pump Station and Force Main Project, Parcel # 55

Resolution of Condemnation of 320 square feet (0.01 acres) in Permanent Water Line Easement and 200 square feet (0.01 acres) in Temporary Construction Easement at 15555 Huntersville-Concord Road, Huntersville from Kimberle A. Burton and Jeffrey T. Burton for \$1,275 for Pump Station and Force Main Project, Parcel # 55.

The resolution is recorded in full in Resolution Book 55, at Page(s) 049.

Item No. 36: Property Transactions - Bryant Farms Road Extension Phase 1, Parcel # 5

Acquisition of 4,548 square feet (0.104 acres) Fee Simple, 2,394 square feet (0.054 acres) Storm Drainage Easement, 691 square feet (.015 acres) Water Line Easement, 44 square feet (.001 acres) Utility Easement and 40,378 square feet (0.926 acres) Temporary Construction Easement at 8840 Grand Oak Drive from Windsor Oaks Homeowners Association of Mecklenburg, Inc. for \$350,000 for Bryant Farms Road Extension Phase 1, Parcel # 5.

Item No. 37: Property Transactions - McDowell Basin Interceptor Improvements, Parcel #13

Acquisition of 9,128 square feet (0.210 acres) Sanitary Sewer Easement at 7828 Gilead Road, Huntersville from Joshua T. Worley and Ashley S. Worley for \$15,000 for McDowell Basin Interceptor Improvements, Parcel # 13.

Item No. 39: Property Transactions - Monroe Road Multiuse Path, Parcel # 2

Acquisition of 1,512 square feet (0.035 acres) Sidewalk Utility Easement, 128 square feet (0.003 acres) Permanent Shelter Easement and 1,313 square feet (0.030 acres) Temporary Construction Easement at 5103 Monroe Road from Eduardo and Clara Piana Family Trust, UTA February 22, 1988 for \$49,000 for Monroe Road Multiuse Path, Parcel # 2.

Item No. 41: Property Transactions - Monroe Road Multiuse Path, Parcels # 12 and 13

Acquisition of 1,514 square feet (0.035 acres) Sidewalk Utility Easement and 6,116 square feet (0.140 acres) Temporary Construction Easement at 5419 and 5431 Monroe Road from Pleasants Holdings II, LLC for \$119,525 for Monroe Road Multiuse Path, Parcels # 12 and 13.

Item No. 42: Property Transactions - Monroe Road Multiuse Path, Parcel # 14

Acquisition of 337 square feet (0.008 acres) Sidewalk Utility Easement and 938 square feet (0.022 acres) Temporary Construction Easement at 5457 Monroe Road from ELF Realty, LLC & Charles Everage for \$95,000 for Monroe Road Multiuse Path, Parcel # 14.

Item No. 43: Property Transactions - Monroe Road Multiuse Path, Parcel # 16

Acquisition of 1,125 square feet (0.026 acres) Sidewalk Utility Easement and 4,152 square feet (.095 acres) Temporary Construction Easement at 5507, 5509, 5511, 5513 and 5515 Monroe Road from David A. Jones; Henry H. Blanton, Jr. and Rhonda Sue Blanton; H3O Properties, LLC; Lisa Andrews-Lanier and Katherine E. Andrews-Lanier for \$31,750 for Monroe Road Multiuse Path, Parcel # 16.

Item No. 49: Property Transactions - Regional Solids Conveyance Phase 1A, Parcel # 15

Acquisition of 4,800 square feet (0.110 acres) Sanitary Sewer Easement at 10910 Moores Chapel Road from Trustees of the Janice N. Bozardt Irrevocable Trust dated October 31, 2022 for \$11,250 for Regional Solids Conveyance Phase 1A, Parcel # 15.

Item No. 50: Property Transactions - Regional Solids Conveyance Phase 1A, Parcels # 19 and 20

Acquisition of 28,151 square feet (0.646 acres) Sanitary Sewer Easement and 623 square feet (0.014 acres) Temporary Construction Easement at 10709 and 10721 Moores Chapel Road from Ryan Thomas Howard and Jaclyn Suzanne Howard for \$30,275 for Regional Solids Conveyance Phase 1A, Parcels # 19 and 20.

Item No. 51: Property Transactions - Regional Solids Conveyance Phase 1A, Parcel #21

Acquisition of 8,745 square feet (0.201 acres) Sanitary Sewer Easement at 10601 Moores Chapel Road, also known as 1720 Sam Wilson Road from Moores Chapel Church for \$13,075 for Regional Solids Conveyance Phase 1A, Parcel # 21.

Item No. 52: Property Transactions - Thermal Culverts Storm Drainage Improvement Project, Parcels #1 and 10

Acquisition of 3,290 square feet (0.076 acres) Storm Drainage Easement and 1,414 square feet (0.032 acres) Temporary Construction Easement at Thermal Road from Equity Trust Company Custodian FBO 200432846 IRA, Equity Trust Company Custodian FBO 200206056 IRA, Equity Trust Company Custodian FBO 200600129 HSA & Equity Trust Company Custodian FBO 200206057 IRA for \$12,425 for Thermal Culverts Storm Drainage Improvement Project, Parcels # 1 and 10.

Item No. 53: Reference - Charlotte Business INClusion Policy

The following excerpts from the City of Charlotte's Charlotte Business INClusion Policy are intended to provide further explanation for those agenda items that reference the Charlotte Business INClusion Policy in the business meeting agenda.

ITEM NO. 14: TREE PRUNING AND ARBORIST SERVICES

Councilmember Mayfield said Marie, I sent the question for this, as far as what is the breakdown of how many additional trees.

Marie Harris, Strategy and Budget said yes, ma'am, and to your point, you had also asked when it expires, I believe, or the timeframe of the contract. It's through December 31, 2025, and we've conducted a pilot. Based on the initial work from the pilot, we're

expecting to do roughly 1,560, but it depends on the type of tree, the size of the project. So, that's an estimate based on what was done so far with the pilot.

Ms. Mayfield said so, for clarification, this additional request for \$1 million is adding only one year and hopefully an additional 1,500 trees, but we don't know if it's going to be.

Ms. Harris said correct, ma'am. It could be more or less.

Ms. Mayfield said so, does that mean, out of this request for \$1 million, if it is less, then we should expect to see a refund at the end of this?

Ms. Harris said so, we pay them. I believe this one's based on the work order. So, if we don't use all the money, then we don't pay them in advance.

Ms. Mayfield said so, thank you for that clarification. What I'm trying to understand is, if we're saying initially that this proposal that went out. Council identified and approved a contract amount, but what we have in front of us is just the first of possibly many additional amendments, but just this first one for an additional \$1 million, we're saying possibly for them to mitigate an additional 1,500 trees, but we don't have a definitive number for this amount.

