

The City Council of the City of Charlotte, North Carolina convened for an Action Review on Monday, November 08, 2021 at 5:03 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Julie Eiselt presiding. Councilmembers present were Dimple Ajmera, Ed Driggs, Larken Egleston, Malcolm Graham, Greg Phipps, Victoria Watlington, and Braxton Winston II.

**ABSENT:** Mayor Vi Lyles

**ABSENT UNTIL NOTED:** Councilmembers Tariq Bokhari, Renee Johnson, and Matt Newton.

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## **ACTION REVIEW**

**Mayor Pro Tem Eiselt** welcomed everyone to the November 08, 2021 Business Meeting and said this meeting is being held as a virtual meeting in accordance with all of the laws that we have to follow, especially around an electronic meeting. The requirements also include notices and access that are being met electronically as well. You can view this on our Government Channel, the City's Facebook Page, or the City's YouTube Page.

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## **ITEM NO. 2: ACTION REVIEW AGENDA OVERVIEW**

**Mayor Pro Tem Eiselt** said I'm asking the City Manager to give us a presentation and introduce the agenda for tonight.

**Marcus Jones, City Manager** said thank you, Mayor Pro Tem. So, what we have on the agenda tonight are three items, a Centene Project update, the proposed 2022 State and Federal Legislative Agendas, and as we have been doing periodically a Charlotte Future 2040 Policy Map update. We actually have Marie Harris, that's in the room. Now, Mayor Pro Tem, to have any questions that are related to the consent items. I know that there have been a few questions that you had earlier today. I believe those are in front of the Councilmembers. So, Mayor Pro Tem if it's fine to turn it over to Marie?

Mayor Pro Tem Eiselt said yes, thank you Mr. Manager.

**Marie Harris, Strategy and Budget** said thank you, and again as he said there's several questions in front of you that have been asked for this evening. I know there's a few notes that you will call for if you want anything pulled on a separate vote, but there's a few that Councilmember Winston would like as a separate vote. Mr. Winston if that's still correct. If you have any additional questions beyond these.

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

**Councilmember Winston** said I have one question or comment about item number 46. It was ironic to see this. I actually spent some time this weekend with some community members that work in tree removal, but also in the fine arts. They turn their products, those trees that have fallen or even trees that we fail into products like furniture, art, and other things. So, in the same kind of fashion and this is something they were asking about actually, in the same kind of intersection of the priorities of this Council and this City around circular economy around arts, investment around workforce development, I'm wondering if there is any way we can work with these arborous and perhaps in the future work with the staff to see if there is an opportunity here to do more with these resources that we have in the nature in like for instance, North Carolina is very well known for furniture manufacturing. I'm sure that has to do with our canopy. A lot of that has left, right, this region over time. Is there a way that we can foster in the same kind of modicum of this region? Something else utilizing these resources. In this case, these natural

resources that we have, that we have to deal with. Is there just something better that we can do?

**Marcus Jones, City Manager** said Mayor Pro Tem, to Councilmember Winston's question I totally agree. The partnership or relationship the City has with Envision Charlotte and what's happening over at the Innovation Barn, I believe there is opportunities, not only for this but in terms of cycling, keeping things out of the waste stream as a part of the initiative. So, if the ask is are there some opportunities for a partnership, yes.

**Councilmember Johnson arrived at 5:08 p.m.**

Mr. Winston said some things about art investment. Things like that.

Mr. Jones said yes, I'll talk with Amy over at Envision Charlotte, as well as have a conversation with Pria to see if there's some additional opportunities we can do in those areas.

Mr. Winston said I'd love to be abreast of that and some of the community members like I said that I was in contact with this weekend I think could bring some particular insights into it. So, it was very ironic to see that, so.

Mr. Jones said that is great.

Mayor Pro Tem Eiselt said okay, I should have mentioned that on the Consent Agenda items the staff has pulled items number 59, and 68, which will be deferred to a future agenda. Do we have any other items in the Consent Agenda that people want to make a comment on or pull for a separate vote?

Mr. Winston said just the ones that are already noted.

**Marie Harris, Strategy and Budget** said that would be 41 and 40.

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**ITEM NO. 3: CENTENE PROJECT UPDATE**

**Marcus Jones, City Manager** said that what we will start off with is we have Tracy Dodson, who will provide you with an update for where we are with Centene and a CIP (Capital Investment Plan) request that will come to you I believe later this month.

**Tracy Dodson, Assistant City Manager** said so hopefully with this one you will see that this is a kind of good news story as we bring it. It is another Council Action item later this month as the Manager said. It really is intended to be something that highlights how we build partnerships. Part of the success, I think, when we do business recruitment now for the City to run these projects we build out partnerships that are sustaining and allow us to achieve additional community objectives and this is an example of kind of that ongoing partnership with Centene. Before I get to this new partnership let me remind you where we started.

