

ACTION REVIEW

The City Council of the City of Charlotte, North Carolina convened for an Action Review on Monday, August 26, 2019 at 5:06 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Justin Harlow, Matt Newton, Greg Phipps and Braxton Winston II.

Absent Until Noted: Councilmembers LaWana Mayfield and James Mitchell

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ITEM NO. 2: AGENDA REVIEW

Mayor Lyles said welcome back everyone; we've had a little bit of a break from what we are doing. The intent of the Action Review is to make sure you know what is coming up at the next meeting as well as an explanation of anything you think we need to do and address right away. I have added two items to the Agenda; one to address the Clerk's compensation as a result of her evaluation and another one to cancel the September 9th Council Meeting and those will be added after the Zoning Hearing tonight.

Councilmember Mayfield arrived at 5:07 p.m.

ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

Councilmember Mayfield said Ms. Harris, thank you for the information on Item No. 24, Police Security Equipment, Maintenance and Support Services; the question that I had was how many current inoperable security systems we have. We note that there are currently no systems that are inoperable. That question was based off of a number of years ago before we moved to West Boulevard new station. The previous station had cameras that were never activated, so that is why I want to make sure what we currently have around our stations are operable cameras. So, you are saying that all the cameras that are currently installed are all operating properly.

Marie Harris, Strategy and Budget said yes ma'am.

Councilmember Winston said I have a question about Item No. 33, Delinquency Letter Printing and Mailing Services for Charlotte Water. So, we will be starting to put the actual cut-off dates on these delinquency letters?

Ms. Harris said this is actually adding a third notification. Currently, you get a notification in the bill and they try to reach out with a phone call, so this is a third notification.

Mr. Winston said on the mail notifications, like when we get Duke Power bills, they say pay this by 5:00 p.m. on this date or your service will be cut off. On our Charlotte Water bills it just says cut-off is imminent; it doesn't tell you when that is going to happen.

Ms. Harris said Charlotte Water responded that there will be a cut-off date on there, and it is a separate notice that will come in a pink envelope which is totally different from you bill. It is adding an additional notice to customers.

Mr. Winston said just for clarification, Charlotte Water customers if their service is subject to cut-off, we will now give them the date that they can expect that service to be cut-off.

Ms. Harris said yes sir, there will be a date.

Councilmember Mitchell arrived at 5:10 p.m.

Ms. Mayfield said Item No. 35, Airport Concourse A Ramp Expansion, Phase I Change Order, my question was what are the specific increase expenses? We know that the additional expenses are for earth work and the labor hours to place the dirt at the mid-field fueling location that were not fully covered within the original estimate for the project.

Ms. Harris said yes ma'am, it ended being more work than was originally scoped out to get that done once they got into the project.

Councilmember Driggs said Item No. 27; Construction Sidewalk Ramps and Address Sidewalk Gaps, could we get a breakdown on where the projects are that are being funded by this?

Ms. Harris said we can work on getting more detail; they don't currently have those mapped out, but if it is available we will definitely get that to you.

Mr. Driggs said since it is a very specific number I assume there are particular projects that are intended. If you can get that for me that will be great.

Councilmember Phipps said on Item No. 37, Public Auction for Disposal of Surplus Equipment; I was wondering when the entire process was reviewed by audit and you indicate that it has been several years so, does that mean two or three years?

Ms. Harris said I'm not sure. You said by internal audit and the full process; that is not something we always do on a routine basis. Different components of it have been looked at but we don't have record of the very last time, and I don't know that it has been at one-time end to end audited.

Mr. Phipps said the reason I expressed an interest in it is I would like to see at some point that the whole process be looked at. As a truck owner myself, I take pride in getting as many miles as possible out of a vehicle and looking at this list I'm not comfortable that some of these rolling stock vehicles that we are making appropriate use and getting our money's worth out of it. You are talking about an F150; people take pride in getting 300,000 miles on it, not 50,000 and all of a sudden it is going to the auction block. I was just curious about that. This whole rolling stock auction thing I'm not comfortable with it but maybe some of my colleagues are.

Ms. Harris said Mr. Phipps; if you have any particular one I can follow up with you and we can look at how it was rated by millage, maintenance call and the condition and usage and walk you through any of them that you are concerned about.

Mr. Phipps said I would just like to see the audit process include the entire process at some point. Something an audit could consider on a go forward basis.

Ms. Mayfield said on the same line of Mr. Phipps' questioning, I think it will be helpful for Council to have the written language to understand exactly how are these vehicles identified for surplus? The question that I asked was on the number of wrecked vehicles that we had identified in this particular item and a number of them had low mileage, so I wanted to know who is responsible for the costs of those wrecked vehicles. It would be helpful to know what exactly is the City's process when we are going through rolling vehicles when we turn around and approve funding for the purchase of new vehicles in every budget?

Ms. Harris said we will get that process to you.

Councilmember Eiselt said same thing, I just want to know at what point; is it a mileage cut off? Do we say after 100,000?

Ms. Harris said no ma'am, it is based on what they use the vehicle for, the condition of the vehicle. The mileage is definitely a component, but there are four factors they use, and for each one of those criteria they give it points based on where it falls and basically the ones that are the worse are the ones that sometimes we have funding and sometimes we don't be able to replace them, but we prioritize the list based on those criteria and giving them point rankings in each of those criteria.

Mayor Lyles said you will explain that in the follow-up.

Ms. Harris said yes.

Mr. Winston said following up on Mr. Phipps' inquiry; I think this also relates to something we are about to get into, but just in terms of our strategy and policy as it relates to SEAP vehicles and fleet acquisitions and disposals I think is an important portion of that, so I would like to see if we are going to take a look at whatever policy or guidance we have how that relates or doesn't yet with our strategy around SEAP.

Ms. Mayfield said the question on Items 39 and 40 are basically the same, and I think it is a bigger conversation that Council should consider. When we are looking at voluntary annexation, when we are having conversations regarding housing affordability the question that I asked was because it was noted that the area proposed for annexation in Item No. 39 does not share a boundary with current City limits. My question was how would this not adversely impact Charlotte Fire, Police, and basically Water and that it is consistent with policy? The language is inconsistent with what affordability requirements have been agreed upon for this vacant property. If we are talking about annexing vacant property where they are looking to build anywhere from a couple hundred units to multifamily are we even having conversations on the front end to identify affordability on those if they are going to be utilizing City resources and it is going to be a strain on resources. The response was that CMPD already provides police services to the area, because it is in the ETJ, and the area proposed for annexation is located in the North Patrol Division Response Area 2. They said within the review process Fire did not submit any concerns with the service to the proposed area. We ought to have some very targeted questions if we are looking at annexation, and again, if you want to annex into the City what is the benefit to the current residents in the City for us to move forward with this when we already clearly have a challenge regarding housing affordability, especially if we are not going to even roach the conversation of identifying some different price marks for housing.

Mayor Lyles said so, addressing the principles around annexation and the requirements. That ends this list, so are there any items on the Consent Agenda for comment or any items for a separate vote? The Consent items that have been settled and will not be included in the motion, because these are property settlements that have been made; No. 45, 51, 52, 53, 55, 57, 65, 66, and 67.

Mr. Phipps said I would like to comment on Item No. 26.

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ITEM NO. 3: AMERICAN CITIES CLIMATE CHALLENGE AND STRATEGIC ENERGY ACTION PLAN UPDATE

Mayor Lyles said I want to remind Council of the achievements that we've made through my work with the Bloomberg Philanthropy. At the Mayor Bloomberg invitation, I attended the Paris Women and Climate Change Conference representing the Mayor at the showing of the environmental film from Paris to Pittsburg and having the opportunity to judge an international competition with projects that would impact climate change that are much farther along in other counties like Israel and India.

Mayor Bloomberg sent a team to Charlotte to determine how its foundation could help us and I was honored after having coffee at the 7th Street Station, that Mayor Bloomberg committed a grant of \$2.5 million to our City. I personally have to say, I'm very fortunate to have this relationship with Mayor Bloomberg, and I want to publicly acknowledge his support for me and the other Mayors across this country and our goal to be a City and a country with zero carbon. Just this morning, Marcus and I went out and drove the City motor pool electric car, and we are making these changes and making the progress. Mayor Bloomberg; I'm not sure if you are watching Facebook Live, but if you are from Charlotte, I say thank you for your relationship with me and thank you for what you are doing to help support urban areas be successful in climate change. I will send that personal note to him as well.

Sarah Hazel, Office of Sustainability said we actually have a video that highlights the test drive that the Mayor and Manager took this morning.

A short video was shown of the Mayor and Manager's test drive.

Ms. Hazel said I invite everyone else to test drive one of the three new electric vehicles that we have in our fleet. It is not too difficult to pick up, picked up pretty quickly I would say.

I am the Division Manager for the Office of Sustainability, and I'm excited to share with you today some updates on how we are moving towards become a sustainable and resilient Charlotte and specifically, as the Mayor mentioned, I want to focus on two key ways that we are going about doing that through your strategic energy action plan and through Bloomberg American Cities Climate Challenge. I want to quickly go through some background about how we got to this point and the framework that really is the road map that we have to achieve our goals. Then I will hand it over to a series of key City staff members who have been doing this work in an ongoing way and have some updates to provide to you, then I will close out with some things that you can expect to see next.

Just to step back a moment, you passed in June 2018 a resolution with three key components; one was to strive to source 100% of the City's energy use in its buildings and fleet from zero carbon sources to strive to become a low carbon City and to develop an action plan as a framework to achieve these goals. So, both short-term and long-term but really to develop a road map that would make these goals live and breathe. So, fast forward a couple months later, you adopted the Strategic Energy Action Plan and a lot of work went into this effort both from community members, from folks around the dais and from City staff. There are some core pillars that underlie this work; buildings, energy generation, transportation and workforce development with the foundation of engagement and equity. As you can see the American Cities Climate Challenge work that we were so excited to be awarded with a two-year effort to make some real progress towards our SEAP goals. The align with these pillars, and they have helped to advance these efforts and give us some organization from, which we can start to do our work.

As a reminder to you all there are some key action areas, both internal organizational areas and citywide areas that are a part of the Strategic Energy Action Plan. I'm going to focus on three areas; structural change, communication and developing smart data approaches for a couple of reasons. The more we can understand and collect the data that can best support our efforts to move towards 100% zero carbon municipal buildings and 100% zero carbon city fleet by 2030 we will be a really good shape. We are focusing on these three key pieces, because this will allow us to move towards those other three action areas; you will see that when we go through some of the examples. We know we can't do this alone so, there are some community action areas that I wanted to highlight, and it is going to take community partnership to achieve our citywide goal of becoming a low carbon City.

As the Mayor noted, right around the time that the Strategic Energy Action Plan was being passed by you all, we found out we were a winner of the Bloomberg Climate Challenge, and this is an effort by Bloomberg to help accelerate and deepen city's efforts to create a big impact on climate change. We know that cities produced the most greenhouse gases and we are very excited to be a part of this cohort of 25-cities, and the work is organized into two spaces, buildings and transportation. Buildings and transportation are the places that we can have as a municipality the biggest impact, so therefore Bloomberg organizes their work that way and our climate challenge advisors, which I will introduce in a moment, are organized in that way as well.

This first year is all about preparation, analysis, and assessment. We've done a lot of work creating that structural change by organizing our internal teams. First, we've on boarded our two climate challenge climate advisors and I would love to introduce them to you. We have Catherine Kummer and Jonathan Thigpen. If you haven't had a chance to meet Catherine and Jonathan, Catherine has joined us to focus on our transportation

goal; she previously ran sustainability and green innovation at NASCAR. So, she might be a familiar face. Jonathan has joined us to focus on our building and energy generation goals; he previously worked for Family Dollar as an Energy Manager and at JLL as a Building and Energy Manager. I will say this, from my time working with them, since coming back from family leave, I have found that not only do they bring some wonderful private-sector experience to our work but a real result focused orientation that has helped to really support the ongoing work of our city staff, so we are lucky to have them.

We also have our work organized into eight climate challenge action teams; so, going back to those two areas of buildings and transportation we have city staff who are leading those teams and a Strategic Energy Action Plan operations team. So, that team is meant to be a high level group that can not only champion the work but think broadly about how we work across organizational silos as One Team Charlotte and that team is also meant to be a sounding board so that we can really run some of the work up to some of our city staff to look for ways that we can strengthen it. You might notice that we have a lot of people in this room today, so for folks who are either a member of the Climate Challenge Action Teams of the SEAP Operations Team, our Climate Advisors or our core staff members in our Office of Sustainability, if you guys would just stand for a second, just want to recognize you.

I show you this to let you know that we truly have an army of city staff who are working on these efforts and really working across departments. We have staff from Charlotte Water to Planning to Sustainability who are really thinking broadly about how we get organized, how we integrate this work into our ongoing work and how we really start to move towards these ambitious goals. Besides that, we have partners, not only from within the City, but from outside of the City, so along with the Bloomberg Climate Challenge, two staff members that are really embedded in our organization comes some technical partners so 15 plus partners with the main partner being the National Resource Defense Council (NRDC), but they bring a host of other resources to bear the equivalent of \$2.5 million that the Mayor noted.

We are working with Mecklenburg County Air Quality; we have a strong relationship with Duke Energy, and we have a Memorandum of Understanding that we will work together to support our carbon reduction goal. We are working with cities in North Carolina, who are also working alongside Duke Energy to look at best practices and think about how we can meet some of our statewide targets, and with the climate challenge, we also have had an opportunity to really focus on developing a total cost of ownership model, so the idea behind this is that as we continue to think about how we are going to make investments in the future we have a strong foundation through a total cost of ownership model from which to make some really good decisions in the future. With data and using data in a wise way, we are lucky to have created a dash board which really outlines our milestones through the climate challenge and allows us to see how we are doing in hitting those milestones, where we need a little more work and what hitting those milestones will do to help us hit our carbon reduction targets. We've worked to create a communications plan both internally and externally.

I would also like to highlight that we have four external content groups, so we know again that this work is not just something that we can do on our own, so I will highlight that we have community partners and they are four groups: Buildings, Workforce Development and Equity, Energy Generation, and Transportation. Community members who represent the private sector, the public sector, non-profit, and these contact groups are really charged with looking at how we can work with the community to think about our citywide goal. We had the first of four quarterly meetings and each group developed an action that they can take out into the community and bring back to the group. We will be excited to see what those next meetings entail based on their work.

So, this year in addition to doing preparation and assessing where we are, we are also really thinking about alignment. You may have heard that we are doing a comprehensive planning process right now, and it is very important that the goals of the Strategic Energy Action Plan align to the Comprehensive Plan. You can see it is embedded into the vision of the goals of the Comprehensive Plan, creating a healthy and sustainable community,

and that was really reinforced by the community engagement that was done by our Planning folks in the entire City to understand and ensure that those were the right vision and goals. So, this work will be embedded as we move forward in that process.

Now, I would like to turn it over to some of my colleagues; we will start with Kevin Dick the Lori Sickles, Erica Ruaine, and then John Lewis, and they are going to talk specifically about some of these key action areas and the work that they are doing to advance the goals.

Kevin Dick, Deputy Director of Economic Development said I work in the Economic Development Department, and I focus on talent development and other key initiatives that increase economic equity in our community. Sarah referenced the Charlotte Future 2040 Comprehensive Plan, and as we know, there is a strong emphasis in the Comprehensive Plan on equity. We also know that a key focus for the City this year is the economy, jobs and upward mobility and as such what we want to do in the workforce development and equity objective is really build upon the success we've had with Project P.I.E.C.E. and construction trades and expand into other areas that have a high demand for employment but also focus on energy efficiency.

So, through P.I.E.C.E. 2.0 we want to train individuals in building efficiencies, solar energy and other emerging technologies, we want to enroll 100 students in these workforce areas and also work to connect them with employment, secure corporate advisory partners to inform the curricular in these values training areas, engage students and hire graduates. This being a business-driven program is so important because without business the program would be out of business. We really need their input and their engagement with students. Finally, we want to leverage the community with SEAP external content groups. We can leverage their expertise and helping to get the word out to potential students as well as potential employers. We've already begun meeting with them, and we think that the engagement with the community groups as well as the business community will be really beneficial.

Lori Sickles, General Services said I am with General Services in the Division of Building Services, and we are charged with the maintenance of city owned facilities. Our building portfolio is just over three million square feet, and it does include the cultural venues as you see in this slide, there are seven of them. These seven locations represent one million square feet, and that constitute one-third of the portfolio for which Building Services is responsible. We've long been committed to energy reduction efforts across buildings, and since 2003, we have reduced energy consumption by 20% and saved about \$34 million. Through the SEAP and the Bloomberg Climate efforts, we've had the opportunity to dive deeply into our cultural venues.

To date, we've partnered with a consultant to complete condition assessments and energy audits across all seven locations and we anticipate reports and data to come back in mid to late October at which time we will be able to identify, target and more specifically scope for viable energy retrofit projects across these venues. Their size and sophistication make them prime candidates for energy reduction efforts, but they were selected for more than just that reason. These facilities are public facing and they are five creative non-profits that manage these locations in collaboration with the City and those non-profits routinely engage our community and beyond. There is a wonderful opportunity for alignment and partnership with our cultural venues to collaborate across communication and education with regards to resiliency and sustainability. I would like to close with, we have started to begin those collaborative conversations for more targeted programming in this arena.

Erica Ruaine, Office of Sustainability said I am the Sustainability Coordinator. I'm going to touch on a couple of City transportation initiatives. The first one is our fleet pilot. A few months ago, working with the watch that was connected to us through the Climate Challenge we installed GPS units on 10 CMPD and Charlotte Fire Department staff vehicles. We wanted to see exactly how these vehicles are being used on a daily basis to identify opportunities to make smart investments on alternative fuels and infrastructure

for the future. The findings will be used to inform better decisions to help achieve our 2030 and 2050 emission reduction goals.

The Airport also recently purchased five electric buses and charging infrastructure from Proterra. These buses and infrastructure will be in place by July 2020 and will support circular routes at the Airport. These are just a couple of initiatives since the unanimous passing of the resolution and SEAP. Our team has been hard at work delivering upon the SEAP goals, and we are excited to continue our progress.

John Lewis, Executive Director of the Charlotte Area Transit System said I just wanted to give you a few statistics on national stats on transit bus fleets. Diesel fuel continues to dominate public transit fleets nationwide, but systems are beginning to transition to alternative fuels. When you look at the number of vehicles nationwide and their breakdown between traditional diesel fuel and those who are moving towards alternative fuel vehicles hybrid electric technology and compressed natural gas dominate the alternative fuel vehicle landscape.

Looking at taking that down to CATS' current fleet, 20% of our current fleet or 300 buses are hybrid electric vehicles, and we will continue to move in that direction and purchase hybrid vehicles as we phase out our diesel fleet. Next year's purchase of vehicles will be hybrid electric technology while we continue to evaluate the best opportunities to transition our fleet to a more sustainable source fleet both fuel fleetwide. Along with that choice comes an opportunity costs for that transition. Hybrid vehicles are roughly \$200,000 more per vehicle than a diesel fuel vehicle and so over the next five-years in our capital budget we've allocated \$62 million to replace 144 of our eligible diesel fuel vehicles. CATS uses federal funding to purchase its vehicle. As a result of that utilization of federal funding, we are mandated to keep those vehicles 12-years or 500,000 miles whichever comes first.