Ms. Harris said correct, because it's based on how much work they do. Do they take the whole tree down. Do they just prune some low-hanging, or do they have to climb up it and top it, things like that. So, we don't know until we actually call them in to work on trees.

Ms. Mayfield said thank you for the clarification. Based on the last bullet on this item, that potential price adjustments may be considered based on legitimate and justified increases. I don't really see a justified increase in this additional \$1 million for a one-year extended term. I am going to be a no on this.

Motion was made by Councilmember Bokhari, and seconded by Councilmember Anderson, to (A) Approve contract amendment #1 in the amount of \$1,000,000 with Schneider Tree Care for Unspecified Tree Pruning and Arborist Services, and (B) Authorize the City Manager to extend the contract for a one-year term with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

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

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

NAYS: Councilmember Mayfield

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ITEM NO. 15: HEATING, VENTILATION, AND AIR CONDITIONING PREVENTATIVE MAINTENANCE AND REPAIR SERVICES

Councilmember Mayfield said this one, which is listed, but for those in attendance who do not have a copy of this, my question was, for Heating, Ventilation, and Air Conditioning Preventive maintenance and Repair Services, what we have in front of us is that we received three proposals. We are expecting an expenditure to be estimated around \$2 million. What we have in regard to Charlotte Business INclusion, that contract goals were not established for these contracts. Well, for those who don't know, contract goals are for that sub, not for the actual prime. So, my specific question was, was CBI (Charlotte Business INclusion) partnered with for this project, and are there no minority-owned businesses available for this RFP (Request For Proposal), not to be a sub to break it out, but to actually, since this is just preventive maintenance for HVAC

(Heating, Ventilation, and Air Conditioning), and there are a number of HVAC companies, including ones that we help fund through Goodwill that possibly could have participated? What was status for this project that 12 CBI certified firms were identified who could potentially perform the needed services. They received a notice of the RFP encouraging participation for the solicitation. Two CBI certified firms submitted their Intent to Bid, but did not submit a proposal. Note, this is a rebid, because they didn't have enough bidders the first time.

One of our challenges that we know within CBI, and the fact that we have created opportunities with bonding is a disconnect, and that disconnect seems like, if this has already gone out for a rebid, that there would've been a different conversation to try to understand that if we identified two out of the 12 certified firms that were identified, that could've potentially performed these needed services, why are they not applying? Because this, again, is an estimated \$2 million contract. There's a reason why small business enterprises and minority-owned businesses are not applying for certain RFPs, so there's a disconnect there.

Motion was made by Councilmember Bokhari, seconded by Councilmember Anderson, and carried unanimously to (A) Approve unit price contracts with the following companies for heating, ventilation, and air conditioning preventative maintenance and repair services for an initial term of two years: RedBlue Inc., Facility Systems Services, Inc., and (B) Authorize the City Manager to renew the contracts for up to three, one-year renewal terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

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ITEM NO. 17: CONSTRUCTION ADMINISTRATION, INSPECTION, AND MANAGEMENT SERVICES

Councilmember Mayfield said this is also a question that I asked regarding specifically, how are we utilizing CBI and are we using CBI beyond just as a sub on a contract, and are we giving opportunities for primes to be created? Marie, thank you for getting the responses to all of my questions for me. So, it was noted in here that one of our vendors, the Gavel & Dorn Engineering, is a CBI certified SBE (Small Business Enterprise) firm, so I appreciate you identifying that, because for whatever reason, what I received online did not have any of the attachments that we normally have for me to look at any of the breakdown for the bids. All I have is the legislation text.

Motion was made by Councilmember Mayfield, seconded by Councilmember Bokhari, and carried unanimously to (A) Approve unit price contracts with the following companies for construction administration, inspection, and managements services for a term of three years: A Morton Thomas and Associates, Inc., ESP Associates, Inc., Gavel & Dorn Engineering, PLLC, and (B) Authorize the City Manager to amend the contracts consistent with the purpose for which the contracts were approved.

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ITEM NO. 19: AIRPORT CONCOURSE A EXPANSION PHASE 2 CHANGE ORDER

Councilmember Mayfield said the question that I sent to Marie for this Airport Concourse A Expansion Phase, this change order is already change order number two from a project that was originally approved on March 28, 2022. That approval was for almost \$173 million, that was in March 2022. On August 28, 2023, we had approved the first amendment. That amendment was for \$3,550,000 part of the joint venture. Now,

what we have noted in here is that this [inaudible] was designed in a manner that could be expanded when the airlines require more baggage makeup space. Passenger numbers now require that the added capacity this project will provide. We just approved this in 2022. It was built with the intention of being able to expand. We already have one amendment that was almost \$3.6 million. Now, they're in front of us again with another amendment, which is only amendment number two at \$4.8 million, making the new value of this contract just under \$200 million. This question is actually for the Manager. Do we have, or are we anticipating, a cap on these amendments for this total cost? Because if you're building out project management 101, which you know, I need to give you the strongest proposal, but if we go back and if we were to actually look at the other bids that came in and look at the scope that we presented to them, have we matched or exceeded one of those higher bids with the idea of going with the lowest responsive bidder?

Marcus Jones, City Manager said so, thank you, Councilmember Mayfield. I'll take the first shot at this, and Marie can help me out if I've missed it. In this case, we knew expansion would occur. It just occurred faster than we expected, and thus, that's why you have the change orders, not that it's something that is out of scope.

Marie Harris, Strategy and Budget said correct, and to Ms. Mayfield's point, it's not like this vendor's coming back to say, oh, I need more money to do the same scope. This is something that was planned for a future date, so it's a different scope. It's to add another part of a facility, so that could get one more baggage processing facility in there for the baggage. So, it wasn't part of the original scope. So, the other vendors, to your point, though, they would've have to bid more too, because it wasn't in that part of the original contract.

Ms. Mayfield said so, I'm going to ask a little different question, Mr. Manager. If we built this with the intention of there being the capacity to add to this project, did we not have conversations of, I need you to build this big enough so that when we grow. It was never an expectation or a conversation that you very well may be the one that's going to continue this project, so just give me an idea of what that can look like, or at least say, we get three amendments, and that's it.

Mr. Jones said sure. I see Jack's chomping at the bit to come into help explain where we are. I'd like to invite him up.