We announced in July of 2020 the east coast headquarter that was 3200 jobs with an average [inaudible] over \$100,000 and over \$1 billion of capital investment. There are some things that just made Centene special on top of the number of jobs. They have onsite daycare, they have a Centene University that their planning as a part of this campus. So, we felt like that was a really good partner that we wanted in our community. But they also understood things like mobility, which we'll get to. The campus is scheduled to open in the third quarter of next year. A lot of work has gone on. I just want to show you. This is kind of a couple of slides of how the construction has been going. I have to give a shout-out to the City and the County, Nan Peterson, the Land Development Team has done an incredible job in this partnership. The first time we met with the Centene CEO, his priority and the thing he needed from us was to stay on the construction

schedule. As you can imagine having a \$1 billion campus plan not meeting those deadlines in constructions just means we're delaying when we can have those jobs in place. So, I want to just further expand on how this partnership has been so successful. So, this is something that I stole from Centene. They had used it with their board and on the left, you have a picture from Saint Louise that is a project that started about the same time. On the right, you will see Charlotte. So, this is September of 2020. Here's the same project in March of 2021. Again, Saint Louise is on the left. Charlotte is on the right. Not a single construction schedule deadline has been missed so far. So, I think it says a lot on a project like this. Then here we are in September of this year. You can see Saint Louise. They're barely getting out of the ground and half of the main campus that Centene proposed is up.

So, again it's really a shout-out to the partnership, the City and County can do in working with these companies in what their priorities are. So, because construction is underway and we have been able to have so much progress on that, we have turned the conversation to mobility. We took a little bit of a different approach and I'm going to explain all of this that's up here. But C-DOT (Charlotte Department of Transportation) and NC-DOT (North Carolina Department of Transportation) were great partners with us in working through this. When you're building out campus of this size a typical traffic analysis could lead to a lot of minor turn lanes here, signals here, and that kind of thing. We really work closely. I want to give a shout-out to Liz and Ed in C-DOT because they were great partners with us through this. But we really said, okay what do we need to do for the campus itself. Then what are potentially regional improvements that we can partner with Centene to make? Obviously, they're going to be mobilized out on-site for quite some time. So, how do we work together and getting some of those regional improvements that don't just benefit the Centene campus, but benefit the traffic in the larger area? We landed on two. The Claude Freeman intersection and then the interchange with Mallard Creek and I-85. Right now, those two projects together are about \$13.5 million. So, what we are going to propose tonight is that we partner with them and we through CIP reimbursement, reimburse them up to half of the cost of these intersections because again it wasn't something that we said in working with C-DOT and NC-DOT that we were going to put on Centene by themselves. It's important to note that they probably have at least another \$30 million of off-site improvements happening in the area. So, it's not just these two, but a whole other array. But again, this was trying to take the partnership to a new level and say, what can we do together that will improve mobility out there altogether.

So, these are important because then you'll see on the screen is you have the intersections I just mentioned are circled in yellow. This we turn then to NC-DOT and C-DOT to make sure that the new bridge is what you see in green there can stay on track. This is a bridge that has been in the works for quite a long time. Why it's important is because it makes a very easy connection between the Blue Line Station that's right on the outside of UNCC (University of North Carolina Charlotte), between UNCC and Atrium, and the Research Park. The Research Park and the west side of I-85 in that small, condensed area employ more people than Ballantyne. So, just think about it we're so close in terms of that connection to transit, but sometimes if you think about the congestion on Harris or the congestion on Mallard Creek we could be so far away in connecting those jobs with the transit. So, again working in partnership getting those two-intersection done. Then making sure that the bridge over I-85 can stay on track. I will say that the interchange at I-85 and Mallard Creek was a newly identified, goes back to a couple of years ago project with NC-DOT, but again it was at the bottom of the list. It was going to be a very long time before it could be done. That leads us to then be able to focus on mobility and think about once the bridge is in and the timing of the bridge. The initial target on that bridge was late 2024. It's probably in 2025 now, but they have been working through that again, push it to align with the Centene campus as much as possible, but allows us to think about how could we creatively look at Last Mile connections. So, we've looked at the connection to the greenway and the greenway into the Research Park. Then also can we get creative with something like autonomous vehicles in this Last Mile or different modes of transportation. So, what Centene and this all came from Centene, started to again think about how can we partner and how can we be the pilot for what a mobility hub might look like in the Research campus? Then how do we go and talk to the other partners who are in the Research Park? UTIA Craft, Wells Fargo, all of

these other partners if we have a model and they develop a model for that. So, that is really where we are trying to build this partnership. But we've got to start again with these intersection improvements that I mentioned tonight.

So, what we would like to do is in November before Thanksgiving come back to you for an agreement to reimburse up to 50% of the construction cost up to \$6.6 million of CIP funding for the two intersections that I gave you. Why it's critical now? Again, they're out there. There on-site. They are mobilized. They can get this work done and completed before they open their first phase in August of 22. This also keeps pressure on moving that northbridge forward. Which I have explained is a critical mobility connection, not just for Centene but all the employers in the Research Park in connecting to Light Rail. This also allows us to continue down the road of the mobility plan that I mentioned with those mobility hubs. So, with that, I went really fast. I apologize but I know you all have a lot to cover.

**Mayor Pro Tem Eiselt** said with the reimbursement for 50% of the construction cost you said it's critical to get going now, but that's not for the bridge at all, it's for those two intersections correct?

Ms. Dodson said it's for the two intersections, yes.