Over the next five-years 144 of our 300 vehicles will reach that replacement standpoint, and so as we are transitioning from diesel to hybrid and other alternative fuel vehicles, we won't be able to replace 90 of that 144 vehicles if we continue down the hybrid path. It is critical for CATS to continue evaluating other sources of technology, but we also at the same time need to replace those older, dirty vehicles that are currently in our fleet. Lastly, as we continue to evaluate our heavy-duty bus transit fleet we are also branching out with partnerships with partners in the community to test hybrid electric vehicles in our van pool fleet. CATS operate over 60 van pools throughout the region today; we have just started an exciting partnership with Duke Energy, where we will transition. They are moving two of our current van pools to hybrid electric vehicles and will be evaluating their performance of those vehicles over the next year and comparing them to the performance of our regular van pool vehicles and will make a determination on the path forward there. We are excited about this opportunity to test this technology in keeping with the action of the City and their announcement today. So, CATS continues to support the Strategic Energy Action Plan goals of the City.

Ms. Hazel said you should also have I believe on your iPads a list of other achievements. There is a lot of work that is going on in the City right now that aligns with the Strategic Energy Action Plan. We couldn't really cover all of it today, but I did want to highlight a combination of recognitions that we've received for our ongoing work and then some milestones moving forward.

We continue to research on site and off site solar, so this includes Duke's Green Source Advantage Program; we completed an RFP and interviews for utility scale solar. We received the 2019 Smart Fleet Champion Award for our commitment and our accomplishment in reducing petroleum use, so that is very exciting. We also received a grant award, the Clean Fuel Advanced Technology Grant Award to diversify our fuel sources. I encourage you to check out some of the other highlights that we have. I think there is a lot of really great work that is going on.

As we move forward there is much work to do. We are going to be completing audits for the cultural facilities, continue to analyze our solar options. We will be finalizing corporate

partners for the jobs that Kevin spoke about and then highlighted at the bottom; we didn't speak about this in this presentation but coming up you will see the Tree Ordinance Text Amendment, so obviously this relates to our work and our community goals as trees remove CO-2 from the air for free. So, as you are considering this that is just one thing to keep in mind as it aligns to our work. I will close by saying we are about a quarter of the way through our Bloomberg American Climate Challenge work, and we are about a quarter of the way successful in hitting our milestones, so it is our goal to hit every single one of them, and we look forward to sharing more updates about our work as we progress. Mayor Lyles said when I've had the opportunity to meet with you guys we try to problem solve and get things moving, and I think the Manager said, go for it, innovate; go for it. So, I really appreciate the energy that you've put into this project. Sometimes I get a chance to send out a weekly memo, but I have said we are going to move the Environment to Transportation and Planning, and it is consistent with what the group has suggested as embedding the Environment in the Planning process so that everything is aligned, so I think that works really well. I just wanted to remind Council of that.

Councilmember Eiselt said thank you to all the work that has been done by the team; it is very exciting, and you guys know so much more about it than what we get when you present it to us. I do have a couple of questions about some of the choices we are going to make, because ultimately this is going to be about choices. We talk about the cost of an electric bus versus diesel, versus compressed natural gas, but what I think will be really helpful for the Council to see is a long-term plan. What is the life of the bus? 12-years I guess, so how do we amortize that costs? We also have to talk about infrastructure costs, the cost of the fuel and we need some sort of a spreadsheet, a presentation of what those choices are as we convert our fleets. Is it 10% every year we replace the fleet?

Mr. Lewis said the amortization or the depreciation actually of our bus fleet is based on two factors since we utilize federal funds for that and that is miles or years. If you use federal funding to purchase a vehicle you must keep that vehicle either 12-years or 500,000 miles, whichever comes first. It is the Metropolitan Transit Commission's (MTC) policy to program to replace that vehicle every 12-years, so on the 13th year with the availability of funds, we endeavor to replace that vehicle.

Ms. Eiselt said if we look over that long-term horizon of 12-years, it would be really helpful to have the cost of the infrastructure, the fuel savings, because if we are talking about more money for compressed natural gas or electric, electric is a lot more expensive, but are we making up for it in fuel costs, and what is the infrastructure for both? What is the cost of training drivers, technicians and all of that? It would be helpful to see that, because my concern is when we are talking about our buses we are also saying we want to get our bus times down from 90-minutes to 30-minutes, and as you pointed out, that is \$32 million in operating costs and almost \$100 million in capital, with help from the federal government. So, ultimately as policy makers we are going to have to explain to taxpayers how that is going to be paid for and we would love to do it all at once, but it just doesn't work that way, so we really need to know what our choices are and what are the costs are over the long-term. I guess I get a little bit concerned about that, because we don't know when those decisions are being made and who is making them to say with this one we are going to go with hybrid, or with this replacement batch, we are going to go with compressed natural gas or whatever. Can you help us at some point understand that a little bit better and give us a better picture of what the ultimate costs are?

Mr. Lewis said absolutely. We have a lot of data in regard to performance of our current diesel and hybrid fleets, because we've been operating them for so long. In regard to the long-term energy costs, infrastructure costs, etc. of those other alternative fuel vehicles, we have to rely on industry information and the performance of those fuels and those fleets and other locations. We have that information, but studies are open to interpretation.

Ms. Eiselt said just these of east Charlotte I realize where people say well Asheville it didn't work but Asheville is mountainous; so, let's put it within relevance to Charlotte. What is our average route, and what is the technology right now, what does an electric bus get

you? Is that an investment that makes sense right now if we also want to double the number of buses on the road to get our headway times down? Those are all the things that I just don't know that we have enough information, and in the current budget, you have \$6 million to replace?

Mr. Lewis said in this year's budget there is \$6 million.

Ms. Eiselt said is it a done deal that those all going to be replaced with hybrids, or all CNG?

Mr. Lewis said that will be my recommendation to the MTC to replace them with hybrid vehicles and move away from diesel. We will continue to evaluate other cleaner, sustainable fuels but we will not be able to reach that conclusion in time for this year's bus purchase. That will impact next year's bus purchase, and it will give us some time to really begin to educate not only Council, but also our Board members on what is the best path forward.

Ms. Eiselt said so MTC is going to decide or will that come before Council at all?

Mr. Lewis said MTC decides from a policy standpoint, but the procurement and contracts will come to Council, so we will have an opportunity to discuss that with Council.

Ms. Eiselt said so, in this current budget that decision has been made already?

Mr. Lewis said it will be my recommendation to the MTC that we move forward with purchasing hybrid vehicles only, not diesel. The budget has already been established for the replacement, but what technology we utilize has not been vetted by the MTC. We will make that recommendation and see which way they come off on that, because as I mentioned earlier, there is a cost associated with that. A diesel vehicle is \$500,000 and a hybrid vehicle is just over \$700,000, so there is a decision to be made on that from an MTC standpoint, but also from a Council standpoint.

Ms. Eiselt said that is just the bus costs, plus the infrastructure for fuel.

Mr. Lewis said hybrid electric there are no infrastructure costs associated, but as we continue the discussion CNG, electric, there are very large capital costs associated with that technology.

Ms. Eiselt said okay, that is what I would like to see more about.

Mr. Lewis said absolutely.

Mayor Lyles said it is a tough job to get rid of dirty diesels, wait for electrics to be easier, go with gas now and how do it when, what is the costs, I think that is kind of the fair analysis that we are looking for. I currently Chair the MTC; next year the County Chair, George Dunlap will Chair it, and we go back and forth. Our membership now is still defined by the agreement setting up the original transit system, but we are joined in the discussion by Mayors from Concord, Belmont, Mount Holly, and Gastonia. Just wanted you to know we are spreading this across the region now.

Councilmember Ajmera said first I will follow-up on Ms. Eiselt's question about the buses. I read one of the articles that came out, and it said CATS will add 19 diesel buses this year and plans to order 22 more to be delivered in 2020. Is that an accurate statement?

Mr. Lewis said I'm not sure where that article came from or what they were quoting, but it sounds like they are quoting our capital program, which I pulled that out. That is this year; we have 19 vehicles that are eligible again, reaching that 12-years or 500,000 miles and next year we have 22 vehicles that will reach that eligibility standpoint. We do not have the funding to replace each and every one of those, and so we fall behind each year.

Over the next five-years there will be 144 vehicles that will reach that replacement timeframe. We have funding to replace 96 of those.

Ms. Ajmera said I understand that this is going to depend on the funding, but I was trying to understand the source. Would these vehicles be diesels? Because this is what the article says that came out on August 2, 2019 on WFAE. It said we are going to purchase 19 more diesel buses this year. You are saying that is not accurate, it is going to depend on the funding.

Mr. Lewis said no, in our budget that was passed in May of this year, we had our capital allocation. There are 19 vehicles that are eligible to be replaced in this year's budget and we will replace them this year. At that point, we were exploring CNG; it had been our normal practice to replace them with diesel. As I mentioned earlier, I will recommend to my Board that we not replace them with diesel but replace them with the hybrid electric vehicle.

Ms. Ajmera said I'm glad that is the route we are taking in terms of looking at other options and not just going with the diesel buses. About a month or two ago, I had a meeting with many environment stakeholders and our City Manager, and we went over various options. One of the options was the leasing option where many companies are actually leasing electric buses, so we don't have to incur upfront investment of \$400,000 or \$500,000 or more, and I know that currently some of this federal funding that we have cannot be used for leasing options. I know we have had that conversation John, I would like to see if we have at least explored one of those options in terms of leasing for at least one or two pilot vehicles, so we can actually look at the performance locally. I know we have seen examples in Asheville and other cities throughout the nation, even in the state but we have yet to explore what it will look like here in Charlotte. Obviously, no one city is going to be exactly the same as Charlotte, so until we test it we will not know how that is going to look for us from the performance perspective. I would like to understand what are the plans around that City Manager?

Marcus Jones, City Manager said my understanding there was an application for a grant that we did not receive and with that grant we were going to pilot a route.

Mr. Lewis said we were going to pilot a route, capitalizing on the Airport's investment; we were going to pilot that on the Splinter, which would allow us to run that route from the Charlotte Transit Center to the Airport and utilizing the chargers that they will be purchasing and evaluate the performance that way.

Mr. Jones said we would love to pilot a route to see how we could experiment with this and what we are trying to do is find funding to make that occur, but it is not just the electric bus. It is also the charging stations that will come with it.

Ms. Ajmera said I understand the infrastructure is important when we are going to have to invest in electric charging station eventually, but the same applies to CNG. The CNG also requires the infrastructure that we will need to invest in and eventually look at the electric footprint. So, either way we go we are going to invest in the infrastructure, so I would like to have a full comparison on some of these important decisions that we are making, not just diesel to electric but also diesel to hybrid and diesel to gas and consider our leasing options in there so that we as a Council can actually make a better decision, because currently we don't have that comparison, and that is what I struggle with, because I hear John's viewpoint, I know he is concerned about the performance. I have heard various perspectives, even from the ones who are in Asheville where they say yes, it has worked for us. We are looking at it. Yes, it may not have worked in certain routes, especially the ones that have higher escalation, so I struggle with this. I just feel like we don't have enough information for us to make the decision. I would really like to see some comparison in detail presentation more at the Committee level where we are taking a deeper dive into this.

Mayor Lyles said so, add to Ms. Eiselt's request for that comparison adding the leasing options.

Ms. Ajmera said overall in terms of the SEAP update, I like some of the programming that we are doing specifically some of the stakeholder's engagement that we are continuing. I know we had started that last year with the resolution and the SEAP, and I'm glad to see that is continuing. I know that it is less frequent than what it used to be. I used to meet with them every couple of weeks and not it is quarterly, so I would like to see some frequency in where you are meeting. I would love to have that information, because I would love to be a part of that to provide that continued leadership.

In terms of some of the concerns I have around lack of timeline. How we are going to achieve our 2030 and 2050 goals? I do see programming here and there; I would like to see what our goal is for this year in terms of 2030. What actions all departments need to take each year to meet our 2030 goals, and we don't have that right now. In terms of procurement, how are we making decisions from the SEAP perspective, not just when it comes to CATS. Yes, transportation is the biggest contributor to carbon emissions, but we also have to look at some of the decisions that we are making and approving some of these contracts from the SEAP perspective, specifically for example, procurement, whether we are buying new HVAC system, whether we are even ordering catering meals. Are we using sustainable material? I would like to see some of those goals being broken out per department by each year so that we have a better understanding and measurement of whether we are meeting our 2030 and 2050 goals.

One area of concern that I have, and John and I had talked about this, that if we do not consider our transportation, specifically our CATS buses, if we don't take intentional steps to electrify our footprint we are not going to be able to meet our 2030 and 2050 goals. So yes, we can do all these programs, but at the end of the day we are going to miss the goals if we are not taking intentional steps, and that is where the rubber meets the road, and I hope to actually look at that and figure out some options on how we can do it. There are so many reasons we can come up with to not electrify our infrastructure, specifically transportation, but we need to figure out how we can do it.

Mr. Jones said to help out a little bit on that, we are really in our first year of implementation and if you go back to the plan a lot of the analysis happens in FY20, so our goal is to come back to you before the next budget cycle with some additional analytics as well as it is great to have the Bloomberg resources with us, because that is helping us with the total cost of ownership. So, a lot in FY20 even in the Plan is the analytics piece.

Councilmember Egleston said Ms. Eiselt brought up some of the stuff I was going to bring up so just to put a bow on it for me, I think we've just got to demonstrate to people who are asking fair questions when Mr. Lewis points out that we have some rules around having to keep the buses that we are buying now for their useful life, which is 12-years or 500,000 miles. Unless we anticipate hitting that 500,000-mile mark inside of 10 or 11-years or unless we have some plan to rid ourselves of those buses before the end of their 12-year lifespan then, it is fair for people to ask, and I would like to acknowledge by going to the buses we are going to we are making a lot of progress in reducing our carbon impact.

It is still a fair question to say, how do you hit a 2030 goal of zero if you are locking yourself into a 12-year asset in 2020 that is not zero carbon emissions? I just think we've got to figure out a way to square those two pieces of it better for the public. Also, I would like to clarify because in whispering and asking around I'm not sure everybody is on the same page. When you are saying hybrid you are talking about hybrid electric and compressed natural gas or electric and gasoline?

Mr. Lewis said diesel and electric just like the standard car hybrid vehicle, just diesel fuel rather than gasoline.

Councilmember Newton said thank you for the presentation and for all your hard work. My question was what Mr. Egleston just alluded to regarding whether or not hybrid vehicles are diesel free. It sounds like they are not, so we need to be a little more creative if we are going to hit that 2030 goal. I wanted to ask about resilient innovation districts.

This is something that has interested me, because I don't quite understand what they are, and I think this is something we are going to be talking about a little bit more down the road. My question tonight is maybe if you could elaborate on what they are but then again to, where, how, and when will they be identified?

Ms. Hazel said I know that everyone has been reading their SEAP closely over the summer break, but if you take a look at some of the milestones related to resilient innovation districts, there are some key pieces over the coming years that we have to identify, so working with Duke Energy, one of the components of a resilient innovation district would be an energy micro grid. That is something that we are currently exploring but that is not something that we have an update ready for you to share but there is a series of components, and I will say that the work we've been doing in the North End Smart District, working with residents to reduce energy burdens and using smart technology to support reducing energy usage and also enhancing quality of life that could be a component of an RAD. So, I think we have some things that we can build off of, but there is a lot more work to be done there and that is a longer-term rule.

Mr. Newton said we made an investment last year in the circular economy and circular economy technology locally. I think that we stand to be a leader within the country pertaining to that so maybe that could also be an option or space we could explore for resilient innovation districts. I wanted to also ask about the Memorandum of Understanding (MOU) with Duke Energy. So, we are talking about working with Duke Energy to reduce carbon and that is something I think is very important. Did we identify or is there any allowance within that MOU pertaining to renewable sources of energy maybe even the allowance of individuals to sell energy back to the grid?

Ms. Ruaine said it is not explicitly stated in the MOU, but we are working with Duke Energy to incorporate more renewables into the grid from where we are sourcing from, but it is not explicitly stated in there.

Councilmember Winston said Mr. Jones, I know that you have been working on more horizontal implementation throughout our organization period, but I think it is important that we understand how each individual department plans to live up to this timeline that we've set up and how the impacts of the efforts and what they expect measurements of how they are reaching those goals. For instance, we know that Charlotte Water is doing a lot of work around capturing methane in wastewater, but again, how does that help us achieve those goals year over year? I would like to know that. Do we have timelines department to department that can educate us on that?

Mr. Jones said what we are doing to your point is bringing the different departments together. I believe last week Angela Lee, as well as Sarah Hazel, had a number of key individuals from each department to come together to talk about internally how we are handling the SEAP, as well as we are fortunate to have Gina Shell come back, so she is going to come back in a part time basis to help us in terms of the different strategies and the different measurers as it relates to these timelines.

Mr. Winston said I think it is going to be important especially for future Councils over the next 10 to 30-years future Councils and the public analyze and hold us accountable to the efforts and strategies that we need to reach these goals.

Secondly, obviously we can't mandate what the community does and what the private sector does, but have we identified for instance, the industries or the companies or the practices that do happen commonly within our City that need the most attention in terms of getting in line, so we get to our 2050 goals? It might be the big corporations, but I think, for instance, I see a lot of mobile detailers that do car washes around the community. Do we know the impact that these jobs are having, and do we have strategies that we can present to get them to do better in the next 30-years?

Mr. Jones said I don't think we are there yet, but in terms of trying to pull those strategies together that again is a part of this first short-term phase of the SEAP, both internal and community.

Mr. Winston said so we don't know the industries that we need to put pressure on.

Ms. Hazel said one thing I will say Mr. Winston; to address your question and comments; one is we do a yearly inventory of carbon emissions, so we can share that with you. That was the first thing that you noted, and the second thing is one of the reasons for having the external content groups is together industry leaders to put their heads together to do things like an inventory of opportunities working with the private sector to look at setting carbon emission goals. That is one of the benefits of having these external groups is that we can tap them to do some of this work because as staff this is much larger than just us so we really hope to, again, we had our first contact group meetings but coming out of those meetings we have inventories about what goals are already set and who are some of the leaders in the private sector and then a potential opportunity would be where do we need to target our efforts. I think your point is well taken and those were the exact types of conversations that we are having in those meetings that we are having by the folks who applied and who signed up to be a major part of this effort.

Mr. Winston said I think it makes a lot of sense that we of course need to focus internally about what we can do with our own operations first, but I also think we do need to recognize that we have a service of providing information for the community, so they could come up with their own solutions, including market solutions to these problems. My last question would be, has the SEAP been introduced to the MTC; have we gotten any buy in from that organization in terms of our priorities about how we are approaching transportation? Because I'm hearing you, and I hear the experts say well we might not have the type of infrastructure that makes 100% electric buses a reality right now. Well, maybe if we have charging stations that are decentralized for instance and different parts of the system that might not exist within Mecklenburg County, we have different types of solutions?

Mr. Lewis said I think there are two points in that; number one, has the MTC been involved in the entirety of the SEAP? No, but, in regard to the MTC's involvement in determining the technology in the vehicles that we are moving forward, yes there have been conversations in that regard. So, CATS' role in helping the City to meet its goals and to the extent that we can do that through our vehicle purchases yes, we are in line with that. I think at the same time what I have heard from MTC members is that reliability of service is their number one goal, and that is why we redesigned our bus system, they are making investments and additional headways that the most important thing that they can do as an organization is to ensure that people have reliable transportation. In terms of some technologies that are being discussed, those two goals are difficult to meet at the same time.