Jack Christine, Charlotte Douglas International Airport said thank you, Mr. Manager. Good evening, Ms. Mayor and Council. My name is Jack Christine, Chief Infrastructure Officer for the airport. So, Ms. Mayfield, the way that this worked, we had a project that we initiated in the middle of COVID, or coming out of COVID, to add 10 gates to the concourse. We had a demonstrated need for the gate capacity. We had always identified an area for additional square footage, to allow for an additional baggage makeup unit when the need arose. We didn't want to spend that money before we had to, so we held that in reserve, and over the last year, we've had an extreme amount of growth in our baggage system, 18 percent more bags last year than the year before, which is unprecedented for us. So, we initiated this change at the request of the airlines to add an additional bag makeup unit to accommodate what we're seeing already without that being in place. We've done this in a way where we are bringing multiple amendments, because we're trying to fast-track the process of getting it built. So, the first amendment you saw and approved, the other a couple months ago, was for the foundations and the steel structure. This amendment is for upfitting the actual part of the building. Then, the next amendment will be for the actual baggage makeup equipment itself. Then, that'll complete everything, and we'll finish out the project.

Ms. Mayfield said so we do already know that there is going to be additional amendment. So, moving forward, I think it would just be helpful when it's identified, to provide that information ahead of time versus having these multiple amendments. If we know that additional work or capacity is going to be needed, and we already have an idea and have already reached out to say, send me the proposal of how much this additional work would cost, share that information ahead of time versus on the night of,

or over the weekend. We're going to be voting on this amendment versus like you just shared. We know that there's going to be an additional, so amendment three is coming, because this is going to be the additional work, because I'm still going to ask this question, otherwise, that for an almost \$200 million project, it is actually going to be at or over \$200 million by the time we get this third amendment in without having to the full scope of everything, because you're breaking it down little by little, and saying, well, we'll just do an additional amendment versus saying, okay, we know what this build out is going to be and what the needs are. Even though it may have come earlier than we anticipated, we still knew that that was going to be a need. So, it would have been helpful, so that we're having a true conversation, budget wise, when we're approving all of this, of which that might not be a concern for some people, this \$200 million.

Motion was made by Councilmember Bokhari, and seconded by Councilmember Driggs, to approve change order #2 for \$4,832,230.44 to JE Dunn-McFarland, A Joint Venture, for construction manager at risk services for the Concourse A Expansion Phase 2 project.

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

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

NAYS: Councilmember Mayfield

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ITEM NO. 25: DELTA AIRPORT CONSULTANTS, INC. LEASE

Councilmember Mayfield said this breakdown for this office space, one, for those again who don't have access to this, Delta Airport Consultants are looking to lease property off of West Boulevard, 7,371 square foot office space for 15 years. That rent is \$4,429.19 a month, which breaks down to less than \$9 a square foot for this lease for 15 years, so it will generate some costs, of which we all should have received an email earlier today from a small business owner. I'm trying to understand, one, if we have consistency in our contracting, and why does it seem we have a different price range for a corporation than we do for small businesses and not in the positive for that small business? So, what I reached out to ask Marie is, what is the price per square foot in that area, and how is the price identified? So, breaking this down, at less than \$9 a square foot for this area, no small business owner, that's looking for retail space, because we receive the emails and the phone calls daily, are able to find any rent for less than \$9 a square foot in the City. Our square footage is \$25 or more depending on the area. So, help me understand how this was negotiated and how this is to the benefit of the residents of the City, when we have small businesses that do not have access to these types of contracting terms?

Haley Gentry, Charlotte Douglas International Airport CEO said good evening, Council, Manager and Mayor. Councilmember Mayfield, I would remind you that this is in the Aviation Enterprise Fund. This is not part of the General Fund, and also allow me to explain to you that this particular facility is matched with appraiser reviews per other real estate in the airport area. I would also tell you that this particular space is, what I would call, C space at best. It is not A class space, and the company that is coming into that space will make improvements to the space to make it as they will utilize it. I heard you say retail. This is not retail space. This is, as I said, back of the house C space at best, and it is comparable to other rental rates on the airport. I can assure you that every time we rent a space, it is in comparison to the other space that is in our market to ensure that we are consistent.

Ms. Mayfield said I was just using that as an example, and I do understand this is for corporate space. My challenge is that dollar amount. So, for access to office space for

less than \$9 a square foot, you're telling me that other businesses that may be doing a sub business with the airport, that they would have access to office space at this rent rate, that this corporation has?

Ms. Gentry said we don't typically rent office space that is offsite from the airport. This is warehouse industrial space where they will use it for offices. They are making the improvements themselves, and this is the standard rental rate for the office space as it is as they are taking it.

Ms. Mayfield said okay, thank you. So, the standard rental rate for office space within the airport, is around \$9 a square foot?

Ms. Gentry said yes, ma'am.

Ms. Mayfield said so, that's consistent. So, we would be able to see that in other spaces that we are renting for businesses, whether they are a franchise or some other type of business?

Ms. Gentry said yes, we do everything based on appraisal and quality of the space.

Ms. Mayfield said thank you.

Motion was made by Councilmember Bokhari, and seconded by Councilmember Driggs to approve a 15-year lease agreement with Delta Airport Consultants, Inc. for office space at the airport.

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

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

NAYS: Councilmember Mayfield

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ITEM NO. 40: PROPERTY TRANSACTIONS - MONROE ROAD MULTIUSE PATH, PARCEL # 10

Councilmember Mayfield said we have noted on here, Mayor, the property owner is concerned about the amount or the compensation offer. The City's response to that is, of course, that they can obtain their own appraisal or provide supporting documentation to justify the counteroffer, but what's not listed, is any information of what, or maybe I missed it, when Marie and I we're going through this earlier and I identified that there was some information that wasn't showing for me on the iPad, but what is that counteroffer, since that what we have noted?

Mayor Lyles said is that the item that's on the [inaudible]?

Marie Harris, Strategy and Budget said yes, ma'am, and to Ms. Mayfield's point, it didn't specify in the request for action, the amount of the counteroffer, and it is an ongoing negotiation, but the property owner's counteroffer is currently \$147,000.

Ms. Mayfield said [inaudible] for me that follow up on that also, which I was going ask on one of the others, but thankfully they settled on that, is even though this is Sam's Mart, a business, want to ensure that the amount of easement that we are looking to have access to, is not going to create a hindrance based on the fact that we just had a property revaluation, and that new rate is the rate for the next four years, not one year. So, are we identifying an amount that is fair and equitable?

Ms. Harris said yes, ma'am. We do an external appraisal for the properties, and then we also have an external review of the appraisals. So, it's not based on tax, it's based on market.

Ms. Mayfield said thank you.

Ms. Harris said thank you.

Motion was made by Councilmember Bokhari, and seconded by Councilmember Driggs to approve a resolution of condemnation of 2,591 square feet (0.059 acres) Sidewalk Utility Easement, 355 square feet (0.008 acres) Permanent Shelter Easement and 2,734 square feet (0.063 acres) Temporary Construction Easement at 5343 Monroe Road from Sam's Mart, LLC for \$95,275 for Monroe Road Multiuse Path, Parcel # 10.

Councilmember Johnson said so to piggyback off of Councilmember Mayfield, did we allow time for this property owner to submit that appraisal?