Mayor Pro Tem Eiselt said and with the state of DOT right now how is that matched up that we need that right away when it's so far down the line/

Ms. Dodson said so that's exactly what it was. I think this goes back to my time on the DOT board, actually when I was working on this interchange because we were seeing problems that were rising from increase development up in this area for that interchange, but it wasn't a project on NC-Dot's kind of project list. What we hadn't said were these really little incremental fixes of the interchange and so what we said when this came forward, thinking years after I came off the board it did actually become a project. Again, that was a relatively new project in the scheme of NC-DOT. So, what we said with Centene was hey, is there a way to partner on this to get the improvements done sooner rather than later cause there is already a need out there now with that interchange sooner rather than later. The next phone call was then to NC-DOT to say please tell us you keeping the funding for the I-85 bridge on track, right because all of these things together really solve some issues that we could have out there and create new opportunities for mobility.

**Councilmember Winston** said the possibility of moving that bridge forward across I-85 was one of the many reasons why the Centene made sense. So, can you explain to me like a 5<sup>th</sup> grader why does moving forward on these two intersections keep the northbridge moving forward?

Ms. Dodson said It was the conversation that we had with NC-DOT to say, look we recognize we're suggesting that we make improvements to an interchange that is an issue out here today that's low on your project list, right. So, we see that opportunity. In turn, please tell us that you're not going to delay funding on the bridge that then would delay the bridge. So, that was the kind of conversation that we started to have.

Mr. Winston said so we are stepping in on some intersections that we would otherwise need to wait on the State to fix and because of that it's basically a coalition building, we can all kind of move forward on all things? That makes sense. So, another reason why the Centene deal made sense was because of the potential of this mobility hub, right. One I'd like to see a protected bike lane in that rendering and not just an open one. Two, I understand that we are not necessarily moving on this before Thanksgiving, the bridge portion. Can we make commitments that this will be a kind of mobility, not just hub but this stretch of road will be able to utilize autonomous vehicles, will be connected, will be designed with that in mind? Can we tie that future desire to the construction of this bridge?

Ms. Dodson said I will check with General Services and C-DOT. I think the design of the bridge we have been talking about how do we protect this, how do we make this work,

because I know we spend a lot of time, for example, the greenway tunnel under I-85 exist right now today that connects the east side of I-85 and the west side to the Research Park. That exists today. So, we looked at all kinds of modes. What could we utilize today? The problem we have is that tunnel is not so big. So, that led us to let's make sure we don't have the same problem on the bridge.

Mr. Winston said what I'm saying is how do we make our aspirations? How do we say commit to those aspirations and not just say that this is a possibility if we move forward? How do we commit to saying this is what we are going to do? It doesn't have to be answered right here.

**Councilmember Ajmera** said for two intersections that are included in phase one, are those on state-maintained roads?

Ms. Dodson said Mallard Creek Church is a state-maintained road.

Ms. Ajmera said if it wasn't for this project would it have been the state's responsibility?

Ms. Dodson said what you are going to end up with, again so I will stick with the interchange for a second. Is that you were going to have incremental improvements that were dived out to various developers as development occurred. The state had identified the interchange as a project, but it was most likely far off because it only in the past couple of years has been identified as a project. So, we were going to get on this interchange incremental improvement, a turn lane here, a turn lane there, not a real fix to the interchange. So, that was what we wanted to do with this is come back and say, okay if we have a chance to get it right and we have a partner to get it right, and the partner is going to carry half of the cost for us, then should we do this? Then the give to NC-DOT like I said, was to say if we fix this interchange and we find a good solution to this interchange you then keep your commitments to the bridge. Which is very beneficial to us in that connection to the Light Rail.

Ms. Ajmera said to follow up on that Tracy, are we taking on the cost for half of this? I know the half is being paid by Centene, but the other half is coming from the CIP?

Ms. Dodson said yes.

Ms. Ajmera said otherwise it would have come from the state. Is that correct? Is that what I am hearing?

Ms. Dodson said eventually.

Ms. Ajmera said yes, which I know the DOT has its own funding issues and so on, but I mean it's good to see that's it's been expedited as a result. Still, I guess at the end of the day we are picking up half of the cost. So, going back to \$6.6 million in CIP funding, is that coming from the private and public bucket? So, it's not affecting any of our other CIP projects that are underway?

Ms. Dodson said correct.

**Councilmember Phipps** said is there a movement afoot to try to identify any shovel-ready projects that might benefit from the passage of the infrastructure deal? If this project could be one of them that could be considered shovel ready for the potential use of such funds?

Ms. Dodson said we are working, and I don't want to steal Dana thunder when we talked about the legislative agenda, but we're working to identify projects. I think the timeline that this one is on maybe not. It's worth looking into to just confirm, but I would say that this ones is probably ahead of the game. Centene is taking on the cost of doing some significant design work to make sure that we can make everything work for the City and the State in terms of the improvements we do. It is worth asking. Also, to your question, we have been working. Dana and I had a conversation just as recent as today about how

do we create teams to look at all of these different opportunities with the by partisan [inaudible].

**Councilmember Johnson** said thank you for the presentation and the update. Centene is a wonderful partner in District 4. I just wanted to know because we've talked about the Last Mile solution for a long time with some of the current employers and on the University City Partners Board. Are we engaging with the other large employers, such as Wells Fargo and TIAA? Is there a committee or how are you coordinating the project with the current?