Mr. Winston said I think we need to find ways, especially with these big ideas that we have and these regional boards and commissions and workgroups that we are a part of. I think we need to find a way to do a better of getting buy in from our big ideas. I think we have to find ways to exert our force on these bodies; we are the big dog and we are the economic engine and we are going to have to take the lead and make people kind of change their approach to dealing with these issues. I think of MTC, I think of CRTPO in particular and would love to find a way to get the SEAP on the table and get them on board.

Councilmember Harlow said thanks Ms. Hazel and to all the team that are working on this and continue to help us implement this action plan for our own internal goals on SEAP and also to help meet some of the goals of the Bloomberg Challenge. I have two questions, one, how are we looking at the data beyond just the workforce development component and training folks, but as a separate ED tool or as an equity tool; I've asked this question a few times about this electric vehicle (EV) charging stations, not to the Council but to some of the staff as it relates to locations that we have them. When you talk to companies and employers when they are recruiting talent, we are all trying to be in this competitive environment recruiting younger talent and millennials, people driving electric cars and things like that but if there aren't charging stations and infrastructure in place sometimes that incentive to relocate business isn't there. How is ED Department

or in this small working group looking at this SEAP as a whole but more particularly EV charging stations as a tool for economic development?

Mr. Dick said you mean EV charging stations when you say as a tool for economic development.

Mr. Harlow said we can do our own internal stuff with the fleet and we've heard a lot about that but separately just from infrastructure investments around town. Often private businesses will put EV charging stations in their locations but what are we doing from a City standpoint to try to incentivize that to bring business?

Mr. Dick said I would have to get back to you with that answer. [inaudible] our public/private partnerships, I guess that would be the tool. I don't know what pending relationships or projects or deals we have in the pipeline right now as it relates to EV charging stations, but we can get more information back to you.

Mr. Harlow said secondly, staying with the charging station kind of topic, as we swap our fleets out and everything like that at the Airport with CATS and then trying to get the public involved, I think a way to incentivize the public is if the public is going to be buying electric vehicles and things like that. Often, they are more likely to do that if there are charging points around even though they might put one in their home. When we are looking at City owned facilities overall as we implement this plan, whether it is Water or we are building a lot of Police Stations now recently we've been talking about that; we've got some fire infill stations coming down the pipe, is there any component to our own facilities beyond what we heard about the cultural facilities to add some publicly available charging stations in those facilities?

Ms. Ruaine said one of the grants that we recently won through the clean fuels advance technology was for three mobile solar powered, level 2 electric vehicle charging stations, so these are going to be housed at Fire Station Headquarters, but we specifically wanted to purchase mobile units so that we can move them around and encourage EV adoption in different areas, especially traditionally underserved communities. We are also working with Duke Energy; they have submitted a pilot program similar to what they did in Florida and South Carolina to the Utilities Commission here in North Carolina and we will be working with them to determine different locations for EV infrastructure if that in fact passes.

Mr. Harlow said what is the cost of installing a port and then whatever other kind of trenching is involved?

Ms. Ruaine said for the ones that we purchased through the grant, there is no trenching involved, because it is solar powered, but for the infrastructure that is actually installed I'm not sure. I'm looking at Steve Guidry who is over our infrastructure.

Steve Guidry, Charlotte Area Transit System said good question and glad to be able to talk in front of all of you. It is kind of a loaded question; right now, we are putting in three EV chargers at Charlotte Water and because it is an aged and antiquated building the cost for those three EV chargers is \$90,000; however, what that is, is an electrical upgrade to the building also so that in the future we can expand it. So, the next three will not be \$90,000; it may be around \$20,000. So, the cost of the charging units we buy are around \$6,500 apiece and then depending upon the age of the building and what we have to, that is really the driving factor for the EV infrastructure costs.

The parking deck here at CMGC is at capacity; we would have to add another transformer to add one EV charger to the basement of this building we got a quote for \$60,000 from an engineering firm and that was a cost estimate. It is a needle that moves all over the place. Our best bang for our buck is when we update or build a new facility is that we have that infrastructure plumed and have it make ready whether or not we are going to put the EV charger or not. So, currently we are allocated around \$200,000 a year for EV infrastructure and just Charlotte Water and those three chargers for this year was almost 50% of our budget for EV infrastructure. What I would like to see for an EV driver and I

know Councilmember Ajmera drives her Tesla is EV drivers need a charger at the end of their destination. So, with our electric vehicle fleet we need EV stations at every single City facility. It is going to take us more than \$200,000 a year to achieve that goal. As the ramp rate of our EVs goes up, we need to be able to keep pace with that infrastructure.

Mr. Harlow said thank you for putting some real numbers to that. I would implore my colleagues as you all move forward next year and beyond there is some real numbers attached to that, and I know Ms. Eiselt asked about some things around amortizing stuff so if leaders are getting serious about meeting the goals and really being this resilient and sustainable City, I would imagine in future budgets would have to reflect that and also that the environment has moved to TAP looking at some real policy around future City owned construction and buildings and things like that to plum that stuff in to get the best return on investment down the road.

Ms. Hazel said I will reinforce that the pilot that Erica spoke about during the presentation, that is such important example of how we get data on how we are actually using our vehicles beyond our buses so that we really understand what can be transitioned and where that infrastructure needs to be so there is that combination of we need to understand how we are using what we have first, which is what we are in the process of doing right now.

Councilmember Driggs said I wanted to say first that I appreciate the fact that you are being responsible and restrained in your choice of technologies and that although we all share the desire to move as quickly as possible, you are only using proven and established technology and I hope you will continue to do that. My question was, you mentioned that there were 96 buses for which funding was available; what defines that limit? What says that we can do 96 and not 100?

Mr. Lewis said it is funding availability; we have \$62 million over the next five-years, and when I divide that by \$500,000 a bus for diesel you get 120 some vehicles, and when I divide that \$62 million by \$700,000, I get 96 vehicles.

Mr. Driggs said I get that, so that is already in your capital plan.

Mr. Lewis said that is in the capital.

Mr. Driggs said it means it doesn't have any bearing on the other conversations we are having about the Blue Line and major transportation projects.

Mr. Lewis said no.

Mr. Driggs said so 96 is if we do all hybrid at \$700,000 apiece.

Mr. Lewis said yes, if we do all hybrid, yes sir.

Councilmember Phipps said I took interest in the comments about how challenging it would be for us to meet our customer experience expectation goals at the same time that we are trying to expand into alternative fuel buses or whatever. Another thing too, that is concerning me about the SEAP is something that Mr. Winston touched on; how do we embrace the other parties within our areas like CMS for instance. They have a huge cadre of buses, but I don't know that they are looking at any kind of electric buses. I don't know that these carbon emissions have any differentiation between boundaries or what entity is trying to implement a SEAP, but it is all affecting Mecklenburg County's air, it is all affecting the City of Charlotte's environment. I struggle with the conversation on getting our bus fleet more carbon neutral and at the same time we've got buses that pass each other that are still smoking with diesel or whatever. As you do this in years because I'm rolling off along with Mr. Harlow, but we are going to be watching what you are doing, and it just concerns me. I would really like to know how you intend to balance the Envision My Ride, the Customer Experience, getting people to work and places they need to be on time at the same time we are trying to gravitate to more energy efficient buses. I'm interested in how that is going to happen.

Mayor Lyles said most of our school buses are purchased by the state, and they come under this and the Governor has a program; they are struggling just like we are, same goals, same ideas, but they are trying to determine how to do that, and it is not that we can't. It is just setting priorities and also considering the integration between the state and the utility companies and our City. I think there is going to be opportunity, so I hope that we will just continue to move on.

What I heard is let's try to get some metrics, let's have some timelines, let's further refine the plan with more detail as necessary. I want to again say to the team, keep up the good work. I think we were in a meeting, and they said well this is something that we are doing, and they were like, but it is not really working for us for the SEAP, and Marcus said we will do it so go for it and make it work. We are being responsive to those things that we can that are small, so you guys can make the big decisions. That is really great.

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ITEM NO. 4: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

There were no outstanding Consent Item questions.

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ITEM NO. 5: CLOSED SESSION

The closed session was held at the end of the Business meeting.

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The meeting was recessed at 6:31 p.m. to move 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, August 26, 2019 at 6:40 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larkin Egleston, Julie Eiselt, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps and Braxton Winston, II.

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INVOCATION AND PLEDGE

Councilmember Ajmera gave the Invocation followed by the Pledge of Allegiance to the Flag.

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PUBLIC FORUM

Mayor Lyles recognized the Spanish Civic Leadership Group; we really appreciate the work that you are doing. Thank you very much for learning what we do and how much of a difference you can make.

End Gerrymandering in NC

Lily Kubala, 8709 Suninghurst Lane said I am a high school senior, native of Charlotte and part of Represent US, a grassroots movement fighting dark money, political bribery and working to fix our broken elections. On that note, I'm here tonight to address the egregious policy of gerrymandering that is threatening voter rights, the foundation of our democracy. Gerrymandering also cuts the number of competitive districts; it encourages

the rising polarization between Democrats and Republicans that we seem to see everywhere, but most importantly it discourages voter turnout, because when votes go to the polls they feel that they have no meaningful choice.

As you know, in the recent Supreme Court decision *Rucho Et Al. versus Common Cause Et Al.*, the federal government has made it clear that they will remain uninvolved in matters of redistricting; therefore, it is up to you to do something about this. On behalf of the Charlotte Chapter of Represent US, I have written a non-binding anti-gerrymandering resolution proposing that we give up the current system in favor of non-partisan, fully transparent, independent redistricting commission that have been shown to be effective in many states such as Michigan, Idaho, Arizona, Alaska, Washington, Montana, Colorado and California. North Carolina is notorious for gerrymandering; it has been for decades. Across this nation we are known for this corrupt policy, but we could be known for something better. Charlotte could lead the way on this serving as an example for our state and our country.

My first vote is in 2020, and I want that vote to count, but this goes far beyond me. This applies to every American citizen who is promised that we live in a true democracy. We've been promised that our votes truly count, but right now that is not happening.

Mayor Lyles said it is always great to see young people engaged and knowledgeable about our government, but I want people to know that for us at the Charlotte City Council after the census is completed, our districts will be realigned based upon our policy that no more of a differentiation between 10% of the population and a redistricting situation. We are not like the state and we are not like the legislature, we do this in a way that is very much something that people will have policy guidance for and that is acceptable under the court ruling. So, look forward to perhaps having some of you join when we do that. So, that is another message, please follow up and fill out the census form. It is going to come to you on line but there are people that can help you if you need help and you can do it by phone or you can actually have someone come to your house. All of this is being led by Mr. Egleston who is on the One Count Charlotte Committee, and it is very important for everyone to participate.

Affordable Housing

Moneca Donald, 2721 Remington Street said I am born and raised in Charlotte, North Carolina, and I know that is rare now a day. I'm speaking on the housing crisis and homelessness. I stayed out of North Carolina for three-years and came back home eight months ago hoping to find somewhere to stay. Well, when I came back home I immediately stayed with family, but because of the housing crisis, everyone is living together now. You have multiple families living together, grandmother, mother, son; everybody is living at home or they either have multiple roommates, because they can't afford to have their own apartment. I went out, and I looked for an apartment; the minimum amount on an apartment in a nice reasonable neighborhood is \$1,000. In order to afford an apartment for \$1,000 your minimum pay needs to be at least \$40,000. That is not the income that most people start out with, so in looking for these apartments also you have to make three times the rent. If you are talking about someone who is making less than \$40,000 and then on top of that they have to make three times the rent and a lot of people can't afford a one-bedroom apartment let along a two or a three. So, this brought me into homelessness myself. This was the first time I had ever been homeless in my life. I called 211, they provided me with multiple services, but when I got in the shelter I spoke with several ladies who talked about several shelters around the City of Charlotte. A lot of them had sewage problems where feces was coming out of the toilets; people were sitting in front of the Salvation Army in their cars, not inside the shelter, because there was not enough room.

Mayor Lyles said we are very much aware of this situation; we are very much aware of the need to extend both our shelters, the shelter for men and for women and then look at something for families. Everyone on this dais understands what is going on, and we are working with the people in this community and they want to change, and we know that they want this, and we will try to make sure that happens.

Supreme Court Ruling on Guns

Lloyd Scher, 9815 Meringue Place thank all of you for your service and please express my appreciation to your families for the time you take. Communities throughout the United States passed laws and ordinances that range from not selling animals to requiring children to wear helmets with skateboards, rollerblades, bicycles and other things; that last one I wrote for Mecklenburg County. I am here this evening to present an idea which does not cause any violation of the constitution but will make a large mark in this country. Weapons of AK-47 and AR-15, as much as I would like to say let's ban those assault weapons, I'm not sure that this Council is ready to do that, but you can pass a law, even though the state says you can't; you have a responsibility to protect the citizens of Charlotte.

It is time to ban the bullets of AK-47s and AR-15s. You don't need 250 rounds of bullets in a gun. You can set the limits on how many bullets can be in a magazine; you can do all of this. I'm here because I hope the City is going to close down the interloop next year when the RNC comes and make it a gun free zone inside the interloop. By challenging the State, your obligation is to protect the citizens of Charlotte, banning bullets from AK-47s and AR-15s is a way that you can do this. It is time to challenge the State's ruling. The Supreme Court has said citizens from the City of Charlotte or cities can make decisions on the protection of their citizens and that is what I'm looking for you to do.

Councilmember Mayfield said Mayor, may I ask a quick question of the City Attorney? With regard to the last statement it will be helpful to know, because we look at it the same way we look at our buildings where no guns are allowed no weapons are allowed in government buildings. It will be helpful if you can bring back the language to Council that will align to find out what that language would look like for us to institute the removal and the specific banning of the bullets, since we do have language around government buildings that we utilize throughout the City.

Patrick Baker, City Attorney said I can tell you that the speaker is correct; the State of North Carolina has said you cannot deal with bullets or firearms. The issue of prohibiting it in public buildings is explicitly granted to municipalities by the state, but they have specifically excluded municipal getting into the issue of the sale of firearms and bullets. It is a state issue, not a local issue.

Ms. Mayfield said I would ask if we could refer to the Legislative Committee for us to add that to our upcoming agenda for our lobbying efforts to specifically address that piece of legislation, so Mr. Baker it will be helpful if you and either Mr. Fenton, who is our Legislative Aid to provide the specific Bill number and language so that we may start discussing it in Committee and look to lobby our representatives in Raleigh.

Mayor Lyles said I want to say this; you can applaud our action but what you do and state to the State Legislature is much more powerful. They look at us like we are trying to get in their seat, and that is not what we are trying to do, but we are trying to explain how Charlotte works. Please applaud and take action; go to the State Legislature, and ask for this legislation.

R400 Summit

Claude Alexander, 6029 Beatties Ford Road said two-minutes for a preacher, real good! Yesterday was the 400th anniversary of the first captured and enslaved Africans bought and sold in English North America thus began the Transatlantic slave trade in the English colonies which would become the United States. Sobering to think how long the significance of race has been in this land occurring one year before the Pilgrims arrival, 113 before the birth of George Washington, and 157 before the Declaration of Independence is served as the amniotic fluid out of which our founders and our Republic emerged and helped explain the current pernicious pervasiveness of race. This is a time of reflection and prospectation, not simply locally or nationally but also globally, because in many ways this was the first system of globalization involving the continents of Europe, Africa, North America, the Carrabin and South America.

On September 27th and 28th, this year Charlotte has the opportunity to have the most significant of commemorative observances with the inaugural R400 Summit held at the Park Expo and Conference Center. Heads of state from the Continent of Africa and delegations not just from Africa, but Europe, along with persons throughout the United States will come for a time of cultural celebration, information exchange and strategic partnerships. There will be a launching of the US/Africa trade hub at the Park Expo and Conference Center and both the Summit and the Trade Hub are formerly recognized by the African Union. As we seek to change the narrative, especially in terms of social capital and the perception of Charlotte being a difficult place for progressive people of color, especially entrepreneurs, this provides a unique and sustainable economic engine. We have the opportunity to differentiate our City and establish a foot hold in the continent with the continent saying we want to do business here. We look forward to your support.

Affordable Housing

Blanche Penn, 2207 Century Oaks Lane said I can recall when I came and stepped in this room a year ago, the Voice for the People. I have four residents here with me, I'm the lone soldier and guess what we've got to do. Show out, so we are showing out today, because I will tell you which line would you rather be in, the Chick-Fil-A versus a Popeye or the line for Lake Arbor? We are needing trucks to help them to pull out if they have to leave or do you know anyone that can help us get a place for these people to stay. They are individuals, they need help; they need a place to live and so when are we going to stand up and do what we need to do for these residents? Do you how many developments that we have lost already? Here is a list of 32 have been displaced and right now you are about to displace Lake Arbor. You all are sitting there? I hope you are listening because at the end of the day; I was down town at Hal Marshal when I saw those homeless people coming up and people were disrespecting them, I was in tears, because it was running them away from that particular area. A senior came up there, displaced, so you think I wasn't feeling bad about it? The people that I've been working with at Lake Arbor, do you think I want them on the street, no way. So, what can we do as a community? Yes, we know it is a private owned; yes, we know we need to go here and there. Yes, we know a whole lot of stuff, but at the end of the day we need some help and if you close your eyes again to displacement for our citizens in Charlotte, you close your eyes to the worries you always say about affordable housing. So, don't close your eyes on them. You need to open your eyes, and all of you all know somebody do talk to them, so we can get a place for these people to stay.

Mayor Lyles said Mr. Jones, I know we got some memo today; would it be appropriate for Pam to come and talk about what is going on? Ms. Wideman; would you come up and talk about what the providers are doing now?

Pam Wideman, Director of Housing and Neighborhood Services said just a brief update on the City's involvement in Lake Arbor, and what is going on in the community to assist the residents. After learning that the owner of Lake Arbor apartments planned to vacate all of the units a group of non-profits were convened to assess the current residents of Lake Arbor to provide a voluntary household assessment; 72 people participated in that household assessment. Some of the residents have already resolved their own issues; I don't have that exact count for you. As I understand it, the group of non-profits will continue to work together to determine the best way to assist the residents of Lake Arbor. From a City perspective, we will continue to enforce the minimum housing code cases that we have out there. That is the update that I have for you on Lake Arbor.

Mayor Lyles said in the follow-up report, for those that are being evicted do we have a list of benefits that are being provided? Can you be sure to provide that in the follow-up report if you don't have it tonight?

Ms. Wideman said sure.

Mayor Lyles said I agree with Ms. Penn; if you are watching this show and you rent a place, whether it is single family or multifamily and it is an affordable level we need to

need your help. We continue to know in this City that housing is becoming less affordable for so many so, what we are trying to do is say where there is help please let us know. Socialserve.com has relationships with landlords, but this is bigger than what they can do when we have something like this happen, and it is heartbreaking. We know that. I ask our audience and many of us in this room that have a place to stay every night, please remind yourselves that we need to reach out to our neighbors.