Ms. Harris said yes, ma'am. Before it ever comes to you as a condemnation, there's a back and forth process for a long time. Sometimes they become nonresponsive. Some cases even, they'd rather us condemn it, because of different things, or we're still in the works, and this by no means, when you approve a condemnation, it doesn't mean that we're going to move forward a condemnation. We still do ongoing negotiations with the property owner, but it may lead to a condemnation.

Ms. Johnson said so, we're still in the negotiation process with this property owner?

Ms. Harris said correct.

Ms. Johnson said the reason my ears perked up on this one, because I hear from residents in District 4. We do hear from residents with challenging the condemnation offer. So, would it be more appropriate for us to wait for that process? Is there a reason that we need to do this right now?

Ms. Harris said right. So, we need to go ahead and start getting temporary easements and move forward with the projects. If we would hold, it would create delay in projects. Some of them we have some room, but usually when we bring them forward to you, we're already at that point where if we don't, because for this one, the next time to come before you would be February 12, 2024, and then there's a whole process after that.

Mayor Lyles said it may be helpful if the City Attorney outlines for us the actual process of how it works, and so he can step 1 is identifying that there's land needed for the project, and then we can go all the way through the steps that it goes to, whether or not it's settled or condemnation. So, Mr. Baker, I know that you do reports to us. Maybe, the next one could be like a chart that shows us how the condemnation process works and everybody would be able to understand how it goes.

Ms. Johnson said that's a good idea, and what our policy is as far as the number. Are we accepting the highest and best, or are we ensuring that our residents are receiving fair market value?

Mayor Lyles said and I think that part of it is also to make sure that we're using people to do the appraisals correctly, and get that list, things out there like that, so that we can be sure that we're doing exactly what Ms. Johnson said.

Ms. Harris said yes, ma'am, and if I may, part of the fair piece, you mentioned Ms. Johnson, is that we do get external appraisals and reviews that take into consideration impact to the property, and then we also have a third-party review the appraisals. So, it's double external, but also, if you want more information while you're waiting on the

further detail from the Attorney's office, there's reference under your Agenda Item 54 and 55, that kind of outlines the process for you as well.

Ms. Johnson said well, if the appraised value, and we're offering them \$34,375, and they're countering with, you say over \$100,000?

Ms. Harris said so, ma'am, this one is \$95,000, and their counter is \$147,000.

Ms. Johnson said okay, alright, thank you.

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

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

NAYS: Councilmember Mayfield

The resolution is recorded in full in Resolution Book 55, at Page(s) 050.

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Mayor Lyles said you know that we have both the Jewish and the Palestinian people coming tonight. There's been a little bit of information over the internet, and what's going on. Right now, we have a reasonable opportunity to provide everyone that's a speaker on the list to speak if we go down now. If we don't go down now, it is likely to be a little bit more issues that might be raised as a result. So, I understand that we still have some things do, but we're going to have additional time at the dais. So, I would like to ask the Council to consider going down and opening our public meeting to have the public forum in a way that, I believe, would serve us all best. Would that be acceptable? Would you do that? Thank you very much, and when we go down, we'll have the public forum. We have 15 speakers. We also have four closed session items.

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The meeting was recessed at 6:32 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 convened for a Business Meeting on Monday, January 8, 2024, at 6:37 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Victoria Watlington.

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INVOCATION AND PLEDGE

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

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PUBLIC FORUM

Mayor Lyles said alright, the first item on our agenda is our public forum, and on behalf of the entire City Council, I ask that all speakers and audience members be civil and courteous, and the use of language. We hope we do not see insults, profanity, gestures, or inappropriate behavior. No comments, questions or jeers will be tolerated in our chamber.

Suicide Prevention Signs

Fonda Bryant, 3110 Patrick Henry Drive, NW Concord said well, before my suicide signs went up in March of 2019, the City Center Green parking deck, according to the Washington Post, had six suicides in four years in their parking deck. After my suicide prevention signs were installed, we we're headed towards two years with no incidents, when a 16-year-old female drove up to the parking deck, got out of her car, took off her shoes, her glasses, laid down her cell phone and jumped. My signs weren't big enough. So, I went back to the parking deck, and JT, the Manager, walked me over to where she jumped and my legs were shaking, and I told him we need to make these signs bigger and we need to make them more visible. She died December 23, 2020. Since my signs have become more visible and bigger, we have had no suicides in the Center City Parking Deck in over three years. That's the work of my signs. See, I can't be there, and I know what that pain feels like firsthand, that terrible pain that outweighs the love of our family, the love of our friends, but if someone can come along and say, let us know, you're not alone, it can make a big difference. So, I can't be there to save that in the top of those parking decks, but what I can do is put something up there that let's someone know.

As one of the City Council members said in an interview with channel 36, while not a complete solution, these small gestures, we can let you know we can see you, we care, and your life has value. My suicide signs may seem like a small gesture of love, but they're making a big impact. I have 12 parking decks in Charlotte, including Mecklenburg County, and that came about after someone almost died by suicide in that parking deck. So, I'm asking City Council, for ya'll to come up with an ordinance to make my suicide prevention signs, put them in all City-wide parking decks in Charlotte. Thank you.

Mayor Lyles said thank you very much, Ms. Bryant. We will take that under consideration.

Israel

Noah Goldman, 5007 Providence Road said good evening. My name is Noah Goldman, and I thank you for the opportunity to speak with you. I'm here tonight as a member of the Charlotte Jewish community with close family ties in Israel. I stand before you today to condemn hatred, hatred of anybody. Here in Charlotte, every single resident deserves to feel safe and protected. Antisemitism, islamophobia or any other hatred is intolerable. At this time, there are those who seek to utilize the Israel-Hamas War to justify their prejudices and act on them. That is unacceptable. As we hope and pray for all innocent life to be protected, we must also work to keep each other safe here in Charlotte. Having gone to East Meck High School and Queens University of Charlotte, I know how diverse and amazing this City is. As a Jewish American, I have been given opportunities that my ancestors just 100 years ago would not have been able to imagine. It is in the city's diversity that we should work to create cross-cultural dialogue and engagement, not for the sake of agreement, but the sake of understanding.

I encourage everyone to reach out to those who are not like them, to engage in critical dialogue. Some of my most meaningful experiences are with those who have a different background, ethnicity, religion, and world view than that of my own. While our impact over seas is limited, our impact in this community is great. I have the great privilege of working at the Jewish Federation, and in my job, I see every day that Federation's priorities are aligned with that of City Councils, in our shared desire to build and create a strong and vibrant community here in Charlotte. It is incumbent upon all of us to create

an environment that allows all citizens to advocate for their views with respect and without intimidation. Let us work to make the City a safe and incredible place for everyone. Thank you.