Ms. Dodson said I would say that's some of the next steps. Some of this work we were trying to get to happen in order. I had talked to University City Partners about can they help in pulling those partners. A lot of them are already on the board, right. Centene wants to stand up and talk about the commitment that they want to make in these mobility hubs, but we have to kind of get some of these other little pieces organized that [inaudible] to get them organized first. But that's kind of coming up. There's a lot of work I would say to be done before the bridge delivers in building those partnerships, and that's really the next step.

**Councilmember Driggs** said good evening. Do we know what bond cycle the CIP would occur in?

Ms. Dodson said I've looked at it in two from 2022 and 2024. With a lot of these projects, I'd like to spread them out.

Mr. Driggs said we saw kind of a projection of capital expenditures I guess in our retreat. So, where did these amounts appear in there? Are they already incorporated in that?

Mr. Jones said Councilmember Driggs, I think we had a brief conversation about this maybe a couple of weeks ago. So, what we have as Councilmember Ajmera alluded to, have the capacity in the 2022 bond cycle of \$11 million and capacity in the 2024 bond cycle of \$26 million for these types of projects. Tracy, one of the things that happen when she first came on board she said we are not as nibble as we could be in terms of having capacity when these types of deals come along. So, that's what we have over the next two bond cycles.

Mr. Driggs said so these are residuals, they come from the residuals that were left in the projection that we saw?

Mr. Jones said yes.

Mr. Driggs said I think I heard and I share a little bit of a concern about us stepping up and paying for something that is an NC-DOT liability. That's for two reasons. For one, it sets a precedent I think. I worry that they will then kind of draw a conclusion from that. The other thing is that it sends a message. The message is that Charlotte can afford to pay itself. The state is grappling with needs all around this state where there isn't a local alternative. So, are we inviting an attitude on the part of NC-DOT that our projects can be deferred because if it gets really critical we'll just pay for it ourselves?

Ms. Dodson said what I would say is I don't think we'd be having this conversation if it wasn't for wanting to ensure that the bridge and NC-DOT's commitment especially in this time where their so fiscally constrained that if the bridge wasn't a part of the conversation I don't know that we would be having the same conversation. Again, this really started with, and the work that we did with C-DOT and NC-DOT is looking at all of the roads around the Research Park are state roads. All of those roads are very congested. We want to continue to recruit businesses or have the opportunities like Centene. We wanted to step back and say we've got a partner in Centene. What is something that we can do together that has a bigger regional impact? Councilmember Driggs, I understand the concern, but I think that if we weren't trying to solve multiple things and were concerned that the bridge wouldn't stay on schedule, I think we wouldn't be having that. But I think if we said we could start to solve interchange, the Harris interchange is something we

cannot solve. The congestion at that interchange is something we can't solve, but we felt like with a partnership here we could solve that, keep the bridge on schedule and on track and funded, and then let the state work on some of the other projects that are around there as well.

Mr. Driggs said we are paying a high price just to induce NC-DOT not to change this schedule for the bridge, isn't that right?

Ms. Dodson said to keep the bridge funded also.

Mr. Driggs said but I mean it is actually in the pipeline for funding. We're saying if you don't remove that funding we will pay for this other thing. The other question is did we look at a TIG (Tax Increment Grants) or did we look at a small-scale version of the I-77 type of solution? The idea that we are just writing a check for this strikes me as being expensive if there isn't another way. Is there really no other way?

Ms. Dodson said so we did not look at the TIG, only because of their business investment grant and also I need the county to participate in the TIG component of it as well. So, the business investment grant and the TIG are the same mechanisms really when you get down to it where it's a tax rebate from new property taxes that are created. I can't remember right off hand if the BIG (Business investment grant) was at 90%.

Mr. Driggs said so they don't have tax capacity for us to try to apply to a TIG?

Ms. Dodson said to look at it from a [inaudible].

Mr. Driggs said okay this is just a briefing tonight. I guess we can talk some more. I'm really nervous about the precedent. I know what the attitude is in Raleigh, you know. Charlotte is rich and it's the same thing when it comes to schools and other areas where there is a shortage of funding. The courts, you know there is always this idea well Charlotte can just step up. They have the money and the truth is we don't. I mean we have a lot of needs that we're trying to meet here. That's my comment for the moment. We can talk about it some more. Thank you.

**Councilmember Winston** said I think Ms. Ajmera and Mr. Driggs bring up an excellent point. I think something that we should consider dealing with. I think these are some of the concerns when we kind of focus on some of the concerns around the 2040 Plan and 10-minute neighborhoods in different parts of town when we talk about this Vision Zero when we talk about reimagining roads. Thank you Ms. Ajmera again for asking the right question in the retreat last week to get this information from the staff. If we are going to do some of the things that we are talking about we have to consider the points that Mr. Driggs and Ms. Ajmera are coming up with. Is this something that we do one-off or is this something that we create a policy for? Do we try to work out some type of MOU (memorandum of understanding) with the Department of Transportation that allows us to deal with the growth of our city, but doesn't give us an undue burden from other parts of the state? I think this is a serious issue that we have to deal with and we should find a way to deal with it in committee and write policy around it. I hope we can find a way to push that forward.