Councilmember Eiselt said we know the Lake Arbor situation is awful, and we know there are other Lake Arbors out there. That is the problem, and I have a couple questions because we've all been looking into this. Two legal issues came up that I'm not sure I can answer, but are there other remedies that we are not taking advantage of that we could at a City level without state authority? One would be to pass an ordinance, or do we have an ordinance that could be tweaked to use In Rem repair authority on the landlords in order to hold the lien on the landlord to make the repairs and two, could we have pursued an injunction to Superior Court to force owners to comply? The problem with that of course is like Lake Arbor if we do that you can push them, but if they decide it is cheaper to just kick everybody out and repair the place and force up the rents, that doesn't solve the problem. If we have an In-Rem repair authority, do we have the ability to at least ask the state to work with us to say a landlord shouldn't be able to evict everybody and rebuild the place in order to increase rents if they had a lien for these types of repairs? Is that something that we could be pursuing?

Mr. Baker said I've written down both questions; I have an answer off the top of my head, but I would prefer to discuss with staff and then give you a more detailed report. I should be able to do this in a couple of weeks, it will not take long.

Low Wages

Sylester King, 7616 Holly Grove Court said I have been working at the Charlotte Airport for about four years now, and I make about \$9.85 and that is not really enough to make affordable living here in Charlotte and Mecklenburg County. I just wanted to know if you all could talk to American Airlines, Sky Chef and the other hubs that are out there, because I look at the City Airport, and it seems like it is making a lot of money, and if the Airport is making a lot of money, why can't they pay their employees? The cost of living is hard, and it is for me to find a place to stay. It seems like the people who are losing their house it is hard for me to get a place to stay because of what I'm making.

I'm making \$20,000 a year and like the lady said you have to make \$40,000 a year just to get an apartment. I'm living with somebody right now who is letting me live with them but that is not what I'm trying to do for my family. There is a lot of work that I do at the Airport; I do manager's job that I should be getting paid for, but I don't get paid for. Making that type of money is not good period and we would like for you all to at least talk to American Airlines and Sky Chef and see what you can do to see if they can give us the pay that we need. The wages at the Airport should be at least \$15 or \$16 an hour just to start. If you are making millions of dollars we should make something. One job should be enough for somebody to have to be able to have affordable living. We shouldn't be looking for two or three jobs. That is all I have to say tonight, but I wish you all would do something to help us get a raise.

Mayor Lyles said I think most if not all, most of the City Council has spoken with American Airlines to express the sentiment that we need people to make decent wages, so they can live in our City.

Lake Arbor Apartments

Angie Forde, 1510 East 7th Street said I begin by thanking you for keeping the subject of affordable housing in focus during the past several months. Many of you promised to make housing a priority during the previous election cycle; however, I think as often happens we have differing ideas about what the outcome of that focus would be. You have certainly talked about it a lot more than before; the needed action has been less evident. What has been done to the residents of Lake Arbor is domestic violence on a

community level. We have allowed predators to come into Charlotte repeatedly abuse our citizens and get away with it. I hear some of you say that there is nothing you can do, because it is a private landlord, but we also thought there was nothing we could do about individual cases of domestic violence, and so people started to die and then we learned that there was a great deal that we could, should and must do to protect the vulnerable.

Let us not make the already suffering residents of Lake Arbor and similar communities have to die before we muster the resolution and the resources to address the violence they are enduring. I'm asking you to make it clear to all landlords and property owners, local and out of state, foreign and domestic that you, the leaders of Charlotte, will not permit the abuse of our residents, because if it is true that you are powerless to do anything then why are we having elections?

Low Wages

Anne Moore, 184 Brian Circle, Gastonia said I have been working for LSG Sky Chef for the last five and a half years. I'm making \$10.15 an hour, and I'm working two jobs. I don't make enough, and I travel from Gastonia every morning just to get to work, and it is rough. I'm asking you to support us as LSG Sky workers and HMN Host to raise our pay, because it is hard for us to make it out there. Working two jobs, I'm worn out. American Airlines is asking LSG to come up with a contract; LSG is asking American to come with a contract. I don't know what to do. I'm about to give up and go find another job, because I'm not making enough. It is very hard for us out there.

Mayor Lyles said I know this issue is across all air lines. American is our hub, but it for every other Airline Company. This is an issue in our country right now.

Lake Arbor Apartments

Jasmine Johnson, 201 North McDowell Street said I'm here on behalf of Lake Arbor and everyone else. I hear everyone saying we have until August 31st to vacate, but me and my family was one of the families that was illegally evicted from Lake Arbor July 15th, and since then we've been homeless. We've been going from place to place, and we have nowhere to go. The situation has been stressful and frustrating and especially when you have a one-year old child, so sit back and think that you all just sitting back not doing nothing to help these people out in Lake Arbor because come Saturday it is going to be a whole lot of other people in our situation with kids and families out here. It is just not right. How can people even go home at night and sleep at night knowing there are families with babies out here on the street with nowhere to go. We need help; stop ignoring us. I understand that Lake Arbor is a privately-owned property, but Lake Arbor is a community, and it is part of Charlotte, North Carolina in this City, so therefore you all need to do something and stop saying it is privately owned. Well, these privately-owned properties are going to get all these people put out on the street come Saturday and we've already been in this situation. This situation has been traumatizing, nowhere to do, because we have run out of our funds on motels. I have been on several news channels, and nobody has even reached out to me and my family to say how can they help us. Yes, we were one of the families that got assessed over in Lake Arbor, but still nobody has contacted us and told us nothing, so when is someone going to contact us, when is somebody going to help us, when is somebody going to help all these families? Stop ignoring us, because if that is the case tear Lake Arbor down then. That is how I feel; tear it down. It is a part of Charlotte; tear it down, and help all these families, because we need the help. Stop ignoring us. We really do need the help, because it is not right, it is not fair.

Lake Arbor Apartments

Apryl Lewis 4100 Glenwood Drive said it has been a year since we can here to urge City Council to do something about the living conditions within Lake Arbor. We came with broken spirits and confusing seeking support and action when it comes to slum lords. Now we are here with anger, we are here with frustration and we are demanding action. When it comes to displacement or residents and families especially youth and House

Charlotte really disregards and displaces heavily populated communities of colors, it is evident, it is historic, it is your reputation, it is what Charlotte does. You displace communities of color. It stops now. You proudly expressed how the City of Charlotte orchestrated a resource fair that only helped 13 residents; yet it was not stated that only a few days' notice was given to those residents. They work hard two and three jobs. How are thing going to get to something within three-days and you expected them to jump when you called for them and did not offer any true resources or help to these families. Thank you for giving the communities you think are not worthy of having descent housing or descent earning wages to be able to afford the so called affordable housing that we are displaced for and don't have access to reason or access to stand together in unison to tell you that we are here, and we are demanding housing, we are demanding wages, so we can live just as comfortable as the outsiders relocating here that it seems you cater to the most. You say it is a state level issue, I agree. I ask which one of you will become an ally and join us as we push forward and make our voices heard in Raleigh to give them just as much hell as we are giving you?

Affordable Housing

Doretha Johnson, 3006 Timberbrook Drive said I live in the Lake Arbor Apartments. My family has been homeless since 2013, first at 2400 Wilkinson Boulevard in a motel and then they put us here in Lake Arbor. These people have families and children; how many of you would live in that kind of condition? How many of you would sit there and watch a baby with blood come out of his eyes? The families go to sleep at night with blood all over their pillows? How many of you will sit there and see bugs all over the house? Right now, I've bug bumble bees coming out of my house; I can't even sleep at night they won't do nothing about it. I paid my rent faithfully, never been late, always on time, but August 1st when I took my rent up there to give to them, all this stuff going, not once did I go without paying my bill. They come and tell me August 2nd you've got to be out by August 31st, so how many of these people have to be displaced?

You talk about affordable housing, what affordable housing. Most of these people are on welfare, most of these people on disability like me. If it wasn't for me, two of my grandkids wouldn't have a place to stay; we'd been the streets right now. How many of you would live like that? How many of you want to see the people you love live like that? How many of you will get off your butt and do your jobs? Come back to Lake Arbor and see what kind of condition these people are living in instead of sitting here doing nothing. Walk through the area, see how them people live, see what they've got to live with, what they have to put up with and see if you would live like that. Not one of you would live like that. If one of your children came and said Mama, this and that is happening, you would be the first one out there trying to do something about it and try to get someone to come and do something about it. We've been talking since 2017, and I ain't seen none of your faces out there, but when it comes to voting you want somebody to come and elect you. Do something about it. Nobody should have to live like this.

Low Wages

Pikki MacDonald, 5500 Northstream Drive said I work for LSG Sky Chef; I've been working for Sky Chef for almost four-years. I make \$12.40 an hour, and I also work a second job to be able to pay my rent and be able to provide for my four kids. I think it is unfair for us to have to work two and three jobs in order to provide for our family. All we are asking for is \$15 to \$16 an hour in order for us to provide. This is ridiculous if we have to work and bust our behind just for a little bit of money. All we are asking is for the help for the support and for the City Council just to back us up on our fight to raise minimum wages.

Lake Arbor Apartments

Shadavious Hopkins-Billings, 3220 Timberbrook Drive said I'm here today to speak about the displacement of the tenants of Lake Arbor Apartments and how it is affecting my family and me personally. Literally, I'm falling apart, not sleeping, barely eating, and I'm sad every day. I have seven children, and this isn't my first displacement in North

Carolina. It is just sad and disappointing that I see so many faces in this room, and no one reached to help. We were supposed to hear something on Friday the 23rd for an assessment done; nothing has been done. I have depression. I receive disability, so I am a low-income family. I just want some type of justice. We have less than 30-days; 30 days wasn't enough and still isn't enough.

Mayor Lyles said Mr. Jones can you follow-up on the assessment? If families have had an assessment and they have not heard back with the timeframe that we've given.

Marcus Jones, City Manager said yes.

Mia Billings, 1105 Mayfield Terrace Drive said I am, if you don't recognize the name, Mia Billings, a direct decent of a slave, a historic slave here in Charlotte, North Carolina, Mr. Samuel Billings. That was my daughter that just got through speaking. I already know what it is like not to have, because I should have, and I have nothing. My daughter wouldn't be begging for your help and neither would I be begging for you to help my daughter.

I've seen it. I sit back, and I've watched it, and I read and none of these things are true. Somehow it has been concocted for an agreement to become for these landlords to come in and shut this down when the City of Charlotte came in said hey, we've got your back; you don't have to worry about nothing. but once they start talking the City shut down and knew that these people were being intimidated. You all need to wake up. I'm waking up; I'm 54-years old, and I am a true Charlottean. I love Charlotte, wouldn't go anywhere else but to have these people sleeping on the street, having my grandkids, seven of them there and not knowing where they are going to go. That is not feasible. Wake up; make your promises work.

Bree Newsome Bass, 2510 Dalebrook Drive said I don't there is anything I can say this evening that is as relevant or is as important as what has been said by the residents of Lake Arbor who came here tonight. I will just add this; my name is Bree Newsome Bass, I serve as a facilitator for the Housing Justice Coalition. I'm here tonight in support of Lake Arbor residents and a tenant organizing resource center. The displacement of Lake Arbor residents set to be completed by the end of this year has left numerous children facing housing instability as they begin their first week of school. It will force more residents into homelessness in the middle of the winter season. The story of Lake Arbor shows again that the issue is not simply the lack of affordable housing, but the deliberate destruction of housing and neighborhoods occupied by the poor, people of color, people living with disabilities and others living on low and fixed income. We know solutions exists, we need City leaders to represent all Charlotte residents and not only the well-off and well connected. I ask this evening what are the priorities of the City? I see that resources sudden materialize when it comes time to put on a huge convention for a white nationalists President, who is advocating everything he claimed to be against, but where are the resources for the residents of Lake Arbor? Where are the resources for the residents who are displaced a generation ago in urban renewal? I think that is the question for all of us to ask ourselves and to answer with action.

Councilmember Winston said how do we deal with displacement as a matter of public safety? Public safety is pretty much the primary responsibility of the City. It doesn't always have to be about law enforcement, but when you have massive displacement like this and potentially dozens of families ending up on the street I feel like that is a matter of public safety. I thought the conditions of Lake Arbor were a matter of public safety with the lights, with health issues and people getting sick and hurt from their living conditions. How do we do this; how do we approach this from that angle?

Mr. Jones said what we have to do as a team; we've learned a lot tonight to assess where we are in terms of what has been provided in terms of resources. There are some things that I heard tonight that I hadn't heard before, so could you give us an opportunity for us to get with our resources inside internally to see exactly what has occurred up to this point and what are the next steps to address your issue?

Mr. Winston said in that I would like to understand how we as a City can approach this massive displacement understanding that Lake Arbor is not a unique experience in our City, how do we move forward approaching this from a stance of public safety?

Mayor Lyles said I would like to see what we are doing from a health perspective in public health and in social services. We need some conversation with the County Manager and the County Commission about this. It is not ending at schools, it is getting places to live, and it is about getting support services particularly where warranted for both mental health and health.

Councilmember Ajmera said I think we all know that Lake Arbor is not the only one. What I'm concerned about is that there might be more coming, so what can we do proactively to address some of the safety concerns when it comes to housing? What are we doing for citizens to come to us where the situation is a lot worse, but we are actually enforcing some of housing ordinances.

Mayor Lyles said the question is what are we doing to find out if we can project the displacement and using enforcement tools?

Ms. Mayfield said Mr. Manager, we go back to January 5th of this year when we started receiving outreach because there were conversations that code enforcement staff had and there was an initial deadline of December 31st. That was prior to Council being made aware of everything that was happening at the complex, but we are now in August. It would be helpful to have a detailed line, because one of the biggest challenges is information is shared by staff, Council is given a version. Council then shares that version with the community. Yes, I was in attendance when we had the Community Outreach Fair; it was not addressed that the community was given less than three-day's notice that a fair was going to have multiple resources there was going to be available.

So, if we are given partial information and then we are sharing that partial information that is not helping the situation because now we started this conversation more than a year and a half ago. There were opportunities of transition prior the new property evaluation that was done. We've had some staff changes and some realignments in staff during this conversation. What would be helpful is a detailed timeline, not a spot check, to find out that clearly shows where we sent information out, when Council was informed, what information was given to the residents, because we keep saying well, only non-residents took advantage of the resources, but there is a disconnect when residents come down to speak to us versus what they experienced in the conversation what we are being told by staff and what we are presenting. It will be helpful to have a clear transparent picture of where we are, and what is going on. I know we refer Community Links; there is a lot of extra steps that go along with that Community Link relationship that a lot of people don't know, and we are finding out that is not as easy as us connecting them to these resources that there are additional barriers. It would be helpful to know exactly what information do we have in writing that staff said and conversations that were held with the residents in order for us to be on the same page, so we are not given partial information and then we are sharing that partial information based on a limited view of an entire conversation.

Mr. Jones said agreed.

Councilmember Harlow said thank you for all the folks that have spoken about wages and Lake Arbor and affordable housing. I want to invite everyone to our September 18th Committee meeting. The Neighborhood Development Committee has been engaging with the Housing Justice Coalition, One Meck Housing Advisory Groups, the Development Community around our minimum housing code. A couple Councilmembers have mentioned that are ordinance on what we can do, and we've talked a lot about the state, and I know the sentiment is let's stop talking about what we can't do, and let's talk about what we can do. That is what we are trying to focus on in our minimum housing code, and we are recognizing that there are some gaps in how weak it has been and how strong we can make it based on what state statute allows us to do. It has been in Committee for a few months; the hope is that in a few weeks on the 18th we move that out of Committee. Council you will see here on the Manager's Memo that it is tentatively placed on the 23rd Action Review as we are trying to move some change in our minimum

housing code ordinance to help hold landlords accountable so that things like Lake Arbor and if there are future Lake Arbors coming do not happen. That has to do with fines and penalties and also just deal with what I would consider, and I believe everyone here would consider, some basic things around plumbing, ceilings, flooring, doors, windows. We've learned a lot about mold in this process over the past few months, so I would invite you to come to that Committee meeting. The Committee will be deliberating on some final drafts, we've seen a few drafts already, but continue to be a part of that process with us. It will hit a policy agenda sometime in the future where more folks will be able to speak to it and as we move forward we want to try to make sure that no other Lake Arbors do happen. We want to hold slumlords and landlords accountable to make sure that everyone who lives here has a safe and adequate place to live with some maximum and minimum standards. I appreciate everyone coming out today and I know that this Council is working on our housing codes to strengthen that and we look forward to you being a part of that process. The Committee meeting is September 18th at 12:00 here in the Government Center.

Mayor Lyles said we are a City that cares, and I'm asking everyone to think about this, especially with school starting for our little ones.

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CONSENT AGENDA

Motion was made by Councilmember Harlow and seconded by Councilmember Newton, to approve the Consent Agenda as presented with the exception of Item Nos. 39 and 40 which were pulled for separate vote and Item Nos. 45, 51, 52, 53, 55, 57, 65, 66 and 67 which were pulled by staff because they have been settled.

Councilmember Phipps said regarding Item No. 26: Construct Charlotte-Mecklenburg Police Department University City Division Station, I just wanted to let the constituents in District 4 know that this is particular item now is on track for moving towards construction. That Division has the highest number of calls for services of anywhere in CMPD, has the highest number of traffic accidents, so it is good to know we are finally getting to a point where we are getting closer to construction. They are estimating that we are looking at maybe the fall of 2020 that this building will be complete. We are looking forward to it.

Councilmember Mayfield said regarding Item No. 36: Airport Parking Deck Maintenance, the question that I have is we are being asked to approve to the lowest responsive bidder \$622,000 to Western Waterproofing Company of America. It is noted in here that there are no sub-contracting goals that were established because there are no sub-contracting opportunities. Yet, this project to scope includes joint replacement, weather proofing through recoating of the surface deck, adding a cove sealant and block out material and restriping of the parking spaces.

We have several other items that we are voting on tonight that also have restriping and/or hauling or some other level. I find it very hard to believe that we have no SBE or minority business enterprises that will be able to do the striping or the blocking on any of these pieces of this project when it is broken out what potentially falls under the scope of this project. It is a challenge when we are presented a recommendation to the lowest responsive bidder but says there are no sub-contracting goals that are established or identified. I am asking for a separate vote as opposed to voting in the full Consent, because I cannot support this in its current form.

Marie Harris, Strategy and Budget said specific to this one there is a very strict requirement, not for the restriping part, but for the other component of the work that is being done. It is more specialized and when they analyzed it; it was only about one percent that would actually be the restriping part. They did look at this particular project but based on the actual requirements for the vendors to have specific training by the manufacturer and the warranty work. That is the reason for this particular one.

Ms. Mayfield said it has not been shared with Council what percentage of any project that staff looks for opportunities to utilize MBEs and SBEs; so, to say on a project well, it is less than one percent, and one percent of \$622,000 is still an opportunity for a small business to at least get their foot in the door when we have a number of times where we say the exact opposite because you have not done this type of work we are going to go with the more experienced business. We have to figure out which one is the line that we are going to adhere to; are we going to give opportunities or are we going to determine how much of a percentage it should be in order to offer the opportunity? It is a different conversation if we offered the opportunity and no-one submits information opposed to saying well, staff has determined that it is only around one percent, so we are not even going to offer it as an opportunity for a small business.

Marcus Jones, City Manager said Ms. Mayfield we do hear what you are saying and understand it, and so what we are trying to do is look at how we do this. Even the last time we were around the dais you talked about breaking up contracts, so we are trying to see what are some additional opportunities and there are differences between departments also? So, as we start to look at this across the system we believe there may be some additional opportunities.