Sharyn Handelsman, 5007 Providence Road said good evening. My name is Sharyn Handelsman. I was scheduled to speak to you all a month ago, however, I did not get to, due to the disruptions from a number of the attendees that evening. My comments that day were going to be focused on sharing the ongoing shock and horror I have over the atrocities committed by Hamas on October 7, 2023, also the constant fear that I live with for the 100 family members I have living in Israel, as well as the profound sadness I have for the loss of both Israeli and Gazan life since October 7, 2023. However, after listening to the number of speakers recounting tragedies in Gaza, which were then followed by the scoffs, chants, and jeers leveled that the one speaker, who actually tried to speak on behalf of the Charlotte-Jewish community that evening, I decided to change my comments.

Firstly, I think it's important for everyone in this room. I know we all recognize that City Council resolutions on international affairs will not realistically impact foreign policy making. However, there is a direct impact on our local community here in Charlotte, when such resolutions are introduced in a negative manner, that is accompanied by hate speech and vitriol towards any of the people of Charlotte. Repeating chants of ceasefire, and from the river to the sea, which implies the destruction of the Jews living in Israel.

Unknown said that's enough, that's really enough [inaudible].

Mayor Lyles said excuse me. I'm sorry. Wait a minute. Before we begin, let me tell you this. You cannot interrupt the speaker. If you are going to choose to continue to do this, I will have an officer escort you out of the building.

Unknown said [inaudible].

Mayor Lyles said okay, so let me just say this. You have interrupted the speaker. If you are violating the rules that we have, you are violating General Statute 143.318.17, and you are subject to being escorted out of the meeting chamber and charged with a misdemeanor if you do not cease talking over people. So, with that, I would ask you to please stop and not interrupt. You will have an opportunity to hear from everyone if you don't interrupt, but if this continues, you will be escorted from the building. Thank you. Alright, please continue Ms. Handelsman.

Ms. Handelsman said sure. These are efforts to try to intimidate and silence those who do hold a different view. These aggressive actions make community members feel unsafe and will not lead to understanding and civil discourse in our community. If myself, and others like me, are given a chance to speak, you might hear that many in the Jewish community would embrace a ceasefire. I, for one, certainly do not want my family members to continue to be subjected to daily rocket fire, and to see my young nieces and nephews called up to the reserves. However, I do not see how anyone can expect to talk about a ceasefire that does not start with unconditional release of hostages and disarmament of Hamas. I would ask the following of City Council and the community.

Mayor Lyles said your time is up. Thank you. You can give the clerk your remaining remarks to be included in the record.

Ms. Handelsman said okay, thank you.

Eric Willoughby, 10201 Tallent Lane said thank you. Good evening. My name is Eric Willoughby. I'm 17 years old and a senior in high school. Some of you may recognize me from last month's rather hectic meeting. Today, I'd like to get a few things straight. I have worked in today's polarized political environment for about three years now. Not once, in all that time, have I ever been characterized as a public enemy due to my

Jewish heritage. I never thought that in the 21st century, Jews or any group of people for that matter, would have to live in fear due to an extremist ideology that attempts to weaponize the valid emotions and collective grief of the Palestinian people and use it against Jews who, may I add, are also grieving our brothers and sisters who are injured, dead or still held hostage by Hamas. My friends, I fear we may have forgotten an incredibly basic principle, the recognition of each other's humanity. Now, I'm not going to sit here and tell ya'll that I'm not guilty of being inflammatory or hotheaded at times, but I have never characterized anyone who is not a Hamas terrorist of being an enemy of the Jewish people.

I have never come to this Council chamber and proclaimed so publically that those who disagree with me are enemies, because they are not. As a matter of fact, I believe that those who disagree with me can be the greatest source of friendship. For instance, I have many good friends who just happen to be republicans. Do I disagree with them? As a proud life-long democrat, absolutely. Do I think they are any less worthy of being shown basic decency due to our disagreements? Absolutely not. I refuse to look at any of my Arab brothers and sisters and tell them they are any less deserving of the basic respect that I expect of them, because we are equal. At the end of the day, we are all Americans, and we have a responsibility to future generations to keep this train on the tracks, and not derail it in the face of disagreement. My friends, there is no virtue in absolutism. Thank you.

Oppose Resolution on Israel/Hamas

Samuel Zimmern, 3601 Knapdale Lane said I'm Sam Zimmern and I have lived in Charlotte for 42 years. Thank you for the opportunity to speak. Recently, you've heard heavily biased speeches about the Israeli-Hamas conflict. I feel that all sides of that conflict should be presented in this very public forum. I'm going to focus on three words. The first word is Hamas, which is a dictatorial Arab terrorist group in Gaza.

Unknown said another lie. That's just not true [inaudible].

Mayor Lyles said I'm sorry, ma'am, you are going to be asked to leave the chamber. I'm sorry, ma'am, you are no longer allowed to be in our.

Unknown said I don't want to hear this anymore.

Mayor Lyles said that's okay, then you're going to be escorted out, thank you, or you can leave on your own.

Councilmember Mayfield said what are ya'll doing? Ya'll just waiting?

Mayor Lyles said please.

Unknown said no please to you.

Councilmember Driggs said time to go.

Unknown [inaudible] said and please, I hope that you [inaudible] there is not equality in that.

Mayor Lyles said alright, ma'am you must.

Unknown [inaudible] said you know, I agree with her.

Mayor Lyles said I understand that you agree with her, but this is not the time. He has the floor, and if you would like to stay in this space, this will be the last time before you will be asked to be escorted out. Thank you.

Mr. Zimmern said I will focus on three words, and the first word is Hamas, which is a dictatorial Arab terrorist group in Gaza. It's declared in its founding charter, Hamas is

dedicated to the destruction of Israel and killing of Jews. On October 7, 2023, over 3,000 Hamas militants suddenly invaded Israel and shot, burned, raped, mutilated, and even beheaded Israeli citizens, resulting in over 1,200 deaths. In addition, 280 hostages were dragged back into Gaza. Israel immediately went to war to prevent any such catastrophe in the future. The second word is ceasefire. I hope you know that a ceasefire between Israel and Hamas was already in existence at the very time of the recent Hamas invasion. Hamas has publically stated its goal is to invade and kill Israelis again as soon as they can. In light of these realities, another ceasefire is irrational at this time. The third word is genocide. It means actions taken to eliminate an ethnic or religious group of people. In the past 50 years, the Palestinian population has grown from 2 million to 5 million. That's not what genocide looks like. It's very sad to see that thousands of civilians in Gaza have died during the current war, but the main reasons are, number one, Hamas intentionally started the war, and two, Hamas is waging a war from schools, hospitals, apartment buildings, and even Mosques. Israel's goal is to abolish Hamas. It's not genocide against Palestinians.