**Councilmember Newton arrived at 5:36 p.m.**

Mr. Jones said Mr. Winston, to your point and maybe it's good to have Liz Babson at some point come to the committee or the Council because there are a number of projects that, if you want to use the term value engineering or things of that nature, that we are dealing with and there are some standards that we have committed to in our community that are not being reflective, if I have this right, Tracy in some of the things that we are seeing. So, I totally agree with you.

Mr. Winston said yes, the conclusion I don't want to just leave this as we should do this. How can we because you have three Councilmembers that have concerns about this, how do we move this policy conversation forward from this point?

**Councilmember Egleston** said I appreciate the point and I don't disagree with the point. I guess I wonder what's the alternative if we don't do this. Do we just say, well our plan is off course? It's out of our control. It'll happen when it happens.

Ms. Dodson said I mean that could be an option. We just say like this is a state project. We wait, but I think you are just compounding the congestion and one of the things again I learn with my time on the NC-DOT's board, behind Texas, North Carolina has the most state-owned roads of any other state in the country. So, when we start to talk about things and work off interstates and things like that and the fact that if you look at the research park and actually until recently the Research Park roads were state roads. They are all state roads surrounding there. So, the congestion that's up there if we don't find ways, and I'm going to emphasize the partner, on some of these improvements, yeah you may have to sit and wait and that could potentially choke out other opportunities.

Mr. Egleston said it could be a discussion worthy of taking up at some point more broadly around the impacts, I mean that's a pretty staggering statistic that we are second in the nation and state roads to Texas and I'm sure that there are pros to that and there are certainly cons to that. So, that might be a worthwhile academic discussion for us to have in terms of what challenges does that pose to us and how can we react to them, but I don't for the reasons that were stated I think it could set a precedent at the same time I would hate for us to throw a wrench in a partnership and an agreement and all of this progress that's being made without really having any control over the timeline. So, I don't know if that helps solve anything, but it's a dilemma.

Mr. Phipps said you mentioned earlier about as development occurs and I'm familiar with development in an area and agreements that were struck with several developers to assist in a portion of the expense of some of these interchanges up there. Is that still a possibility that we would look to development in that area to assist with some of these intersection improvements to the extent that their development with impact Mallard Creek and those intersections up there?

Ms. Dodson said specific to the interchange what you had was you had a couple of different developments that had minor improvements to the interchange. The question was when were those going to happen and they were going to happen incrementally, right. It wasn't going to happen until one of those developments happen and wait for the next one, and then the next one, and then the next one. So, what we've tried to do is look at this partnership with potentially even reprioritizing some of the improvements of other developments. Taking it away from the interchange and more emphasizing some other improvements that other developments needed to happen away from the interchange. Still, like on Mallard Creek Church, so that it happens in a sequence that made more sense for the bigger picture up there. So, this is not letting anybody out of what they are committed to. It's more about reorganizing in a way that was more thoughtful in working with everybody at the tap. Also achieving kind of what we felt like was the big regional improvement that needed to happen for the area up there.

Mayor Pro Tem Eiselt at some point it would even be helpful to get someone to present to us DOT perspective because we always have to keep it in perspective here what we are really talking about. When we talk about our projects around here the Silver Line is \$13 billion, right. The whole DOT state budget is \$8 billion. We get really kind of wrapped up in what our needs are here and what we're working on and it didn't start in contrast to what the needs are throughout the state. You've got the I-77 project in Matthews right now that is in the works. That's like at the top of the list for DOT projects and there getting value engineered right now and they are livid. So, it's not even a matter of this project coming up the queue. It's even if it's gets done. If it gets done and if it gets done to the extent that it was planned. I think that's what we are really talking about here which it's a difficult conversation. So, it's almost like we have to prioritize the most important projects here. We did this when you're talking about Criminal Justice and what they do to our DEA's (Drug Enforcement Administration) office regularly. We did this years ago. We said we'll we're going to take care of this situation. Our Criminal Justice System here in Charlotte if the states not going to. At some point, you might have to have a conversation like that about transportation, but I think at the end of the day Mr. Manager, you might



have suggestions on how we can handle this because obviously, it needs a broader conversation.

Mr. Jones said yes, I would like to put out that we use our strategy sessions, the first Monday of the month for IMs like this and I'd love to put this on the December Strategy Session for a full-blown discussion.

Mayor Pro Tem Eiselt said is that good with everybody so we can go ahead and move on.

Ms. Johnson said I'd like to see it in the December Strategy Session because I'd also want to consider the number of state-owned roads in District 4. Like you said, we are second compared to Texas. Could we get a list of districts with the number of state-owned roads in the different districts?

Ms. Dodson said I will see if C-DOT could pull that.

Ms. Johnson said thank you because I run into this challenge when it comes to a liter and traffic and lighting. Yes, streetlights and everything in District 4. The grass mowing. So, it's certainly something that I would like to see a policy surrounding if there's a way and to me, this looks like a creative solution. I'd like to see more of it if we could have public-private partners to solve some of the issues that we have instead of less. Just because we've always done it a certain way there's an opportunity to address the issues. I think we should definitely take a look at that. You said that the Research Park area has more jobs than Ballantyne. So, there are certain specific issues that we need to take a look at and be creative, and solving traffic is a problem in the District 4 area. I would just love to see us utilize these partners that are coming to the table.