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

The following items were approved:

Item No. 23: Fire Apparatus Repair Services

(A) Approve a unit price contract with Anchor-Richey EVS for fire apparatus collision repairs for the initial term of three-years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments, and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 24: Police Security Equipment, Maintenance and Support Services

(A) Approve a contract with ADM Security Systems, Inc. to provide a security system maintenance, equipment and support services for an initial term of three-years, and (B) Authorize the City Manager to renew the contract for up to two, one-year renewal terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 25: Security Enhancements for Charlotte-Mecklenburg Police Department Headquarters Lobby

Approve a contract in the amount of \$950,280 to the lowest responsive bidder Catalyst Construction Company, Inc. for security enhancements to the Charlotte Mecklenburg Police Department headquarters lobby.

* Catalyst Construction Company was the only bid received.

Item No. 26: Construct Charlotte-Mecklenburg Police Department University City Division Station

Approve a contract in the amount of \$9,503,205 to the lowest responsive bidder Miles-McClellan Construction Company, Inc. for construction of the Charlotte Mecklenburg Police Department University City Division Station.

Summary of Bids

Miles-McClellan Construction Co., Inc.	\$ 9,503,205.00
MV Momentum Construction, LLC	\$ 9,648,136.12
Southside Constructors, Inc.	\$ 9,798,198.26
Cleveland Construction, Inc.	\$10,342,960.89

Item No. 27: Construct Sidewalk Ramps and Address Sidewalk Gaps

Approve a contract in the amount of \$787,704.50 to the lowest responsive bidder OnSite Development, LLC for the construction of sidewalk ramps and address gaps.

Summary of Bids

OnSite Development, LLC	\$787,704.50
DOT Construction	\$807,059.00
United Construction Company, Inc.	\$954,552.50

Item No. 28: Resolution of Intent to abandon and close the Unopened Alleyway off West Palmer Street and West Carson Boulevard

(A) Adopt a Resolution of Intent to Abandon and Close the unopened alleyway off West Palmer Street and West Carson Boulevard, and (B) Set a Public Hearing for September 9, 2019.

The resolution is recorded in full in Resolution Book 50, at Page(s) 26-29.

Item No. 29: Construct Storm Drainage Improvement Projects

Approve a contract in the amount of \$2,786,198.20 to the lowest responsive bidder OnSite Development, LLC for the construction of storm drainage improvement projects.

Summary of Bids

OnSite Development, LLC	\$2,786,198.20
Sealand Contractors Corp.	\$3,785,021.08
United Construction Company, Inc.	\$4,095,315.61
Blythe Development Company	\$5,363,967.95

Item No. 30: Construct Lincoln Heights Storm Drainage Improvement Project

Approve a contract in the amount of \$6,466,935.42 to the lowest responsive bidder Nassiri Development, LLC for the Lincoln Heights storm drainage improvement project.

Summary of Bids

Nassiri Development	\$6,466,935.42
Sealand Contractors Corp.	\$6,955,987.72
OnSite Development, LLC	\$7,005,077.20
Zoladz Construction Co., Inc.	\$7,117,000.00
United of Carolinas, Inc.	\$7,848,262.40
Crowder Construction Company	\$7,853,162.35
Blythe Development Company	\$8,967,964.50

Item No. 31: Sanitary Sewer Rehabilitation

(A) Approve a unit price contract with Atlantic Coast Contractors, Inc. for Sanitary Sewer Rehabilitation for an initial term of one year, and (B) Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 32: McAlpine Creek Sanitary Sewer Rehabilitation Phase I

Approve a contract in the amount of \$3,613,382.44 to the lowest responsive bidder Insituform Technologies, LLC for the McAlpine Creek Sanitary Sewer Rehabilitation project.

Summary of Bids

Insituform Technologies, LLC	\$3,613,382.44
Granite Inliner	\$4,151,719.72
AM Liner	\$4,223,593.46
SAK	\$4,478,397.21
IPR Southeast	\$6,457,889.03

Item No. 33: Delinquency Letter Printing and Mailing Services

(A) Approve a unit price contract with United Printing Company for delinquency letter printing and mailing services for an initial term of two years, and (B) Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 34: CATS Repair Services and Parts

(A) Approve a unit price contract with Siemens Mobility, Inc. for light rail vehicles repair services and parts for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 35: Airport Concourse A Ramp Expansion, Phase I Change Order

Approve change order #1 for \$706,817.65 to Flatiron Constructors, Inc. – Blythe Development Company, A joint Venture, for the construction of Concourse A Aircraft Ramp Expansion, Phase I.

Item No. 36: Airport Parking Deck Maintenance

Approve a contract in the amount of \$621,962.70 to the lowest responsive bidder Western Waterproofing Company of America DBA Specialty Contractors for the east daily parking deck expansion joint maintenance.

Summary of Bids

Western Specialty Contractors	\$ 621,962.70
Volunteer Restoration	\$ 659,313.60
Restocon Corporation	\$ 782,650.00
Alpha Insulation and Waterproofing	\$ 894,261.50
Strickland Waterproofing	\$1,327,200.00
Stone Restoration	\$1,655,000.00

Item No. 37: Public Auction for Disposal of Surplus Equipment

(A) Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus, (B) Authorize said items for sale by public auction on September 14, 2019, and (C) Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.

The resolution is recorded in full in Resolution Book 50, at Page(s) 30-35.

Item No. 38: Fiscal Year 2019 Tax Collector’s Settlement Statement and Fiscal Year 2020 Order of Collection

(A) Receive as information and record in full in the minutes the Mecklenburg County Tax Collector’s Settlement Statement for fiscal year 2019, and (B) Adopt an Order of Collection, pursuant to North Carolina General Statute 105-321(b), authorizing the Mecklenburg County Tax Collector to collect the taxes for Fiscal Year 2020.

Tax Collector’s Settlement for Fiscal Year 2019 (Tax Year 2018)

Pursuant to the provisions of N.C.G.S 105-373, this memorandum is the Tax Collector’s report of settlement to the Charlotte City Council for fiscal year 2019 (tax year 2018).

The total FY2019 Real Estate, Personal Property and Registered Motor Vehicle Tax charged to the Tax Collector for collection was \$469,795,134.72.

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$469,795,134.72	\$467,948,717.48	\$2,501,418.88	99.61%

At the end of FY 2019 there were 28 tax bills totaling \$12,684,86 under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was barred from pursuing collection of these tax bills. In addition, the Tax Collector was barred by the U. S. Bankruptcy Court from collecting 171 real estate, personal property, and registered motor vehicle tax bills totaling \$100,771.56. Since the above totals were barred from collection, it is important to note that when these totals are removed from the net levy calculation, the collection percentage increases to 99.63%.

Reference is hereby made to reports in the office of the Tax Collector that list the personal owning real property and personal property whose taxes for the preceding fiscal year

remain unpaid and the principal amount owned by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

Prior Year Collection

During FY 2019, the Tax Collector pursued collection of delinquent prior year taxes.

Real Estate and Personal Property Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY2018</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2008	\$331,480,188.18	\$ 70,819.37	\$ 483,508.77	99.85%
2009	\$347,142,017.53	\$ 112,518.85	\$ 579,678.44	99.83%
2010	\$353,098,705.08	\$ 138,284.14	\$1,827,571.84	99.48%
2011	\$366,705,717.29	\$ 130,971.65	\$ 575,859.05	99.84%
2012	\$368,462,383.17	\$ 145,044.10	\$ 562,658.21	99.85%
2013	\$403,849,249.11	\$ 168,773.74	\$ 617,925.81	99.85%
2014	\$403,040,185.46	\$ 174,732.63	\$ 599,470.12	99.85%
2015	\$430,277,861.34	\$ 266,366.51	\$ 644,837.95	99.85%
2016	\$433,896,984.16	\$ 403,873.97	\$1,534,431.60	99.65%
2017	\$445,620,131.86	\$1,112,627.37	\$1,185,095.08	99.73%

Registered Motor Vehicle Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2019</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2015	\$619.48	\$0.00	\$339.05	45.27%
2016	\$638.96	\$0.00	\$374.34	41.41%
2017	\$175.55	\$0.00	\$0.00	100.00%

North Carolina General Statute § 105-373 (3) requires that this settlement be submitted to the governing board. This settlement shall be entered into the minutes of the governing body.

Item No. 41: Refund of Property Taxes

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$8,945,88.

The resolution is recorded in full in Resolution Book 50, at Page(s) 48-49.

Item No. 42: Meeting Minutes

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of June 3, 2019, Strategy Session, June 10, 2019 Business Meeting, June 17, 2019 Zoning Meeting, June 24, 2019 Business Meeting, and July 8, 2019 Special/Business Meeting.

PROPERTY TRANSACTIONS

Item No. 43: Property Transactions – Colwick Road Sidewalk Gaps, Parcel #1

Resolution of Condemnation of 259 square feet (.006 acre) in Sidewalk and Utility Easement, plus 467 square feet (.011 acre in Temporary Construction Easement at 4408 Colwick Road from Shick N. Lee and Lia N. Lee for \$2,625 for Colwick Road Sidewalk Gaps, Parcel #1.

The resolution is recorded in full in Resolution Book 50, at Page(s) 50.

Item No. 44: Property Transactions – Irvins Creek Trunk, Parcel #8

Resolution of Condemnation of 7,977 square feet (.183 acre) in Sanitary Sewer Easement, plus 5,169 square feet (.119 acre) in Temporary Construction Easement at 11224 Lawyers Road from James Curtis Bartlett and Elizabeth Wentz Bartlett for \$25,500 for Irvins Creek Trunk, Parcel #8.

The resolution is recorded in full in Resolution Book 50, at Page(s) 51.

Item No. 46: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #4

Resolution of Condemnation of 354 square feet (.008 acre) in Temporary Construction Easement at 4311 Craven Hill drive from Timmy W. Friday for \$200 for Lakeview-Reames intersection Improvements, Parcel #4.

The resolution is recorded in full in Resolution Book 50, at Page(s) 52.

Item No. 47: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #15

Resolution of condemnation of 142 square feet (.003 acre) in Storm Drainage Easement at 4427 Craven Hill Drive from TAH 2017-1 Borrower, LLC for \$125 for Lakeview-Reames Intersection Improvements, Parcel #15.

The resolution is recorded in full in Resolution Book 50, at Page(s) 53.

Item No. 48: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #20

Resolution of Condemnation of 7,314 square feet (.168 acre) in Fee Simple, plus 13,099 square feet (.301 acre) in Fee Simple with existing Right-of-Way, plus 353 square feet (.008 acre) in Storm Drainage Easement, plus 6,108 square feet (.14 acre) in Sidewalk and Utility Easement, plus 3,483 square feet (.08 acre) in Temporary Construction Easement at 4700 Lakeview Road from Lugor Associates, LLC for \$6,375 for Lakeview-Reames Intersection Improvements, Parcel #20.

The resolution is recorded in full in Resolution Book 50, at Page(s) 54.

Item No. 49: Property Transactions – Lakeview-Reames Intersection Improvements Parcel #21

Resolution of Condemnation of 1,182 square feet (.027 acre) in Fee Simple, plus 14,324 square feet (.329 acre) in Fee Simple within Existing Right-of-Way, plus 1,025 square feet (.024 acre) in Sidewalk and Utility Easement, plus 570 square feet (.013 acre) in Temporary Construction Easement at Trinity Road from Rhonda Oliver Monaghan, Jerry Radford Oliver, Jr., et al. for \$1,025 for Lakeview Reames Intersection Improvements, Parcel #21.

The resolution is recorded in full in Resolution Book 50, at Page(s) 55.

Item No. 50: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #22

Resolution of Condemnation of 739 square feet (.017 acre) in Sidewalk and Utility Easement, plus 517 square feet (.012 acre) in Temporary Construction Easement at 4804 Lakeview Road from Cleveland Cook and Elister Cook for \$800 for Lakeview-Reames Intersection Improvements, Parcel #22.

The resolution is recorded in full in Resolution Book 50, at Page(s) 56.

Item No. 54: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #33

Resolution of Condemnation of 952 square feet (.022 acre) in Fee Simple within Existing Right-of-Way plus 1,135 square feet (.026 acre) in Storm Drainage Easement at 5115 Lakeview Road from First Beneficial Mortgage for \$1,325 for Lakeview-Reames intersection Improvements, Parcel #33.

The resolution is recorded in full in Resolution Book 50, at Page 57.

Item No. 56: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #35

Resolution of Condemnation of 7,068 square feet (.162 acre) in Fee Simple within Existing Right-of-Way plus 301 square feet (.007 acre) in Storm Drainage Easement, plus

553 square feet (.013 acre) in Waterline Easement on Lakeview Road from Renee Maxwell for \$225 for Lakeview-Reames Intersection Improvements, Parcel #35.

The resolution is recorded in full in Resolution Book 50, at Page(s) 58.

Item No. 58: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #39

Acquisition of 399 square feet (.009 acre) in Fee Simple plus 106 square feet (.002 acre) in Sidewalk and Utility Easement, plus 2,449 square feet (.056 acre) in Temporary Construction Easement, plus 241 square feet (.006 acre) in Temporary Construction Easement, plus 241 square feet (.006 acre) in Utility Easement at 5216 Lakeview Road from Dorothy E. Blackmon for \$10,275 for Lakeview-Reames Intersection Improvements, Parcel #39.

Item No. 59: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #44

Resolution of Condemnation of 1,492 square feet (.034 acre) in Temporary Construction Easement on Lakeview Road from The Garden of Gethsemane Baptist Church, Inc. for \$175 for Lakeview-Reames Intersection Improvements, Parcel #44.

The resolution is recorded in full in Resolution Book 50, at Page(s) 59.

Item No. 60: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #54

Resolution of Condemnation of 1,420 square feet (.033 acre) in Fee Simple, plus 342 square feet (.008 acre) in Sidewalk and Utility Easement, plus 605 square feet (.014 acre) in Waterline Easement, plus 4,828 square feet (.111 acre) in Temporary Construction Easement, plus 100 square feet (.002 acre) in Utility Easement at 8449 Reames Road from Veronica B. Watkins for \$37,850 for Lakeview-Reames Intersection Improvements, Parcel #54.

The resolution is recorded in full in Resolution Book 50, at Page(s) 60.

Item No. 61: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #68

Resolution of Condemnation of 3,513 square feet (.012 acre) in Fee Simple within Existing Right-of-Way and 504 Square Feet (.012 acres) in Sidewalk and Utility Easement, plus 1,282 square feet (.029 acre) in Temporary Construction Easement at 8603 Reames Road from Veronica Baldwin Shah, Aaliyah Shah, et al for an amount to be determined for Lakeview-Reames Intersection Improvements, Parcel #68.

The resolution is recorded in full in Resolution Book 50, at Page(s) 61.

Item No. 62: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #72

Resolution of Condemnation of 329 square feet (.008 acre) in Storm Drainage Easement at 4705 Lakeview Road from Lakeview Road Landfill, Inc. for \$75 for Lakeview-Reames Intersection Improvements, Parcel #72.

The resolution is recorded in full in Resolution Book 50, at Page(s) 62.

Item No. 63: Property Transactions – Sugar Creek Road Streetscape, Parcel #21

Acquisition of 4,286 square feet (.044 acre) in Fee Simple, plus 1,906 square feet (.044 acre) in Storm Drainage Easement, plus 16,144 square feet (.371 acre) in Temporary Construction Easement, plus 5,532 square feet (.127 acre) in Utility Easement, plus 578 square feet (.013 acre) in Storm Drainage Easement and Utility Easement at 200 East Sugar Creek Road from Sugar Creek Ventures, LLC for \$122,350 for Sugar Creek Road Streetscape, Parcel #21.

Item No. 64: Property Transactions – Sugar Creek Road Streetscape, Parcel #22

Acquisition of 1,629 square feet (.037 acre) in Fee Simple, plus 371 square feet (.009 acre) in Temporary Construction Easement plus 1,240 square feet (.028 acre) in Utility Easement at 225 East Sugar Creek Road from BinacoSC, LLC for \$42,850 for Sugar Creek Road Streetscape, Parcel #22.

Item No. 68: Property Transactions – Water Oak Storm Drainage Improvements, Parcel #10

Acquisition of 1,797 square feet (.041 acre) in Storm Drainage Easement, plus 102 square feet (.002 acre) in Temporary Construction Easement, plus 78 square feet (.002 acre) in Utility Easement at 4527 Water Oak Road from Kacey Neil Spears and Amy B. Spears for \$19,915 for Water Oak Storm Drainage Improvements, Parcel #10.

Item No. 69: Property Transactions – Water Oak Storm Drainage Improvements, Parcel #12

Acquisition of 1,528 square feet (.035 acre) in Storm Drainage Easement at 4601 Water Oak Road from John David Brooks and Wendy Brannon Brooks for \$12,710 for Water Oak Storm Drainage Improvements, Parcel #12.

ITEM NO. 39: SET PUBLIC HEARING ON CATAWBA PLANTATION TOWNHOMES VOLUNTARY ANNEXATION

ITEM NO. 40: SET PUBLIC HEARING ON MIRANDA VILLAGE VOLUNTARY ANNEXATION

Motion was made by Councilmember Egleston and seconded by Councilmember Newton, to adopt resolutions setting public hearings for September 23, 2019, for the Catawba Plantation Townhomes Voluntary Annexation Petition and the Miranda Village Voluntary Annexation Petition.

Councilmember Mayfield said Item Nos. 39 and 40 are setting public hearings for voluntary annexation and since we as a body don't have an opportunity to come together to have a conversation; as we heard tonight, we have a clear disconnect regarding access to housing that is affordable to diverse community throughout our City. We are being asked to approve the hearing for annexation for a piece of property, Item No. 39, which is not adjacent to the ETJ but when we are looking at the opportunity of having a voluntary annexation what I want to know as a body. Are we going to have some expectations on this land? Because what has already been identified and what is being proposed to us is that they are look at 125 multi-family units on this site, and they are looking at doing some different development, are we going to have any expectation of a housing mix on this property when it is already in the ETJ. It is going to create an increase on our water; it is going to create an increase on the services that we provide by adding them into the area. Are we even considering having a conversation of what our expectation is if we know that this is vacant land that is going to have multi-family development on it and to help offset this conversation that we are having regarding access to quality housing? What are the benefits of annexing this property? What was stated, and what was written, maybe incorrectly, is that the annexation is consistent with two City voluntary annexation policies and inconsistent with one of the policies that was approved by the City Council on March 24, 2003. One of the questions that I asked of Mr. Harris is where is the actual language of the inconsistency? Because that was not listed, but also help me understand why we should be even considering this if we are not going to have some very different conversations regarding diversifying our housing stock.

Taiwo Jaiyeoba, Assistant City Manager said there is an error there because there is no inconsistency with City policies.

Marie Harris, Strategy and Budget said that is in the Q and A follow up that there is an error in that particular sentence.

Mr. Jaiyeoba said with regards to affordable housing we can discuss it but we cannot require it.

Ms. Mayfield said we may not be able to require it but what my question is have we even discussed it. Because if we are looking at a voluntary annexation, what ability do we have when we are looking at annexations and we are looking at the fact that it is going to cause an impact on our current resources; no, we cannot mandate housing, we do not have mandatory inclusionary housing, but we can lead conversations. My question is does staff even broach the conversation when it was presented to us that this area wanted to be annexed into the City. Did anyone on your Planning staff have any conversations regarding-

Mr. Jaiyeoba said I know when it comes to annexation we are very careful with regards to how we bring that issue of affordable housing up when the developer brings it up, because we have to be very careful that we are not trying to require of them something that we really cannot. We do talk about it; we did talk about the preference, the fact that the City has priority over provision of affordable housing and what we would like to see. We are really limited with regards to whether we can ask them to actually provide or set aside a particular percentage for affordable housing.