Mayor Lyles said thank you very much. If you'd like to have any of the remaining part of your remarks, you can provide it to the clerk.

Conflict in Gaza

Lana Sheikha, 821 East 36th Street said good evening, Mayor and City Council members. My name is Lana Sheikha, and I stand before you today with a plea for our City to promote peace with regard to the horrific events unfolding in Israel and Palestine. As an American with Kurdish roots, the world's largest stateless nation, I am in a unique position to empathize with both sides, as I understand the vulnerabilities, not having a home to call your own, puts not just a person, but an entire population. Kurds were never granted a land to call their own, leaving us vulnerable in the lands we do inhabit. As Kurds in Iraq, my parents survived an environment where they were constantly subject to state-sponsored trauma, torture, and death, just for being Kurdish, similar to what Jewish people were subjected to in Europe, which ultimately culminated in the devastating events that led to the Holocaust. Kurds and Palestinians also share similarities when comes to inequality, displacement, and mass atrocities, starting from the Nakba in 1948 all the way to what we see unfolding today.

The Gaza strip is just 25 miles long, which is about the distance from Huntersville to Pineville. Since the start of the besiegement, Israel's military has dropped over 29,000 bombs in this area inhabited by 2.3 million people killing 22,000. Let's not forget these weapons are being financed by American taxpayer dollars. That is money that will not be used to educate our youth, house the unhoused, or get vulnerable North Carolinians the healthcare they need to live. It is not radical to want my hard-earned tax dollars to help my fellow American citizen, instead of slaughtering innocent children halfway around the world. As a human being, I implore all of us to acknowledge the human rights of all individuals affected by this conflict, and to demand an immediate ceasefire. Let us draw inspiration from the teachings of a famous Palestinian Jew, I'm sure you've heard of, Jesus Christ, who said, "Blessed are the peacemakers, for they shall be called the children of God." Thank you.

Cease Fire in the Israel-Hamas War

Gregory Kosinovsky, 4002 Cambridge Hill Lane said good evening, ladies and gentlemen of the Council. I am Gregory Kosinovsky. I come here as a human being and as a son of two Holocaust survivors. What we witnessed last October 7, 2023, was literally a day out of Holocaust. It was a day out of Holocaust in a typical number of Jews killed during the Holocaust in a single day, and it was a day out of Holocaust in the manner in which they were killed. Children were knifed in front of their parents. Parents were knifed to death in front of their children. An infant was placed in an oven. A living infant was placed in an oven and baked. Enormous numbers of woman were raped, killed. People of all ages were killed, taken hostage. We know most of this, not because of the investigations that followed, but because the murderers who perpetrated it live-streamed it using their GoPro's. People were watching the slashing of infants; the rape

of woman live on the feed on the internet. This was, this was Holocaust, except streamed live. It was Holocaust streamed live by an organization, which stated that it wants to kill, not only all Jews of Israel, but all Jews around the world. An organization that, following they said they will do it again and again in far greater numbers. Israel went into Gaza to eliminate this horrific genocidal band. They are doing it as humanely as physically possible. About half of all people who have been killed in Gaza were actual terrorists. This is unheard of in terms of accurate fight in a similar situation.

Mayor Lyles said thank you very much. Your time is up. So, if you have written remarks, please provide them to the clerk.

Gaza Conflict

Diyaa Jamhour, 1810 Folly Gate Court said yes, it's taken three months now, 30,000 murdered by Israel. Take a look at our revolutionary email. Your party has claimed unwavering support for Israel throughout the genocide currently taking place as we speak against innocent Palestinians. Our government is complicit. These are our tax dollars, which are being used to fund murder and to fund genocide. Why do we, as Americans, pay for Israel, sending billions from our tax dollars to Israeli military overnight for genocide on children. Antisemitism is thrown around carelessly. I'm a Semite, by the way, an Arab born in Palestine. Antisemitism is being hostile or prejudice against both Jews, Arab and not being critical of the racist apartheid state of Israel, who continues their blatant humanitarian war crimes. Don't shut down a conversation by labeling criticism of Israel's antisemitic. When those 40 Israeli children, the rape and acquisitions, the world went wild and rightfully so, but it was debunked days later by both Israeli and American, meaning it was not true. Now, over 12,000 Palestinians children murdered in three months. Where's the same energy? Is it not the same because they are Palestinian babies? This xenophobia is serious and continues to affect us here in the west. Our Senator calling us terrorist's supporters, that just shows to you guys that we don't matter to you. What about us, the Palestinians and Muslims? Every day, we are being called terrorists, or to go back to your home. You're required to protect all your citizens, a Jewish man threatening to hunt down Palestinians. Here in the states, a 6-year-old Palestinian child got stabbed to death, three students got shot for being Arab, the teacher who threatened to behead a student just because he was Muslim and he didn't like the Israeli flag. Where's our protection? Where?

So, let us be very cautious with the words that we spew, because they are not just words, but meant to irradiate and push hate. The same governments that would label Nelson Mandela and MLK (Martin Luther King) as terrorists, are the same government's labelling Palestinians as terrorists, or fighting for their rights. I have only one question, why? Could it be because the Israel AIPAC (American Israel Public Affairs Committee) group lobbied the democratic party countless billions over the years? So, we hear you and understand that it is not our voices that are enough for you to listen, but it is money. You only give us your undivided attention when you are running in elections and ignore us when you are in a place of power. We will not stop, go away, or shut up. We will be relentless spreading the truth and you will hear us, and we will only get louder. What you do today will be the history of tomorrow. If you still support Israel's approach, you should be ashamed. I can't imagine how you could explain this to your children down the line. Either you're on the side of humanity or on the side of greed. As elections happen this year, we'll remember your hypocrisy and we will replace you.

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

Sharyn Handelsman, 5007 Providence Road

Samuel Zimmern, 3601 Knapdale Lane

Police Misconduct

Titus Elder Reeves, 2320 Mallard Highlands Drive said hope all of you are doing well this evening, and I wanted to start on a positive note. I want to congratulate all of you on your return to represent your constituents here in Mecklenburg County, and I'm going to try to get through this quick, and I want to end on a positive note. So, if my two minutes is up, allow me to give you four solutions rather than the problems that I come here for. So, I am a 42-year-old that has had many trials and tribulations, and with that being said, I have been triumphant as well. I am a college graduate. I graduated with honors. Pat Cannon, he spoke at my commencement, and I remember every last bit of it. I'm going to give a shout out to Pat Cannon for that, because he has also shown that he is resilient and made it through many trials and tribulations, but I have experienced some disheartening things here. Hopefully that I can grab your heart, and I did not write this down, because I am speaking from the heart. I have dealt with some police misconduct. I have not had any troubles with the police department in almost 20 years, so this is very foreign to me. So, it prompted me to go into the constitution, and I have an epistle that I have sealed everything that belongs to me from the state and local government, which is supposed to protect me from what laws may seem Jim Crow to some, and that the policing to not understand. I have been arrested eight times and thrown in jail, basically held hostage, under the most abused charge in North Carolina, restrict, delay and obstruct, or RDO, and with no law attached to it. This is what I consider a hostage situation.