**Councilmember Bokhari arrived at 5:43 p.m.**

Mayor Pro Tem Eiselt said, and I think Mr. Winston was going to mention that there is a map upstairs of state-owned roads by district. Well, it's on the map.

Mr. Winston said yes, we have a big map on the wall that has all of the city-owned and state-owned.

Mayor Pro Tem Eiselt said [inaudible] of that. I believe the number is 2200 miles of state-owned roads in this state. Morehead is a state-owned road and we desperately need Morehead to be fixed. So, I guess it's even a question as to whether some of these roads should still be state-owned if there that critical to us. We need those improvements, but we will save that for the strategy session.

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**ITEM NO. 4: PROPOSED 2022 STATE AND FEDERAL LEGISLATIVE AGENDAS**

**Marcus Jones, City Manager** said we have Dana Fenton, who will come in and talk about the legislative strategy. I'm not sure if we are going straight to Dana or to our two co-chairs. Straight to Dana, okay.

**Dana Fenton, City Manager's Office** said I'm pleased to be here tonight. For the record, my name is Dana Fenton. I'm the City's Intergovernmental Relations Manager. I'm not only here tonight to present the proposed 2022 Federal State Legislative Agendas that are recommended to you by the Intergovernmental Relation Committee. I'm also here and I'm really happy because three nights ago the U.S. House of Representatives passed the Bipartisan Infrastructure Plan. It puts a lot of new funding into whether it's Transportation, Aviation, Digital Inclusion, Sustainability and Resiliency, drinking water, and other needs that we have in this country and in fact, in our city as well. So, if I seem a little uppie tonight you'll know my endorphins are jumping right now.

Your Intergovernmental Relations Committee led by Co-Chairs Bokhari and Winston have been very busy this Fall. The committee has met twice, September and October. In October they filled one of their major responsibilities by recommending the proposed legislative agenda before you tonight for the consideration of the Council. We are planning to come back in two weeks for the formal consideration by the City Council but let me state up front that if there are an additional issue that the council would like the committee to consider before the November 22<sup>nd</sup> date then that could be done next week, November 15<sup>th</sup> at the Intergovernmental Relations Committee Meeting.

Again, I think we talked last year. We've talked every year about legislative agendas of course, but of course, the legislative agenda's purpose is to communicate your legislative goals for the upcoming year to the Congress and to the North Carolina General Assembly. In 2022 both of those houses will be focusing on a limited selection of work. Mainly finishing up work that's leftover or remaining from 2021. We will also have to be considering some budget matters. At the state, the General Assembly has to be looking at implementing new state policies and appropriating funds that will be coming to the state from the Bipartisan Infrastructure Plan. Of course, the General Assembly, we know this very well, we will have to play defense. That's true in every session whenever the General Assembly gets together. So, the 2022 legislative agendas recommended by the committee to you really fit in with what we can be expecting next year.

The proposed Federal Legislative Agenda includes two items. The first one is infrastructure and community needs. This really represents a pivot. For the last four years, the City Council has been strongly advocating for new federal resources for infrastructure like Aviation, public transportation, rail, highway, digital inclusion, sustainability and resiliency, and so forth. Now they have come through with it. So, the transition next year the pivot will be to compete for that funding. There's going to be a lot of grand opportunities that will be available to local government around the country along with a lot of other groups like states and metropolitan planning organization. We also have built into the infrastructure and community needs to position some of the possible areas that we could access through a potential Build Back Better Act. The Second Prong Human Infrastructure Plan. As of right now, the house will be considering that in the next few weeks.

In the second position, Comprehensive Immigration Reform. This is essentially the same as the last three years. We thought earlier this year that they might be able to do something about immigration reform. There was an attempt to address that through the budget reconciliation package, but it was ruled out of order by the [inaudible].

Let's transition to the next slide, the State legislative Requests. The first item here is mobility. This is the same position as you have in the current year's agenda. I was listening to the discussion from the Centene presentation. I heard a lot about the state and the trouble they have with funding transportation. That is in here, not just revenues for the state but also regional and local projects. Then we have what I call the fraternal twin in the State Legislative Agenda for the infrastructure community needs. It's slightly different. It's really geared more towards the revenues or the resources the state will be able to receive from the federal government and then distribute to local governments and other groups around the state.

The next step again, the Intergovernmental Relations Committee meets next week and they can consider any additional issues you have that you'd like to have considered for inclusion in the agendas. We can make those recommendations in time for November 22<sup>nd</sup>. Then following that going into the New Year, we are penciled in tentative briefings for congressional and state delegations. Again, you all have taken an opportunity there to be really strong advocates for the needs that we have. I just want to commend you for the last four years we have added in our legislative agenda something about infrastructure, all of the different modes. Not just Transit or Aviation for example. You all have been very very strong advocates for it and it's taking four years but it's come to fruition. So, with Mayor Pro Tem I would be glad to stand for any questions that the Council may have.

**Mayor Pro Tem Eiselt** said thank Mr. Fenton. We do have some questions. I'm going to start with our Intergovernmental Co-Chair, Mr. Bokhari.