Ms. Mayfield said we are not limited to what areas we annex into our City.

Mayor Lyles said we are in a large part by the state law; if it is urban you can do it as long as it is voluntary. There is no requirement that we have to do this. I grew up in a city that didn't have annexation, so Columbia, South Carolina when I left was about 90,000 people and is 110,000 people now. Our agreement was to have this territorial jurisdiction; the agreement helps us provide more orderly services, so when you look at this if it is located out there, and we are about to build further out for the Fire Department, you want to make sure it does that.

So, voluntary, we used to actually have the ability to take in just no the qualifications but now it regulates us to only the voluntary and orderliness and police and fire response really requires filling in all of our ETJ. I would hope that the Council would set the public hearing and then in the next couple of weeks have a conversation around what are the requirements that we could take to actually let people know what our priorities are as we do that and how much of that can we do. That might be something that the City Attorney and our Planning Director does, because I hear what you are saying.

Mr. Jaiyeoba said I understand what Ms. Mayfield is saying as well, and we are also working on those criteria, but I don't think we can require anything.

Ms. Mayfield said here is the challenge, because I'm not a fan of imminent domain so, I completely support the idea of only voluntary annexation. The challenge is we keep having the conversation after the fact. This is presented to us for us to have the conversation to approve for the public hearing. If staff can get the answers to these questions prior to the public hearing so it can be part of the public hearing process that will be helpful, but what I would hope that we would want to avoid is continuing to have the conversation let's just continue to move forward with it for now and then we will come back and adjust it later. We just got through having a long conversation where a lot of people signed up of where we said we are going to follow up later and we are having the same conversation 15 months later. It would be helpful if we could get a commitment that if we move forward this evening for the hearing that in time for the hearing that these answers will be at least prepared to be responded to.

Patrick Baker, City Attorney said we will work with the administration to be in a position to do just what you asked.

Councilmember Winston said to follow up with Ms. Mayfield, this is not the first time this topic has come up. I don't know when it was in the past 18-months or so for us to take a look at the policy that guides annexation and what we have in there to kind of look at that

from an equity lens. I don't remember getting a follow-up; it could have happened, but I don't remember. We said maybe this is part of the Comprehensive 2040 Plan, because there has to be some type of policy dealing with voluntary annexation.

Mr. Jaiyeoba said I don't think we brought anything back to you, but over the last several weeks we have actually been working on developing some criteria. Typically, we always want to make sure that this annexation does not [inaudible] an upward boarding of police and fire and all the services. That has been pretty much the primary thing but there has got to be more things that we look at. So, at some point we will bring that to you; part of my challenge is that we don't want to piecemeal policies. I want to make sure that when we bring policies to you it is also within context. Part of the reason we have inconsistency in our policies today is because we bring one today then we bring another one in six months-time which is totally in conflict what we just brought to you six-months ago, and so we want to make sure that as we look at all of this comprehensively we develop criteria consistent that we can measure this annexation request against. So, we will do that.

Mr. Winston said was this parcel part of a prior rezoning?

Mayor Lyles said are you asking do they already have the right to build what they described or if we've rezoned it?

Katrina Young, Planning said they are properly zoned.

Mr. Winston said did we go through an additional rezoning on this parcel?

Mr. Jaiyeoba said no, I don't think so.

Mayor Lyles said I think having this discussion is really good because the ETJ was a negotiation among every municipality in the County, and we've already decided what our boundaries would be for rights, because at one time we used to annex just based on some criteria and now we can't do that because of the state. We have to go about it in a voluntary way, but I would remind you if we don't annex it they are still going to use our roads, they are still going to call the Fire Department; they are still going to get police services and if they can figure out a path to be in another ETJ they will. I think the idea of having everybody participate in paying for the urban services is an important concept, and if we are going to talk about our annexation policy and review it and address these questions we've got to talk about why the ETJ is in place and what commitments were made at that time under that agreement with the other municipalities.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Harlow, Mitchell, Newton, Phipps, and Winston.

NAYS: Councilmember Mayfield.

The resolutions are recorded in full in Resolution Book 50, at Page(s) 36-41.

The resolutions are recorded in full in Resolution Book 50, at Page(s) 42-47.

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PUBLIC HEARING

ITEM NO. 8: PUBLIC HEARING AND DECISION ON CHEYNEY AREA VOLUNTARY ANNEXATION

Mayor Lyles declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to close the public hearing and adopt Annexation Ordinance No. 9618-X with an effective date of August 26, 2019, to extend the corporate limits to include this property and assign it to the adjacent Council District 4.

The ordinance is recorded in full in Ordinance Book 62 at Page(s) 331-336.

ITEM NO. 9: PUBLIC HEARING AND DECISION ON THE ENCLAVE AT PEACHTREE VOLUNTARY ANNEXATION

Mayor Lyles declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to close the public hearing and adopt annexation Ordinance No. 9619-X with an effective date of August 26, 2019, to extend the corporate limits to include this property and assign it to the adjacent Council District 2.

Councilmember Mayfield said Items 8, 9, and 10 is the same comments that I just shared regarding annexation and us having a clear conversation of what the expectation of annexation is, what are the benefits to our current residents and what are the expectations for those that will be coming in to the City of Charlotte services.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 337-340.

ITEM NO. 10: PUBLIC HEARING AND DECISION ON SUTTON FARMS PHASE 2 VOLUNTARY ANNEXATION

Mayor Lyles declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Harlow, and carried unanimously to close the public hearing and adopt Annexation Ordinance No. 9620-X with an effective date of August 26, 2019, to extend the corporate limits to include this property and assign it to the adjacent Council District 2.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 341-343.

POLICY

ITEM NO. 11: CITY MANAGER'S REPORT

Marcus Jones, City Manager distributed his 30-day report.

Mayor Lyles said we do have the schedule for October 9th which later on when we do that changing of that meeting, the question is cancel it and shift things to the next one or September 9th. It is on this sheet that Mr. Jones has; Vision Zero, Housing Assistance, Wastewater and any closed sessions so we may have to move those around or schedule another time. We will talk about that when we get to the last item on the agenda.

BUSINESS

ITEM NO. 12: SECONDARY PUBLIC SAFETY ANSWERING POINT FUNDING PROGRAM

Motion was made by Councilmember Egleston, seconded by Councilmember Harlow, and carried unanimously to (A) Approve a contract with the North Carolina 911 Board to implement the Secondary Public Safety Point funding program for an initial term of three years, (B) Authorize the City Manager to renew the contract for up to two, one-year terms and to amend the contract consistent for the purpose for which the contract was approved, and (C) Adopt a resolution approving an interlocal Agreement with Mecklenburg Emergency Medical Services Agency, a secondary Public Safety Answering Point for the 911 system, as required by the North Carolina 911 Board.

The resolution is recorded in full in Resolution Book 50, at Page(s) 001-019.

ITEM NO. 13: AMENDMENT TO INTERLOCAL AGREEMENTS WITH LANCASTER COUNTY WATER AND SEWER DISTRICT

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to adopt a resolution authorizing the City Manager to execute an amendment for the sale of water by and between the City of Charlotte and Lancaster County Water and Sewer District.

The resolution is recorded in full in Resolution Book 50, at Page(s) 20-20B.

ITEM NO. 14: NORTH CAROLINA DRINKING WATER STATE REVOLVING FUND LOAN APPLICATION

Motion was made by Councilmember Egleston and seconded by Councilmember Harlow to (A) Adopt a resolution authorizing Charlotte Water to apply for a Drinking Water State Revolving Fund loan in an amount not to exceed \$50,000,000 for the construction of water transmission mains within the distribution system, (B) Authorize the City Manager to take necessary actions to accept and complete the financing, including applying to the State of North Carolina Department of Environmental Quality and obtaining Local Government Commission approval, and (C) Adopt Budget Ordinance No. 9621-X appropriating \$50,000,000 from the Drinking Water State

Mayor Lyles said when we talk about infrastructure this is a good thing so thanks to Charlotte Water for doing this. I know it is a pain in the neck for traffic; everyday my neighbors come out and say, when are you going to finish that culvert on Park South? I told them to call the District Rep.

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

The resolution is recorded in full in Resolution Book 50, at Page(s) 21-22.

The Ordinance is recorded in full in Ordinance Book 62, at Page(s) 344.

ITEM NO. 15: ADOPT RESOLUTION FOR PUBLIC ART IN RIGHT OF WAY

Motion was made by Councilmember Egleston and seconded by Councilmember Eiselt, to adopt a resolution in support of the City's application for public art in North Carolina Department of Transportation right of way in accordance with the North Carolina Public Art on the Right of Way Policy.

Councilmember Winston said I would just like to point out that this is a resolution, so when people ask do resolutions mean anything; they certainly do. They tell other partners and the public where the City stands and that makes a difference. This is an example where that helps, and I hope we will take a stance as I believe this resolution will pass, that we believe in the importance in investing in public arts. Of course, this is going to be an important conversation over the next couple months, and I think this represents the City's stance towards that.

Councilmember Mayfield said my question for staff is who will be responsible for the upkeep and/or repair of the art in the public right of way? When we think about the piece of art that we had off of Providence Road and unfortunately a reckless drive hit it more than once. When we think of art that has been vandalized along Freedom Drive and it has taken months to get the art cleaned up and repaired. When we are looking at the resolution, what I could not find is the language that speaks to upkeep and/or repairs of the art.

Marie Harris, Strategy and Budget said to your point Mr. Mayfield, the City would be responsible if it is in our right of way.

Ms. Mayfield said for clarification we are taking on responsibility for art that will be in the right of way, if it is damaged and/or for upkeep.

Mayor Lyles said also on the resolution it is required by the other authorizing agency, NC-DOT and not ours.

Councilmember Ajmera said before the resolution, who used to take care of this maintenance?

Ms. Harris said right now this is being proactive and setting up a process, so we can review. We know requests are going to start to come in and that is a new thing we want to capitalize on, and we are adopting this to be consistent with the NC-DOT right of way and have a practice, so we are not just bombarded with requests. We have a review process in place for those requests.

Ms. Ajmera said so, currently we are maintaining it.

Ms. Harris said the one that Ms. Mayfield mentioned yes.

Ms. Ajmera said are we maintaining all of them? I guess I'm trying to understand with this resolution what would be different than today?

Taiwo Jaiyeoba, Assistant City Manager said what we did in the past was each time we had a request to operate public arts in the public right of way or NC-DOT right of way we would come back to you, so if there were 10 of them every time it was coming back to you and over and over again, but when you approve the resolution we have to be responsible for maintaining them. The only thing that is different here is they were coming to you with this for active resolution, so right now we have four projects but we know with our place making program we are going to have more so rather than keeping coming to Council over and over again this is just being proactive to make sure that we cover our bases before NC-DOT would allow us to do that, so that is the only thing that is different, but we will be responsible for maintain it like we do today.

Ms. Ajmera said okay, we were just doing it all along. Has there ever been a scenario where we didn't approve it in the past?

Mr. Jaiyeoba said no, not that I can recall.

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

The resolution is recorded in full in Resolution Book 50, at Page(s) 23.

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ITEM NO. 16: ADOPT RESOLUTION FOR GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT FOR TRAFFIC SAFETY

Motion was made by Councilmember Egleston, seconded by Councilmember Harlow, to adopt a resolution authorizing the city to accept a grant award of \$20,000 from the Governor's Highway Safety Program.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Harlow, Mayfield, Mitchell, Newton and Phipps.

NAYS: Councilmember Winston.

The resolution is recorded in full in Resolution Book 50, at Page(s) 24.

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ITEM NO. 17: DONATE TROLLEY BUSES

Motion was made by Councilmember Egleston and seconded by Councilmember Harlow to adopt a resolution authorizing the donation of three surplus trolley buses to the City of Greenville, North Carolina.

Councilmember Phipps said I am excited for the City of Greenville and for the City Manager, Ann Wall.

Councilmember Mayfield said what is the current condition of these trollies, and did we even have a conversation for them to be sold as the actual revenue source as opposed to being donated?

John Lewis, Executive Director of the Charlotte Area Transit System said these are not our streetcar trollies; these are our circulator trolley buses that we removed from service when we began the construction for the Gold Line Phase 2. They have reached their useful life, and we are suggesting that we donate those to a partner. The value of these which we've tried to estimate when we tried to sell similar vehicles in the past is around \$8,000.

Ms. Mayfield said that didn't really answer the question that I had, because what you just said is what was in the information that was provided to us and that we stopped using them in 2017 and the value is between \$1,800 to \$23,500. The question I was asking is what is the current condition of the trollies and can they be sold as a revenue source? What you are saying is even though that we identified that the value could be anywhere between \$8,000 and \$23,500 you are saying that the answer is no that they could not be sold as a revenue source?

Mr. Lewis said they absolutely can be sold; we have not heard of a market for them from the private sector. The only group that has approached us about this is Greenville. We could certainly put it up for auction and see what we get for it, but we would have to see.

Ms. Mayfield said that was the question if there was a value, because we donate a lot of items and the challenge is we pay full price or close to full price for a lot of items that we then donate to our partnering communities and there is an opportunity that I don't think we've ever discussed and that is looking at what is that costs even if we were to reduce the costs to sell it to our partners opposed to even later in discussion approving an auction for items. I just want to bring it to the forefront, because we in every budget cycle approve for the purchase of brand-new items at different levels, but we also donate a number of items to our partners and we are not necessarily tracking the financial costs of those items. That is for the Manager's Office to look moving forward how are we being good stewards to the tax dollars that we are spending that is paid for by the residents and the visitors of the City of Charlotte, whether it is going to a partner town or county, our residents are the ones paying for it.

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

The resolution is recorded in full in Resolution Book 50, at Page(s) 25.

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ITEM NO. 18: APPROPRIATE FUNDS FOR LYNX SILVER LINE RAIL TRAIL STUDY

Motion was made by Councilmember Egleston and seconded by Councilmember Newton, to adopt Budget Ordinance No. 9622-X appropriating \$25,000 from the Town of Matthews for a LYNX Silver Line Rail Trail Study.

Councilmember Newton said I recall with the discussions pertaining to the Silver Line down Independence Boulevard there being a number of presentations that our City staff had given regarding the alignment. I noticed that in our notes for the agenda item, some of these funds will be diverted over to a study to determine the alignment, and I just want a little more information on exactly where we are with that. Are we talking about reviewing the alignment that I believe it has been presented to the community, or is this kind of other areas of the Silver Line that have now been incorporated after our discussions?

Councilmember Egleston said it is for a Rail Trail along the light rail, not the light rail itself.

Mr. Newton said I think that clarifies my question, but I also wanted to acknowledge some of the partners in this; certainly, Matthews and CTRPO and thank them for their contributions. We have \$25,000 coming from us, but that is \$125,000 collectively coming from both of those organizations, so I wanted to thank them for that.

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

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 345.

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ITEM NO. 19: APPROPRIATE PRIVATE DEVELOPER FUNDS

Motion was made by Councilmember Egleston, seconded by Councilmember Mayfield, and carried unanimously to (A) Approve a developer agreement with Mattamy Homes for traffic signal installations and improvements, and (B) Adopt Budget Ordinance No. 9623-X appropriating \$77,050 in private developer funds for traffic signal installations and improvements.

The ordinance is recorded in full in Ordinance Book 50, at Page(s) 346.

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NOMINATIONS TO BOARDS AND COMMISSIONS

ITEM NO. 20: NOMINATION TO THE ARTS AND SCIENCE COUNCIL ADVISORY COUNCIL

The following nomination was made for one appointment to the Central Advisory Council, District 3, for a partial term beginning immediately and ending June 30, 2020:

- Apryl Lewis, nominated by Councilmember Mayfield.

Motion was made by Councilmember Egleston and seconded by Councilmember Mayfield and carried unanimously to appoint Apryl Lewis.

Ms. Lewis was appointed.

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ITEM NO. 21: NOMINATIONS OF THE CHAIRPERSON AND VICE-CHAIRPERSON TO THE ALTERNATIVE COMPLIANCE REVIEW COMMITTEE

The following nominations were made for Chairperson:

- Hermes Goudes, nominated by Councilmember Driggs
- Tobe Holmes, Councilmembers Mayfield and Winston
- Mary Kelly, nominated by Councilmembers Eiselt, Harlow, Mitchell, and Newton
- David Walters, nominated by Councilmembers Bokhari, Egleston, and Phipps
- Eric Zaverl, nominated by Councilmember Ajmera

The following nominations were made for Vice-Chairperson:

- Mary Kelly, nominated by Councilmember Driggs, Egleston and Winston
- Tobe Holmes, nominated by Councilmember Ajmera and Phipps
- Renee Rubens, nominated by Councilmember Mayfield
- David Walters, nominated by Councilmembers Eiselt, Harlow, Mitchell and Newton

Motion was made by Councilmember Driggs and seconded by Councilmember Ajmera, to appoint Mary Kelly as Chairperson and David Walters as Vice Chairperson.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Harlow, Mayfield, Mitchell, Newton, and Phipps

NAYS: Councilmember Winston

Ms. Kelly was appointed as Chairperson and Mr. David Walters was appointed as Vice-Chairperson.

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CITY CLERK'S COMPENSATION

Councilmember Phipps said as you may recall on Monday, July 22, 2019, the City Council held a closed session pursuant to State law to consider the competence, performance, character and fitness conditions of appointment of an individual a public officer or employee. During that meeting Council approved a compensation adjustment for our City Clerk, Ms. Stephanie Kelly.

Motion was made by Councilmember Phipps, seconded by Councilmember Mayfield, and carried unanimously to approve a 15% base pay market increase adjustment and a 5% merit-based pay increase for the City Clerk to be retroactive to July 6, 2019.

AMENDMENT TO CITY COUNCIL 2019 MEETING SCHEDULE

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to revise the Charlotte City Council's schedule of regular meetings by cancelling the City Council meeting currently scheduled for Monday, September 9, 2019.

ITEM NO. 22: MAYOR AND CITY COUNCIL TOPICS

There were no Mayor or City Council Topics discussed.

ZONING

ITEM NO. 70: HEARING ON PETITION NO. 2018-142 BY PROFFITT DIXON PARTNERS FOR A CHANGE IN ZONING FOR APPROXIMATELY 20.15 ACRES LOCATED ON THE WEST SIDE OF PROVIDENCE ROAD, NORTH OF LYNBRIDGE DRIVE, AND SOUTH OF OLD PROVIDENCE ROAD FROM R-3 (SINGLE FAMILY RESIDENTIAL) TO R-8MF (MULTIFAMILY RESIDENTIAL, CONDITIONAL) AND INST(CD) (INSTITUTIONAL, CONDITIONAL).

Mayor Lyles declared the hearing open.

David Pettine, Planning said we have Petition No. 2018-142, which is approximately 20-acres of land on Providence Road across from Lynbridge Drive and south of Old Providence Road. The site is comprised of nine single family individually owned parcels consolidated into this 20-acre tract. The existing zoning is R-3; the proposed zoning is R-8MF(CD) and INST(CD). The South District Plan for this area does recommend residential dwelling up to three units per acre; however, the GDP recommends density up to eight dwelling units per acre and locations for institutional uses are not typically identified in our area plans, so there is no recommendation for institutional uses. The one you see down at Lynbridge Drive was based on the existing land use when the plan was adopted. You can see the proposal really rings the property with townhomes or cottage units and then the interior of the site is mainly set aside for four large buildings that would be up to 200 units for institutional or active adult retirement community. That is about 10-acres in the middle of the site; the other site is about 9.92-acres which would be zoned R-8MF and then the 10-acres for the multi-family uses in the middle.