Mayor Lyles said Titus, please, Mr. Reeves, I'm going to ask you. I know that you said that you're speaking from the heart, but do have the ability to write down what you have a concern about, or should we have someone contact you? We can have someone call you, or even talk to you this evening about your concerns.

Mr. Reeves said okay, about my concerns, yes, talk to me about it this evening.

Mayor Lyles said Mr. Heath is going to listen to your remarks and your concerns here. If you would meet with him over here.

Mr. Reeves said and Mr. Heath is who?

Mayor Lyles said right here. He's going to raise his hand.

Mr. Reeves said and his position in government is?

Mayor Lyles said he is an Assistant City Manager, with the responsibility to help all of us get better.

Mr. Reeves said oh, to help all of you get better. Okay, and I will say this. I want to end on a positive note.

Councilmember Driggs said it's time to stop. Step down.

Mr. Reeves said okay, step down, and stay off of your phone.

Mayor Lyles said Ed, please. Let me try this, okay. Let him find Shawn, so that we can go ahead and get this done.

Mr. Reeves said [inaudible].

Mayor Lyles said okay, that is the end of our public forum for this evening.

Mr. Reeves said it's not important.

Mayor Lyles said so with that we will now begin.

Mr. Reeves said [inaudible].

Mayor Lyles said I want to do one other thing. Before we begin, I'd like to take a moment to honor Ed Crutchfield, who passed away last week at the age of 82. Ed was a pillar of the Charlotte banking sector and a key figure in shaping our City's growth and success. He was the CEO (Chief Executive Officer) of First Union, now part of Wells Fargo. He helped turn Charlotte into a major banking center and helped our City grow, especially in the southern part of Uptown, what we would call South Tryon. He was a true champion for Charlotte, big supporter of the arts, the symphony. He'd probably be grateful for the kind of things that we're doing with culture now. He played a significant role in strengthening JCSU (Johnson C. Smith University) when there was a time thought that it would not be successful. We're grateful for his contributions and just want to acknowledge that he will be missed.

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CONSENT AGENDA

ITEM NO. 23: AIRPORT MARKING REMOVAL AND REPAINTING

Councilmember Johnson said I just wanted to pull 23 from the Consent Agenda, because I received an email from a very engaged and informed reporter, who's in the room, Joe Bruno, and he asked a question about this contract. So, this contract is for airport marking, removal, and repainting. In 2021, Council, voted on a contract, and it was a 5-5 vote, and we approved Pride Industries, I think, is who we contracted with, and one of the subsidiaries or a sister company of the company that we were contracting with, had a contract with prison labor. So, as a principle, it was me, Ajmera, Newton, Watlington and Winston voted against it, and our former Mayor Pro Tem was really engaged and lobbied against this, taking a stance, and really looking at policies on not to support industries that were supporting or profiting from prison labor. So, the question, by Joe Bruno today, is this new company Hi-Lite Markings, do they contract with the prisons for free labor, essentially, and the answer is no. So, the answer is no. I know that the email that you received from Hannah Gentry, was that Hi-Lite would subcontract with the company that used prison labor, but that has since changed. They're going to be working with PPG, and PPG does not utilize prison labor. So, I just wanted to put that on the record, that Hi-Lite does not use prison labor, nor does the company they're subcontracting with as of today. Thank you.

Motion was made by Councilmember Johnson, seconded by Councilmember Molina, and carried unanimously to (A) Approve the purchase of services to remove and repaint existing airfield markings and the purchase of paint from a federal contract, (B) Approve a contract with Hi-Lite Markings for the purchase of markings removal and application, and paint for a term of three years under Sourcewell contract # 110122-HLA, and (C) Authorize the City Manager to extend the use of the contract for additional terms as long as the federal contract is in effect, at prices and terms that are the same or more favorable than those offered under the federal contract.

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ITEM NO. 48: PROPERTY TRANSACTIONS - REGIONAL SOLIDS CONVEYANCE PHASE 1A, PARCEL # 11

Motion was made by Councilmember Driggs, and seconded by Councilmember Ajmera, to approve a resolution of condemnation for 2,585 square feet (0.059 acres) Sanitary Sewer Easement at 10932 Moores Chapel Road from Anilkumar N. Pai and Preetha Prabhu Pai for \$12,075 for Regional Solids Conveyance Phase 1A, Parcel # 11.

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

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

NAYS: Councilmember Mayfield

The resolution is recorded in full in Resolution Book 55, at Page(s) 051.

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PUBLIC HEARING

ITEM NO. 5: PUBLIC HEARING AND DECISION ON AN AMENDMENT TO THE ORDINANCE THAT ADOPTED THE CITY OF CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE

<p>There being no speakers, either for or against, a motion was made by Councilmember Driggs, seconded by Councilmember Anderson and carried unanimously to (A) Close the public hearing, and (B) Adopt an ordinance amending the Ordinance that adopted the City of Charlotte Unified Development Ordinance</p>
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The ordinance is recorded in full in Ordinance Book 66, at Page(s) 473-477.

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POLICY

ITEM NO. 6: CITY MANAGER'S REPORT

Marcus Jones, City Manager said thank you, Mayor and members of Council. Normally, I'd give you a 30-day report, but the next business meeting is outside of that 30-day window. As you do know, we talked a little bit about the upcoming Annual Strategy Meeting at the Budget and Intergovernmental Committee today, but what I wanted to do is just inform you, Council tonight, that we're expecting a strong weather event tomorrow. Thunderstorms, several inches of rain, strong winds and we'll likely see some down trees and power outages. We have started today sending out information to you, because you do a very good job of pushing that information out to the residents, and we'll continue to do that. As you know, the City never stops, so we have already activated the Emergency Operation Center. The City departments, such as Stormwater Services, C-DOT (Charlotte Department of Transportation), Landscape Management have been taking a proactive stance, as it deals with the potential effects of the storm, cleaning catch basins, making sure that we've fueled all of our equipment. So, team Charlotte, there's a lot of folks that live for making sure that we are prepared during these weather events. What I would say is that information on how to prepare for the storm has been posted on the City's website, and we encourage people to monitor the Emergency Management's Twitter and Instagram for updates. Again, we will continue to push information out to the Mayor and the Council, so that you can continue to push information out to the residents. So, that's just the update in terms of being prepared for the weather event.

Mayor Lyles said any questions for the Manager? Okay, thank you, Mr. Jones.