**Councilmember Bokhari** said I think that the punch-line on today's presentation, and this goes back to what we discussed in committee, is there is the framework at a super high level. It's nothing shocker. It's been the same for a lot of years in that way. There is a call to action amongst us Councilmembers and parallel to a call to action amongst staff members. The staff will be bringing back as they normally do their specific items that rise up through departments that are specific. I think as we done this for a while we've gotten good at here's how we come to a conclusion at some high levels, here's how we sit in front of these Congressmen and women and folks in the delegation and say hey, this is what we care about at a macro level. Our next frontier is getting specific underneath those items and measuring what legislation we create or what outcomes we cause. So, I know that we've got a thousand things on all of our plates, but I highly on behalf of Braxton and myself, highly request that you particularly in your committees, where again that covers all of the scopes of everything that we have, look at those buckets and give us examples next week of specifics. Look at what buckets might be missing because all of that is going to be great and we are all going to get a great checked box after we're done and everyone is going to feel really happy but at that level, it's not a tone on detail that we measure our success. So, if everyone can kind of come up with their items within a good start of a framework that we are all familiar with we'll weigh the merits of all of those because if we can agree to it as a council and again this is the most powerful part of Intergovernmental Relations, if we can agree to an item with at least six votes or more then we get to formally advocate for it and I think that will make the difference at this next level. I don't know if you have anything to add.

**Councilmember Winston** said no, I completely agree with Mr. Bokhari. I think we've really worked hard over the last couple of years to expand this Legislative Agenda and really deal with some difficult topics. Look, if I can get in front of Dan Bishop and talk about comprehensive immigration reform and he can go and talk to [inaudible] Adams about the same thing and we do it from the Council's perspective as opposed to our individual perspective that is a very powerful thing. So, thank you all for the past work that we've done it. If you have anything to add, now is really the time so we can get to work on behalf of the City.

**Councilmember Graham** said if we can go back to the federal slide. I guess the first question is and I think you touched on it, so are these grants to the state which comes to the City, or is there an opportunity for the City to request specific funding, and what are you hearing in reference to the timeline of the funds actually coming here on the ground?

Mr. Fenton said great question, Mr. Graham. We have all sorts of funding that will be made available whether through competitive grants or direct allocations to both state and local governments. For the most part, the direct allocation would be made to the state. There are some grants, even the funding that would go to the states, where the state could then turn around and have a grant-making process to distribute that funding around the state. In other cases, they would allocate it probably based upon current formulas. Like for example in the highway programs. We have the STI programs that look at data to get that funding out and I'm sure they would probably follow a similar process for that. In terms of the big question about when these opportunities will be coming out, you may see a few of these come out in January and February, but we expect a lot more in March and later on in the year. In some cases, let me also make sure that all of you are aware that especially the funding that would go to the states for distribution, there's a lot of steps in that process because you have to go through another level of government to get the funding down to ultimately who would receive the funding. So, it would probably take longer than what you would see for the federal competitive grants that we can apply for.

Mr. Graham said Mr. Manager, do you have a cheat sheet because I am looking at the areas that I kind of play in the most which would be affordable housing, workforce development, community development, public safety? Is there a cheat sheet that you guys are establishing internally in terms of a wish list that your kind of putting in the

parking lot, ready for the grants, and those things to kind of make themselves available to us?

Marcus Jones, City Manager said so thank you, Councilmember Graham. So, I believe Dana has created the framework for all of the opportunities for funding by department, by area. So, what's occurring is that all of the department heads with Dana and the ACMs (Assistant City Manager) are coming together to see if there are some opportunities for collaboration. That's how we've been attacking it. I will tell you that I believe we could probably get a team that's full-time that, that is all they do and not necessarily City employees to make sure that we are not missing something.

Mr. Graham said because I am looking at the community development in particular and displacement is something that we're going to talk about a lot. I believe next year if there are any grant opportunities around that in particular I think that would be really, really helpful as we began to start that work, but certainly, this is something that I really, really want to make sure that we capitalize on certainly in reference to the transportation and transit. That's where I think we can really make the mark, but I don't want to lose any focus on those lower areas more in terms of priority. I guess transportation is what we really, really need resources for, for our highways and corridors, etcetera. So, thank you.

**Councilmember Driggs** said is this still subject to the Senate's approval?

Mr. Fenton said the bill passed the Senate in August and it was passed by the House on Friday night with no changes whatsoever.

Mr. Driggs said so it's adopted?

Mr. Fenton said it's on its way to the President for signature.

Mr. Driggs said right, I doubt that he'll veto it. So, I think we are in business. What would be the timeline for the disbursement of the funds? You were saying about March and so on so is it the intention that the commitments will be made of these monies in the course of the coming year?

Mr. Fenton said that's a really good question too. I elaborated on my answer to Mr. Graham. The competitive grant opportunities from the federal government we should be hearing about starting in the first quarter of 2022. The funding that goes as a direct allocation, I'm not sure when that would be distributed, but it's supposed to be for some time in fiscal year 22. That's what we have been told and we did make a projection as to when some of the grants from the Bipartisan Plan would be receiving notices of funding opportunities. A lot of ways are still highly speculative. I do believe that we'll be seeing some come out in the first quarter at 2022.