There are five guaranteed amenities and at least 14 additional amenities, which really will provide more than just your standard amenities for a 55 and older community, which is why we are looking at an institutional zoning. Those go above and beyond what you typically see for an active adult community. It puts them in that category of being more of an institutional use. There are architectural design standards for both the retirement portion of the community as well as the townhomes. There is a 10-foot wide paved accessible connection to McAlpine Creek Greenway, there is also a 50-foot buffer along the western and northern property line and a 37.5-foot buffer with a fence along the southern property line. There is also commitment to comply with the sub-division ordinance as well as access points on Providence Road; an eight-foot planting strip and 12-foot multiuse path along Providence Road as well as a commitment to do a signal

warrant analysis which I will get into a little bit later in the presentation. There was one that was already done, and we can talk about some of that moving forward. If that signal is not warranted, then we would look at a pedestrian crossing along Providence Road, which would be signalized that would get folks across the road to access transportation and CATS bus stop. There is also a CATS bus stop right in front of the site on Providence Road.

The site has some different heights and elevations that are going to be included throughout so we have a cross section here that shows several different viewpoints. You've got Sections 1-1 that are listed here and that would coincide with this type of building, which you can primarily from the street view about three stories but on the back side you do have a basement unit, so you get the four-story on the property itself. So, each viewpoint here coincides; this is three, so this would be the view point from this area on the north side of the property and then you 4-4, which would be these backside views here. You have 5 which is the active adult portion. We wanted to have the petitioner include those, so you could actually see what you would view from that view on Providence Road, as well as some of those property lines around the site just to get an impact of what some of those visual cross sections would be.

Again, we've got some existing multifamily developments along Providence Road; to the north we've got the Reserve Providence Apartments and some apartment type uses along this side of Providence Road as well, just to give you some context of other multifamily along this corridor. There is also a lot of multifamily developments further up as you get through Providence Road, Sardis Road and Fairview Road. Staff does recommend approval of this petition upon resolution of some outstanding issues mainly technical and don't have any real impact on the general site and design, just notes related to the plan and some environmental notes that need to be included as well. The plan is inconsistent with the South District Plan which recommends single-family residential; however, it does comply with the GDP policies which recommend up to eight dwelling units per acre and again our recommendation is for approval upon resolution of outstanding issues.

Colin Brown, 214 North Tryon Street said I am here on behalf of the petitioner and thank you to the Zoning Committee members, who made it out tonight. I'm representing Proffitt Dixon Partners, Stewart Proffitt is here tonight, as well if you have specific questions we can answer those. This is just over 20-acres on Providence Road; it is made up of nine different property owners that have come together to sell their land. So, that is a significant parcel on Providence Road. I actually worked with different developer prior to this team trying to figure out what is the best fit for this site which is a major development on Providence Road.

You will hear from speakers tonight both for and against. We started our initial outreach on this, just informal meetings last fall. I think our first meeting may have been in October; so, we've been having a lot of conversations and when you have 20-acres of land like this on Providence Road. What does everyone want? They would love for it to be a park; they would like for a low-intensity development as possible, but really, we came up looking for land uses that were low in traffic volume, low in school impact that will compact and could have environmentally sensitive footprints. So, of that what we could bring to the table, we went through what a lot of the neighbors wanted and came up with this concept that Dave went over with you tonight, which is really an active adult retirement community in the center of the site that would have an institutional zoning and then some townhomes around the parameter of the site. This is first site plan that we came up with in about January and I wanted to show you how that has evolved. You can see that was a large building in the center of the site, which is convenient for active adult with townhomes around the edges. We've continued to work with neighboring property owners for many, many months. This is the plan that Dave showed you tonight that is here for a hearing, and I will take you some of the changes. That was the initial; this is the updated, this is the detailed. There is a reduction in building height. Initially, we had one main building there in the center, the height on that has been reduced by one-story, so it is three stories mainly. The land does drop so from Providence Road you will see four-stories, but if you are seeing it from other areas of the site it will appear as three-stories.

We've added an additional access point so there is an additional point of entry; right out only at this location. We've done some carriage building options, initially the proposal was just townhomes around the parameter but what the developer thinks will work now are these carriage units, so those are stacked flats which work very well for older adults. They would be served by elevators, and that allows us to take up less land so there is more land that we can set aside. The density around the site, you will hear about that so, in the institutional zoning, that is what we are using there, that doesn't usually have a density count around the parameter of the of site. We left that in a very conventional zoning which is an R-8MF, so the density there around the boundary would not exceed eight. There are more units at the center of the site; the active adult typically has less traffic, which gets us to traffic concerns.

This is a hot issue as you know in South Charlotte, and you will hear some neighbors say well, we really don't want any multifamily. We'd like lower density; the GDP calls for eight units per acre. What if you did eight units per acre? What we want to show you is if someone came in and did eight units per acre of townhomes they would generate significantly more trips than this proposal. Because of the active adult type of uses, they generate fewer trips, so we will have more trips generated than current, because there are about eight homes on the site, but as you are evaluating what to do with this 20 plus acres on Providence Road we think this active adult and carriage unit combination probably generates less trips than any other viable development plan for the site.

Next up is school impact. The active adult I don't think will generate any children, but CMS's report says that current zoning could generate 36 students. This would generate 14; again, we think it will have zero-student generation. Traffic, which is what we talk about all the time in this area, we have committed before our Certificate of Occupancy. We actually did a signal warrant analysis; we did not qualify for a signal, but we said before our CO will do it again and if pass we will provide a signal. If a full signal is not warranted, we will provide a hawk signal which is a pedestrian crossing to get folks across Providence Road to the CATS bus stop which is in place. A lot of what we have done has allowed us to increase the green space so what you can see there is instead of cutting this up into hundreds of hundreds of townhomes, kind of having something made in the [inaudible] site and then carriage units. We are able to keep a lot of open space and pretty ample buffers adjacent to the exterior property.

I know there are some folks in opposition, but I think we've got a significant amount of community support. I hope you hear from those folks. I wanted to show you on this map; here is the HOA north of us in support. Darby Hall is the Homeowners Association here, they are in support. This property here is the property of Erskine and Crandall Bowles, they are in support and have written a letter of support. So, verified of the folks that are most directly impacted by this potential development have indicated their support.

Phillip Stafford, 6309 Saddlebrook Court said I am a neighboring homeowner, and I'm speaking in support of this petition. My home is adjacent to the property under discussion. It is what I see when I see out of my living room, my dining room, and my home office windows. I am a member of the Providence Landing HOA Board, and I speak to you tonight with the unanimous support of the Board and uncontested consensus of the Providence Landing Neighborhood.

We understand the current owners of the property have found a broker and are going to sell to a developer, so we have determined it is in our interest that that develop partner proactively with us to allay our concerns. The reason we support this is that the petitioner Proffitt Dixon has done exactly that. In addition to holding public meetings, the Managers of Proffitt Dixon have personally come to my house three times, first to see what the property looked like through my back windows and in my backyard. Secondly, to meet with our HOA Board and homeowners and the third time to show us changes they had made to their project plans to address our specific concerns. We asked for a larger setback buffer, addition of foliage and/or a privacy fence to the buffer area, limiting the number of stories of the buildings, forest clean-up, pressure washing our homes as

necessary during construction, support for a traffic light at the Hamilton Mill entrance, improvements to the flood terrain and stormwater runoff, outside lighting that does not invasively shine into our neighborhood.

These are not easy requests but Proffitt Dixon made major changes to their plans that addressed all of these issues to the satisfaction of those who has raised them. The partnership and collaborative approach, Proffitt Dixon has taken, seeking unusually favorably outcomes should be the model for development in Charlotte. It is in the best interest of Providence Landing for such an organization to be the one that develops this land; therefore, I'm asking you to support the rezoning that Proffitt Dixon is requesting. To be doubly emphatic about this, I have sent all of you individual e-mails voicing this support and to be triple emphatic I have hard copied versions of the remarks I just made that I'm going to ask Mr. Brown to hand deliver to you personally. With that I would like to thank you for the opportunity to express myself to you here tonight.

Dennis Grills, 2525 Lynbridge Drive said you have in front of you a packet of information outlining our opposition to this rezoning request. In that packet there is a spiral bound booklet, a petition and a copy of my remarks. I am speaking tonight on behalf of those 628 neighbors that have signed the petition in opposition. Our first issue with the petition is the housing density requested. The site plans indicate a density of eight dwellings per acre, but that does not include the 200-unit apartment complex. If you calculate the density as it is spelled out in the City Zoning Ordinance, Section 12.104, you would take the 79 townhouses, add to that the 200 apartment units to get 279, divide that by the acreage, 19.93, and you would end up with 13.99 units per acre. That is the density that we are objecting to.

As was pointed out the assessment matrix of the GDP completed by the Planning Department is shown on page 3 of the spiral bound booklet, shows a potential of up to eight units per acre. That is way short of the 14 or 13.99 in reality. The matrix is just an assessment tool and not necessarily the answer. The opportunities' constraints listed on page 23 of the GDP and page 4 of the spiral bound booklet, also have to be considered.

The only positives on the opportunities' constraint are the age restricted senior living and the transit route. Among the constraints listed is one concerning tearing down existing residents in an established neighborhood. Planning staff has stated that these homes do not constitute a neighborhood. I searched both the GDP and the Zoning Ordinance and found no definition of neighborhood.

In 1996, the City Planning Commission asked UNC-C Urban Institute to develop methodology that would enable City Council and the Planning Department to monitor health of center city neighborhoods. They expanded that to cover the entire City about 2005. This resulted in the quality of life explore tool that is currently on the Planning Department's website. This tool defines how the City views neighborhoods. This petition is for property and neighborhood NPA 353 and existing homes will be torn down, and it will have negative impact on other neighborhoods particularly NPA 222 directly across Providence Road. Granting this request would result in high-density multifamily and apartment residential ion in the midst of a sea of low-density, single-family residents.

The next point I would like to address is the concern about active adult community. In recent meetings with Council I have heard several members mention the need for senior housing based on future projections and needs in our community. I fully understand that and your desire to address that. If you go to this property and draw a circle around this property and the circumference of that circle just touches the high school that students from this property would go to. In that circle, you will have 17 facilities dealing with a 55 plus demographics. In the map, they showed there were two apartment complexes and a retirement community, Brookdale at Carriage Club. It is that close.

Now, I'm not sure when your desire to solve this future problem that an upscale, luxury apartment with resort like amenities, such as a swimming pool, fitness center, bocce ball, etc. that is not- particularly at rents of \$2,000 a month, I'm not sure that is the shortage that City Council is worried about going forward.

I'm also convinced that the active-adult community is not necessarily the driving force on this project. Mr. Pettine has stated in a meeting on June 10th that he would support this project even if it did not have senior citizens. Ed Driggs was with me and we talked about it so, he can attest. There appears to be a bias towards higher density right now. Recent quotes by our Planning Director in the New York Times and other papers concerning elimination of single-family zoning reinforce this feeling. Higher density may come to Charlotte sometime in the future, but right now the GDP and the current Zoning Ordinance is what governs what we do. One objective of the GDP is to ensure that existing stable neighborhoods are maintained and enhanced. This request fails to meet that objective. Please play by the current rules, and deny this project.

Cheryl Johnson, 6520 Pensford Lane said thank you for letting us address the concerns of the constituents in South Charlotte. I'll be talking about proposed rezoning, particularly around traffic and congestion and the lack of urban planning regarding Providence Road, one of the major thoroughfares in the City. This proposal asked for rezoning 20-acres of R-3 property, where eight houses now sit and allows 279 apartments and townhomes to be built. That is a huge increase in density. The prehearing, staff analysis acknowledges that the proposed institutional use of the property is inconsistent with the South District Plan which recommends single-family residential. The approval of this petition will open the floodgates to high density development along the Providence Road corridor. We've seen smaller townhome communities pop over the past few years along Providence Road, but nothing the size of this institutional component.

A 2019 estimate based on NC-DOT traffic count shows that the segment of Providence Road in front of the proposed development is between 95% to 98% of capacity. What happens when it reaches 100%? The congestion gets worse; morning and evening rush hours get longer. Currently, it is an eight-mile commute uptown from the site of this proposed development is 35 to 40 minutes during rush hour. That is about 25-miles per hour in stop and go traffic. I used to make that commute in 20 to 25-minutes. We've observed a significant increase in traffic over the last two to three years due to the development south of us at Waverly and Rae Farms up through the large apartment complexes at Fairview Road. No relief is in sight and the development between Highway 51 and Fairview Road will only exacerbate the situation. Public transportation improvements might help reduce the morning and evening rush hour, but it won't do much for the traffic between 9:00 a.m. and 3:00 p.m. when people are out driving their children, picking them up from school and going to activities. Every day, our neighbors are having a more difficult time getting out of their neighborhoods along Providence Road. Many of those neighborhoods have no other exit from their neighborhood other than Providence Road.

When people hear age restricted they think of senior community filled with retired people that rarely leave their apartments; however, these apartments are designed for active 55 plus residents, many of whom will still likely be working and commuting and those who aren't working will be out and about going to activities and shopping.

The current vehicle trip estimate is 80 trips per say from this tract of land; the proposed rezoning estimates 1,220 trips per day. That is an increase of 1,500%. Would any of you want to experience that every day on your way to work or errands? We will. From canvassing our neighbors in the area we've been warned that in their experience the City Council isn't concerned about traffic or congestion no matter where it is when it comes to rezoning. We firmly believe that the City Council should take a step back and request a master plan for any growth along Providence Road and resist rubber stamping the proposed rezoning. These ad hoc-rezoning requests don't reflect the thoughtful use of land and its impact on the surrounding community who will be impacted negatively by this high-density development. We have 628 signatures on our petition to deny this rezoning. As a community we are fed up with being the collateral victims of poor urban planning and opportunistic developers. We cannot support the City Council that gives carte blanche to unvital growth and development in South Charlotte.

Doyle George, 3214 Spring Farm Lane said I have just reiterated to all of you a legal analysis of the basis for which conditional rezonings are approved. Of course, the primary

case is Chrism versus Guilford today. That was a 1988 North Carolina Supreme Court decision and it is really important I think that you give some consideration to what they said. They do approve obviously, conditional use rezonings, but they must be reasonable, neither arbitrary or unduly discriminatory and in the public interest. So, one of the standards that Chrism gave for it was whether or not it was discriminatory or not in the public interest. The test was basically a balancing act, the balancing of whether the detriments and the benefits to not only the developer of that particular property but the surrounding community, not limited to neighborhoods within 300-feet of this particular site. That is the focus that you should have.

In rebuttal Mr. Brown said I acknowledge that there is an increase in density on the site. I think most of the consternation regarding the density comes from traffic impact and potentially school impact. As I said at the beginning of the process, we actually worked with your staff pretty significantly to figure out what is the best plan for this 20-acre site. There were many other developers at the table that have a variety of uses. One thing I would point out and if our traffic numbers were up here you would see; if this were developed at six units per acre, which is fairly low density, it would generate more vehicular trips than our proposal. There is a reason for that, because we know what the sensitivity is in the area and we worked hard to find the right development team that could bring a proposal to develop something positive for these nine property owners that are going to sell their property but that had a development that would have as minimal of an impact as possible. I think you are seeing that on traffic will generate about what six units of single family per acre would generate. We will generate, we think, no school impact and as a result of that, that is why you are seeing unanimous support from the HOA north of the site, support from Darby Hall and support from major landowners abutting this site. Those that have skin in the game that are going to have to live with this property being developed one way or the other have resoundingly said they would like to work with development team and have this development plan their backyard. I hope you will consider that and I'm happy to answer any questions.

Councilmember Egleston said my question is for Mr. Grills; to the point that the petitioner has made, obviously there is going to be an increase in density from what is existing here, increase in traffic trips from what exist here because since these people are selling. Something is going to be built here either by right or this petition; there is going to be an increase in traffic and an increase in density. In flipping through the first 300 or so signatures on your petition I would say 90% to 95% of them who took the time to actually type in a comment as well, the word traffic or congestion or commute time and things like that, every single one of them almost. Do you all dispute their analysis that this project will create less trips than a potential by right development? Do you think that is incorrect?

Mr. Grills said I think it is inaccurate, yes. I also dispute the fact that when Mr. Brown talked about north and west side, he did not mention any support south or east. There are four sides to this. He doesn't have support on the east or south, and it is a very difficult tract of land. It has a high spot of 605-feet elevation; it also has low point that is about equal with McMullen Creek, so there are some real constraints. There is a 35-foot post construction buffer that flows through the property which makes it very difficult for inner-connectivity. There is also a floodplain, and all of these are things that are going to enhance. So, yes you look at it and say 20-acres by right R-3 60 houses. R-6 as Mr. Brown said, I'm not sure if you can do that and meet all of the other zoning requirements on streets, setbacks and yards.

Mr. Egleston said we just want people to be realistic, because frequently folks frame the way it is today versus the way it is being proposed. I want to make sure that even if his numbers aren't perfect or the 55-year old might drive a little more than someone who is 75 living in a facility like this, that we are framing it in those terms, because there is going to be an increase in traffic regardless.

Mr. Grills said if you look at my comments; my comments said it is the 14 units per acre that we are opposing.

Mr. Egleston said because of the traffic impacts.

Mr. Grills said no, because of the impact it is going to have on the whole area that will be used in the future as an example of high-density housing throughout the south wedge.

Councilmember Driggs said I haven't had a chance to look at all these submissions we just got and therefore I'm going to need to look at them and go over them with staff as well, and I would ask the City Attorney to review the submission by Mr. George and give us his take on where we are legally. I think it is pretty clear that we have the typical zoning question of what kind of neighbors will these be, and how does it impact the view from the homes nearby, which is a conversation we have on many rezonings.

That is a relatively small population compared to the number of signatures on this document, and it is pretty apparent from the petition that we are back with the issue of Providence Road again which Mr. Bokhari and I have discussed. If we don't find a better answer on Providence Road, we are going to have an I-77 kind of situation, and I drove up here today and the traffic was backed up to about Candlewick. I'm struggling with this, because it may work in terms of the way we do our traffic analysis now, but I've been saying for a couple of years, I'm not very happy about how we do our traffic analysis now. I did see one submission that suggested that in fact the volume of traffic on Providence Road is going down because of the widening of I-485. I would be interested to talk to C-DOT about that and see whether we can verify exactly what the trends have been. I think our focus on this does need to be on the traffic and what our options are in terms of having, for example, a congestion overlay in our zoning and planning process that recognizes situations like this that are taking shape, so we don't end up building ourselves right into the ground. I think that is all I can say right now.

The one question I do have is as Mr. Egleston pointed out, you have this consolidation of 20-acres that was created by the decision of several residents to merge their properties and offer them, I believe in the expectation that they would realize a better sale price from being able to offer a large site. So, what is your thought about what you would like to see happen there. Mr. Grills; if you could talk about that.