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BUSINESS

ITEM NO. 7: APPROPRIATE PRIVATE DEVELOPER FUNDS

Motion was made by Councilmember Anderson, seconded by Councilmember Johnson, and carried unanimously to adopt Budget Ordinance 677-X appropriating \$76,937.28 in private developer funds from Polymers Center of Excellence, Inc. for the I-85 North Bridge project to the General Capital Projects Fund.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 478.

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ITEM NO. 8: DUKE ENERGY GREEN SOURCE ADVANTAGE BRIDGE PROGRAM

Motion was made by Councilmember Molina, and seconded by Councilmember Ajmera to (A) Authorize the City Manager to negotiate and execute a service agreement for solar energy generation with Duke Energy Corporation, Cypress Creek Renewables Inc., South Davidson Solar, LLC, and their respective subsidiaries and affiliates for the city's participation in Duke Energy's Green Source Advantage Bridge Program, for a term of twenty years, and (B) Authorize the City Manager to amend the agreement consistent with the purpose for which the agreement was approved.

Meg Fencil, Director of Engagement and Impact said it's good to see all this evening, City Council members and Mayor Lyles. My name is Meg Fencil, and I'm speaking on behalf of Sustain Charlotte, and tonight I'm here asking you to be champions of transitioning Charlotte to a clean energy future for the health of our residents and economic resilience of our region by approving the City's entry into Duke Energy's Green Source Advantage Bridge program to develop the South Davidson Solar project. Alongside other nonprofit organizations and resident advocates, we worked for the past six years to support the City's efforts to first adopt a clean energy resolution, followed by the adoption of the Strategic Energy Action Plan or SEAP, as we continue to advocate for investments, sustainable transportation choices, and a more walkable city, in which we don't need to be overly reliant on vehicles for our daily trips. We also support investments that support a healthy and economically vibrant built environment. Council adoption of the SEAP and its subsequent implementation by dedicated City staff across departments has already elevated Charlotte's position as a national leader in piloting, investing in, and leveraging partnerships to advance the use of renewable energy and reduce our reliance on fossil fuels.

With continued investment in clean, renewable energy, we can move away from burning fossil fuels, and prevent the estimated 350,000 premature deaths in the U.S. each year that are caused or related to combustion related air pollution. Our most vulnerable residents, children, the elderly, low-income residents, and communities of color, are disproportionately impacted by air pollution and are most vulnerable to health and economic impacts of the climate crisis. So, I'm asking you to please support this project and additional investments to put Charlotte on track to meet the SEAP 2030 Zero-Carbon Building's goal. Thank you for your commitment to sustainability.

Mayor Lyles said thank you, Meg.

Councilmember Ajmera said this is a great start to 2024. This will be the single biggest action that will be taken by the City Council in meeting our SEAP goals. So, SEAP is our Strategic Energy Action Plan that was approved unanimously by this Council, and this gets us within 19 percent of meeting our SEAP building goals. So, this is huge. If I were to quantify this, we're talking about 24,000 vehicles, equivalent to taking 24,000 cars off the road. When I talk about the climate change, it's really just the carbon pollution, and that has a disproportionate impact on Black and Brown communities. When we talk about equity, everything that we do to meet our SEAP goals addresses the equity issue. So, I'm very passionate about this, and I hope all of my colleagues will support this. Let this be another bold step that we take in addressing the climate crisis that the world faces. Thank you.

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

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

NAYS: Councilmember Bokhari

ITEM NO. 9: FEDERAL FISCAL YEAR 2023 LEAD-BASED PAINT HAZARD REDUCTION GRANT

Motion was made by Councilmember Molina, seconded by Councilmember Driggs, and carried unanimously to (A) Authorize the City Manager to accept a Lead-Based Paint Hazard Reduction grant in the amount of \$3,573,037 from the U.S. Department of Housing and Urban Development's Office of Lead Hazard Control and Healthy Homes, and (B) Adopt Budget Ordinance 678-X appropriating \$3,573,037 from the U.S. Department of Housing and Urban Development's Office of Lead Hazard Control and Healthy Homes to the Neighborhood Development Grants Fund for program activities.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 479.

ITEM NO. 10: Lease of Office and Warehouse Space for Charlotte Water Customer Service

Motion was made by Councilmember Anderson, and seconded by Councilmember Driggs, to (A) Approve a ten-year lease with FIVE III NC 1, LLC for office and warehouse space located at 2200 Executive Street for use by Charlotte Water, and (B) Authorize the City Manager to execute any documents necessary to complete this transaction and to seek approval from the Local Government Commission for the lease.

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

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

NAYS: Councilmember Mayfield

ITEM NO. 11: Extension of Option and Ground Lease for Affordable Housing

Motion was made by Councilmember Driggs, seconded by Councilmember Molina, and carried unanimously to (A) Adopt a resolution approving an extension to the option for a ground lease of city-owned property located on Providence Road West and Ballancroft Parkway (parcel identification number 223-132-40 and a portion of 223-132-39) with CSE Communities, LLC through June 30, 2024, with an option to further extend up to six additional months as needed, and extend the ground lease term and affordability period to 75 years, and (B) Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete the above amendments to the option and ground lease of the property.

The resolution is recorded in full in Resolution Book 55, at Page(s) 038-039.

ITEM NO. 12: OPTION AND LEASE OF CITY-OWNED PROPERTY FOR AFFORDABLE HOUSING

Motion was made by Councilmember Driggs, seconded by Councilmember Anderson, and carried unanimously to (A) Adopt a resolution approving an option to ground lease agreement and a 99-year ground lease of 1.73 acres of city-owned property located at 7605 University City Boulevard (parcel identification number 049-241-15) with Merit AH, LLC, and (B) Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete the option and ground lease of the property.

The resolution is recorded in full in Resolution Book 55, at Page(s) 040-041.

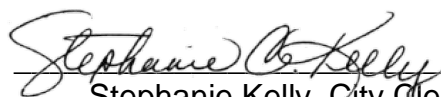
ITEM NO. 3: CLOSED SESSION

Motion was made by Councilmember Watlington, seconded by Councilmember Anderson, and carried unanimously to go into closed session for attorney/client communication pursuant to (A) NCGS § 143.318.11 (a) (3), (B) A motion to go into closed session to discuss economic development matters, including incentives that may be offered by the city, pursuant to NCGS § 143.318.11 (a) (4), and (C) To observe a video that's been ordered released by the court pursuant to NCGS § 143.318.11 (a) (10).

The meeting was recessed at 7:23 p.m. to move to CH-14 for a closed session.

ADJOURNMENT

The meeting adjourned at 9:55 p.m. at the conclusion of the closed session.


Stephanie Kelly, City Clerk MMC, NCCMC

Length of Meeting: 1 Hours, 16 Minutes
Minutes completed: October 8, 2024