Mr. Grills said I'm not sure I understand Mr. Driggs what you are looking at, and on that aspect, I can speak for myself; I don't feel comfortable speaking for the 628 other petitioners. There is diverse housing in that area; yes, there are two apartment complexes. There is a Charlotte Housing complex, and there is a retirement home. We don't have workforce housing, and I know that is a very difficult issue; it falls in line with affordable housing, but that area is lacking things like workforce housing. Where do our teachers live? Well, they are not living in Mecklenburg County; they are moving out where they can afford. Where do our police officers, where do our firemen live? We would like to see it remain single family or multifamily, but not the density of 14 units per acre. That is completely inconsistent and knowing full well that will be sited in future rezoning request throughout the wedge.

Mr. Driggs said I hope my colleagues will note that a resident of District 7 talked about the possibility of having affordable housing there. I appreciate that comment.

Mr. Grills said it is something that the entire community has to find a way. I spoke to Councilmember Ajmera, and she jumped all over me, because I said you know I might change my feeling if you went to Mr. Brown and said Mr. Brown, if you make X percent of those affordable or workforce housing I might change my mind. She said we can't do that. We can't coerce them, jumped all over me. Yeah, I think it is something the community has to figure out.

Mr. Driggs said I just want to say in response to that, and no one has asked you a question yet Mr. Brown, so hang on. I assume that you run the numbers on affordable housing at that land price, and we are going to find that it is very tough to realize the objectives that we've established. I'm just saying that; so, what I will be wrestling with is what the alternatives could be, and I think some people in support said that they were a little concerned about the alternatives and they thought this was the lesser evil. We need to

have a conversation about that and we will. So, right now I just want to report that I've certainly duly noted the traffic concerns; it is not the first time I've heard them, and we actually have other things pending that if anything could compound the situation and for C-DOT in particular. I really want to have a more in depth conversation about how we model these things, because we have been moving ahead with approvals on the basis that the traffic impact was tolerable, and I'm not sure that the basis on, which we arrive at that conclusion takes into account all of the pending and other things that could happen, so we are looking ahead five-years realistically based on what we are doing now. I think I'm going to leave it there for tonight. I'll follow up with you and others and of course with you Mr. Brown, and we will see if we can work this out. The traffic issue is one that is a bigger policy question and not just limited to this petition.

Councilmember Winston said I'm looking at this, and I'm looking at the public road that transitions into a private road, and I'm wondering why we would enter into something like that. It is in line with our just randomly changing roads in this City, but it also seems like it is a road to nowhere. Obviously, the people that live in this potential development will use it, but it doesn't seem like it increases the connectivity between neighborhoods. The only potential connection I see to create other access points is around Landing View Lane and that is on the privately maintained part of the road. It seems counter intuitive to the way we look at access right now.

Mr. Brown said we have to satisfy our subdivision ordinance, and it would be a subdivision ordinance requirement; so, what you are saying is public into here and this would be the setup for future connectivity if someday the Bowles Family decided to develop their property, it would create an opportunity for a street connection to this site and we think that is unlikely, but the subdivision ordinance asks that we bring it into our site and then terminate it, so that is what we are doing.

Mr. Winston said so there is going to be no differentiation, and we will have to maintain that part?

Mr. Pettine said the way it is laid out and with a portion of it being public, we can always go back and look at whether or not that should be a private street built to public standards so then that way if it does get taken into the City system down the road it is at least built to our standards, but certainly as Mr. Brown mentioned, to satisfy that requirement in the subdivision ordinance we have to have that public street going in there. We do have public streets that are privately maintained, so they just have a public access easement. So, we can look at what the options may be with that and either determine that is going to be a full public access with future access if that property to the west develops and if not. We may look at some other alternatives to have that being a private street with public access. Those are the options that we have on the table, and we can flush those out as we move from the hearing towards decision.

Mr. Winston said you said it is part of the HOA ordinance; that seems problematic. It seems like in general, not just for this project, but it is something that we have to address, because it just doesn't meet where we want to go.

Mr. Pettine said we do have connectivity standards, and this would have to meet some level of connectivity for future development. We are limited on that piece, the road that you pointed out, I believe Landing View Lane, there is a significant stream crossing so that is not likely a connection that we would make. We've set it up with this petition where they have to meet the subdivision ordinance through some mechanism of providing a stub, we're not exactly sure right the entitlement phase where that stub may be or how that connectivity will be provided, but they are required to meet that part of the ordinance. So, whether it happens through the entitlement process or through the permitting process they would still have to provide some type of street connection for future connectivity to any of those developed parcels that may be undeveloped right now.

Councilmember Ajmera said I just want to go on record with this; Mr. City Attorney, was my response to Mr. Grills accurate?

Patrick Baker, City Attorney said yes.

Ms. Ajmera said I'm an advocate for affordable housing, but according to the state law we cannot force developers to include affordable housing. We can ask, but that is entirely up to them. It is voluntary.

Councilmember Phipps said someone mentioned the fact that the HOA Board approved this project on a unanimous basis, so to the extent that we have this petition to deny from 628 of the neighbors, I'm interested in knowing did the HOA Board do any kind of outreach to the membership to determine or to gauge their acceptance of the proposal? I'm sort of curious as to how we have such a clear difference of opinion on the appropriateness of the project

Mr. Brown said to be clear Mr. Phipps, the entries I'm speaking of is this HOA, and this HOA who directly abut our property. So we've spent a lot of time with them. The petition Mr. Grills provided I have no idea where those signatures came from, but I will let Mr. Stafford speak to his HOA.

Mr. Stafford said our HOA Board is comprised of four homeowners in a community of 15 homeowners. We are a small community, and we only speak for ourselves, and we have no wherewithal, or we have not reached out beyond our own neighborhood. We are speaking on behalf of our neighborhood, which is physically contiguous to this property on the reasons why we support having Proffitt Dixon as the developer for this property.

Councilmember Eiselt said I apologize I wasn't here for the hearing; I had to step out, but I've been following this project for a while, and I understand some people support it because they have provided buffers, which is great for the people that are most impacted by the buffer area. I am really struggling with Providence Road, and I've said this time and time again and as I came in Mr. Driggs mentioned traffic. I'm on the NC First, which is the State Commission that looks at how we are going to fund transportation in the future for the State of North Carolina, and they are talking about whatever that revenue source is it is going to have to come from future modes of transportation, the way we get around and they talked about senior citizens having access to public transit. This road from, what I understand, has eight projects that involve senior living either existing or in the pipeline on Providence Road and there is really no option coming for public transit except for the possibility of a dedicated bus lane which nobody seems to be interested in talking about that. It is sort of contradictory to what we are talking about at the state level by saying seniors are going to want to have access to buses, and they are going to want to take public transportation to get around. This isn't near an activity center where they can walk to some sort of activity except for the gas station, and so I'm really struggling with this. I'm struggling with the fact that we continue to approve projects one at a time without looking at the greater context of what is in the pipeline and what is coming for the area. This is just a really dense project, and again, I will go back and watch the public hearing, I'm sorry that I wasn't here for it, but it is a project that I have been paying attention to.

Mr. Phipps said we always talk about senior projects, senior complexes we always have that caveat that those complexes doesn't produce the amount of traffic of the traditional type multifamily type project. So, I don't know it is a situational application for some of the things we describe but when we talk about the state, and we just heard that the state is already delaying major projects in Charlotte for shortfalls, so that would guarantee in my mind that instead of congestion getting any better that for at least for the next few years it appears that it might be getting worse inasmuch as these projects will not be coming on line like we thought.

You talk about people struggling; I'm struggling with the fact that we would look at a corridor and try to put brakes on something when we've got a lot of other corridors that we have along this City in my mind that we have a similar cumulative project in the pipeline that I don't know what do we want to do. It seems like it is almost unavoidable if we say that we've got to look at all these projects in the pipeline and make a decision to say we put the brakes on something. I'm trying to figure out what are we trying to do around the dais in terms of coming up with a policy to limit the kind of traffic that might be accruing

as a result of some of these projects. That is what I'm trying to struggle with and to try to use Providence as a proxy for that, that is kind of concerning to me when we have other corridors that we could do exactly the same thing.

Councilmember Mayfield said when we are looking at senior development, and we are identifying that there will be a component of this because isn't a complete senior development, we know that unfortunately we have people that are in their 60's and older that are still working two jobs or still working period. Somewhere in this conversation, I think we need, and I think this is for you Taiwo, the vision that you have because the retirement age now is 65 and not 55, so the federal government has raised the retirement age. We have people that are 55 to 70 that are still working, unfortunately some that are working multiple jobs because of the cost of living. It seems like we've already had this special designation for senior living, but senior living today is very different than senior living for my grandmother. When we talk about active communities and we talk about place making and accessibility and transportation and Ms. Eiselt mentioned the challenges with public access to transportation, and we have from your office a goal of connectivity and accessibility. Help me understand, and we just had a meeting the other day about complexes that are built with one way in and one way out; if there were an emergency, now we also need to look at wider streets because our firetrucks are having challenges with getting in. If you don't have recessed parking included in the development help me understand staff's recommendation under the umbrella of what I shared.

Taiwo Jaiyeoba, Assistant City Manager said Mr. Mayfield, good points you brought up but maybe I should step back from this project and just talk generally about where I think we are headed. It is going to have to tradeoffs. We cannot say on one hand that we are having issues with congestion, while on the other hand we say we don't want density. There has got to be tradeoffs, and the way I see things will happen is we are going to continue to see this type of development, especially along popular corridors like this. It is a decision we are going to have to make and that is the conversation we've been having as part of our Comprehensive Plan. We know that what the market tells us going forward into the next 10 to 20-years is that we are going to see less and less detached single-family homes. We are going to see more and more of this type of development for the next several years. Should we say no to them because it will result in congestion and because there is no transit? That is a decision that we will have to make. Like the C-DOT Director and myself said earlier today on WFAE it is going to have to be a delicate balance between saying that we don't want to have more development, because a particular corridor is congested. That is not going to be a very strong argument in the future ,because what it means is that you are going to continue to push this type of development further and further into the suburbs therefore, traffic will continue to cut through these neighborhoods regardless, because as we push dense development outside of the urban frame, we are going to continue to have traffic still coming through those same corridors. It is not going to stop it. So, there is going to have to be some decision that we will have to make.

Staff is looking at this as a more of a compact development; this is the type of thing that we are going to continue to see. What we need to do as a City is as we see this type of development, the decision has to be made as to investment in public transit that will support this type of development regardless of the demographic that lives there. So, whether they be 55 plus or older or whether they be single, younger than 34, everybody wants to move efficiently, fast, and reliably, and if we can provide that type of opportunity, regardless of demographic, people will live in compact development like this.

These are the types of things that are informing staff recommendations. Part of the Comprehensive Plan we are talking a lot about looking at areas that are zoned for single family residential right now and entertaining different forms of housing there. So, townhomes, apartments, triplexes, duplexes, again, every market projection that we see this is what it is telling us, rather than just 3,000 square foot homes, 1,500 square foot homes or 2,000 square foot homes. So, that decision really has to be made by you as to when you see type of development saying no simply because of traffic congestion may not necessarily be the right thing to do but rather what else can we invest in that will offer

another form of mobility for people who live here, because again, like I said, if we say no to this it pushes it further out, but it doesn't stop congestion from happening.

Mr. Winston said it could pertain to this project, but it could pertain to the whole eco system of preparing for residents 55 and over. We've said from this dais and as individuals and in committee meetings that we can't approach development any more from a unit standpoint. We have to look at it from a neighborhood standpoint, how we develop the neighborhoods. That goes beyond the housing type and goes beyond just the transportation options.

I'm hearing what Ms. Mayfield and Ms. Eiselt said, and I agree, I think we need to push this conversation forward quicker around the Comprehensive 2040 Plan. We had a rezoning for a senior community around Aldersgate and JCC right up the road from this. We know as the community said, we have 17, so how are we looking at what it means to develop a neighborhood for 55 and over? It is not just a transportation issue. As Ms. Eiselt said, where are these going to walk to? If they are not going to be driving, that means they have to get around somewhere or are we just depending on business models for how our senior-family homes run their buildings. I don't think that is the way we can go. We have to look at how we develop neighborhoods, and there is no guidance to do that. There is no set of rules for development, and again I'm just looking at that public/private road, and we are still working off of an old HOA policy that doesn't really work for us anymore in general and specifically doesn't work for building a senior housing facility neighborhood the way we need to look at it. I think we need to push this conversation forward, because we are not looking at it from a neighborhood perspective. We are looking at it from a deal perspective, and we have to get away from that.

Ms. Eiselt said I just want to clarify; I'm not opposed to what you are saying that we've got to have density. I agree with that, and I agree with rethinking the whole concept of single-family housing lots, but there are other cities that are doing that along their transit lines. You are the expert. I'm not, but, my question is it a foregone conclusion that if you don't do it here it is going to push it further south into Mint Hill, or can we intentionally say that we are going to encourage that density east and west? We just announced the Silver Line, and that is a pretty major alignment; should we be doing something to increase that kind of density along our future transit routes and also in bus routes? Where can we put bus rapid transit, not Providence Road apparently? Where can we put dedicated-bus lanes? That is the conversation I just feel like we have to start having, knowing that we have to have density, but we need density also to justify the investment in these different forms of mobility that are going to be incredibly expensive, and we still don't know how to pay for them. That is the point that I want to make, but I still don't really understand.

Mr. Jaiyeoba said you make a good point and Mr. Winston did too but, for this type of development this is the type of corridor again I would say, because there are two bus stops right here, right in front of this development. I don't know what the frequencies are, but there are two bus stops here. If this development was on another corridor where there was no transit service, I would say maybe we have some point in terms of okay, maybe we need to have transit service provision, but when you this type of development, that is why I said let's step back from the demographic. Let's just say there are units that are leaving here; it cannot be a perfect neighborhood, but where you have a transit service provision already along a corridor maybe the frequency is not what we want, but in fact, it is another means of mobility for people who will live here.

No two corridors will be the same, and I'm going to say again that if this develops with what is permitted today, you will still have the same effect in terms of traffic on the road. I will say again that if this is a no, because we don't want transit, this development will still happen somewhere else, but that does not stop congestion on Providence Road, and that is something we need to keep thinking about, the further out we put density, it does not stop congestion from happening, because those same people will still come here to their destination whether they use Providence Road or they use I-485, or they use another means of getting there is a whole different story. I think for this one we do have existing service on Providence Road, and I think that may help to a degree. So, there is accessibility to public transit right on this corridor.

Mr. Driggs said I'm a little uneasy about the idea that a privately, financed, market-rate deal needs to be engineered by us. So, I think that we can ask ourselves whether we are willing to assign a lot of value to the fact that it is senior housing, in terms of how we make our decision, but we are not being asked to help fund this, and if there is no demand on the part of some people, some segment of the senior population for units like this then the developer will pay the price. I would rather not see us get too deep into the aspect of that other than to say to ourselves is this the kind of senior housing that we would like to encourage by being accommodating in our zoning decision.

I think the question about the congestion analysis is not one of do we say yes or no; it is a question of how do we manage density in relation to the infrastructure capacity we have so that we maintain some sort of a reasonable relationship there? It just feels to me like right now the density decisions we are making are not being informed anyway. It might be that if we did have a good analysis we would come back and say sure to this, but it is not clear to me that the kind of current congestion and the outlook for congestion are incorporated into the process to which we reach a conclusion about this and that is the thing I want to study a little further.

Mr. Pettine said we certainly will look at that a little bit further with C-DOT. I got a little bit of information passed down that the counts that we just did in 2018 show about the same volume of traffic on Providence Road as they did in 2008, so there really hasn't been that significant of an increase from 2008 to the study in 2018. Again, we will look at that with C-DOT, but that is the information from the counts that were done from 2008 to 2018. We can sit down and talk through that C-DOT at the table for sure to go over that in more detail.

Mr. Driggs said I did hear about that analysis; it is a little hard to reconcile with personal experience, but seriously, we've got a lot more to do, and I want us to be objective and rigorous about this, but I'm just saying a detect a lack of attention to the question of how the capacity of the roads is being incorporated into our decisions about density.

Mayor Lyles said I have to say it is always going to be tough because what we are getting in density to me, this site for example, doesn't connect to anything but part of that is what we've done, and part of that is the decisions. I used to live in this area and we would have that one place where there was supposed to be a road, and it became a path and then the trees and gardens were planted and therefore no more do you walk past that. It is just one of those situations that for a long time in these communities; we've let it become a non-walkable community. We've put up things to block the ability to bike around, and Providence Road is not going to be a place where you feel comfortable doing that now. All of us have driven this road and the other thing that I think is really tough is that if we build projects like this and we are talking about a grid system and trying to connect. It seems to me when we build these types of projects we aren't ever going to look at any connection. So, you can't the trail somewhere in the back or you can't put a walkway towards something that would be – didn't the Aldersgate item get approved at the JCC. If you were going to do something like this guy, this is where we need the trails the walkways, the sidewalks more than we need the actual design, or the developer comes in. It is just a really tough thing and most of the neighborhoods out here and no offence, but this 55 being a senior, I think we are letting too many in the group.

Ms. Mayfield said there is another piece of this; so, the comment that my colleague just made, at the end of the day Council is making the decisions on these proposals. Lake Arbor was brand-new once, so it is not the fact that if it doesn't work then it is on the developer. No, it is on future Councils; it is on the community, because when these complexes that we approve, when these developments that we approve don't work out the market lets it change hands and it changes hands to a sub-prime to a different company; however, it looks but the community is then looking at government to come in and invest millions to either reinvest in the area, purchase out the area or some combination there within. We have the ability and we have the responsibility to ask the questions that we need to ask now so that when future Councils do pull up the minutes and try to look and see what were the commitments that were made, they will know that if something wasn't done- You think about it, when we first came on Ed, we had a project

where a developer started the project and unfortunately we had our financial decline, they didn't finish the project but they had commitments in there that never were completed. A new investor comes in, they start building out and they don't adhere to the commitments that were made by the first owner. So, it is our responsibility to ask these questions and figure out and not just say the market is going to pick it up, because we are the ones who have to shore up the market when the market gets it wrong, and the market gets it wrong daily. I think we need to change that idea of well if they were able to get a loan for it then it is a good idea.

The questions that we are asking I think are valid when we have a one way in and one way out. If there were to be an emergency how would people get in and out, how does first responders get in and residents get out at the same time? If we have multiple projects that already in the area, if we are going to say well senior housing gets an extra level of relaxation, then what are we still deeming as senior, and are we using the right criteria? That is like almost saying that seniors aren't active. Seniors are very active; take Ed, you are still out riding your bicycle. You are in a band. You do a lot; so, it is not like you are sitting off somewhere in a rocking chair watching the birds fly by. You are very active; you are considered a senior, so we've got to change this conversation, but I love you.

Mr. Driggs said if we try to second guess every investment decision that a private investor makes with this overlay of city interest the whole functioning of the marketing economy is undermined. We need to respect all of the successes of a market economy and not devote ourselves to anticipating its failures.

Motion was made by Councilmember Egleston, seconded by Councilmember Ajmera, and carried unanimously to close the public hearing.

ITEM NO. 5: CLOSED SESSION

Motion was made by Councilmember Mitchell, seconded by Councilmember May, and carried unanimously to go into closed session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location of industries or businesses in the City of Charlotte including potential economic development incentives that may be offered in

The meeting was recessed at 9:30 p.m. for a closed session.

ADJOURNMENT

The meeting adjourned at 10:19 p.m. at the conclusion of the closed session.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 5 hours, 13 Minutes
Minutes Completed: September 6, 2019