Mr. Driggs said right because to the agendas here, a couple of people have commented already, this is an incredibly broad brush, right. We go in and we say we would like money for all of these uses and they're going to say sure, wouldn't everybody. So, I think if we can think about what we are going to be applying for. I know the Mayor has tried to do some groundwork to position us to be beneficiaries of this, but just on the back of the envelope, I guess you would expect about \$30 billion of this on a prorate' basis to come to North Carolina and an immediate tenth of that to Charlotte roughly.

Mr. Fenton said that's a really speculative question to answer, I'm afraid, so. But also, I would love it if we got a prorated share of course, but seriously yes, I really can't answer that question truthfully.

Mr. Driggs said yes, I'm just trying to think about how much we could hope for in terms of getting ambitions that we have addressed. It's about a trillion and one. So, is that right?

Mr. Fenton said yes, the Bipartisan Plan is \$1.2 trillion and if I could clarify for Council that this position, just like the state position includes not just opportunities that are in the Bipartisan Plan, but that are also in the projected Build Back Better Act. That is the second

prong plan that is the subject of negotiations right now in the house. There will be negotiations with the Senate on that.

Mr. Driggs said I certainly think if we had some shiny project that we could dazzle our legislators with when we go and talk to them to your point, in the jostling for position to get this money we will be in a better location.

Mr. Fenton said that's true. That's true and I would just say that our delegation, especially our congressional delegation, they are on top of these things whenever we compete for grants or if we want to enter into for example, when we did the capital investment grants process for both Blue Lines and for the Gold Line, that they were very, very responsive and they were of help every step of the way. So, I look forward to that. If I could also say Mr. Driggs, let me just clarify for Council too is that the last four items in this position, affordable housing, workforce development, community development, and public safety are areas that we've identified tentatively in the Build Back Better Act. So, we could very well have some more to add in there, but as of right now that is all we see in there. The other are all of the Bipartisan Plan, but I would be glad to get a fuller accounting of that to the Council in my next weekly update.

Mr. Driggs said yes, I just think time is of the essence. So, the sooner we could get in there with a specific request and start making an application, the better. Thank you.

**Councilmember Ajmera** said to follow up on Mr. Driggs's question, in terms of how the funding will be distributed that's not something you can answer, but it's a [inaudible] methodology that I think we can all agree to advocate for to prioritize some of the projects that we have in the pipeline. I think that's the methodology that I would like Mr. Jones to tell us. What methodology that we as a council can advocate for projects that we have in the pipeline that are high priority, right. Ms. Babson did a great job getting the entire list out to us, right that includes all of our sidewalks, streets lights, and so many of them are in reading which means they are not funded. The majority of them are in District 2, 3, 4, and District 7, and some in district 5. So, we've got to figure out a way to address those issues that are absolutely critical right now, because we are looking at fatality crashes and so on and some of this is contributing to that. So, I would like to see what methodology we can use to get our fair share of the infrastructure funding. For that, I'm waiting for guidance from Mr. Jones on that.

Second on the immigration reform, in the past couple of months, I have received a lot of emails from [inaudible] and their spouses because of the delays in the processing time because of COVID (mild to severe respiratory infection caused by the coronavirus). A lot of those H1B Visa holders have been struggling and it has been very frustrating where their visa is about to expire, however, the processing is a delay in that there have not been any solutions. I know the immigration reform is still underway. Is there some sort of solution for these folks who majority are employed in Research Park or the Ballantyne area, right? An important part of our economy. How do we really address the issue that we have here in terms of the visa that's currently on hold? Also, for their spouses.

Mr. Fenton said well the streamlining and the issue with the spouses working is part of your current federal legislative agenda and are in the position tonight for your consideration. I would say that I would have to answer your question by saying, I would like to go back and take a look at what I've seen of the Build Back Better Act. There may be something in there related to H1B Visas. I know there was something about some unused visas and I would need to check with that and also with Federico Rios on that. If I could have some time to do that in the next couple of days I think that would be helpful for me.

Ms. Ajmera said yes, that would be very helpful because I have received multiple requests on that, and it's been very frustrating. For the state legislative agenda, could you go back to that Slide?

Mr. Fenton said the state slide?

Mr. Fenton said yes.

Ms. Ajmera said I see the infrastructure funding is already part of it and I think some of that would include the discussion we had earlier on the transportation and so. So, I will save my comments on that for our December Strategy Session. Thank you.

**Councilmember Phipps** said I have a simple question. Do we foresee a personal on-site visit to DC to deliver our federal agenda?

Mr. Fenton said I hope it's personal this coming year because having to do zoom meetings, I'm sure all of you are tired of those. It would be great to talk with our delegation in person, but also we have to be mindful too for what the rules are for access to the federal building. The U.S. Congress makes its own rule. The federal government has its own rules too. Right now, those buildings are closed to the general public and if you meet with them you have to meet with them virtually.

Mr. Bokhari said we'll follow the league of municipalities and stuff like that. Likely, if that is allowed and we are allowed to do it, and if not then we won't.

Mr. Driggs said I'm just wondering we worked on our mobility plan on the assumption that the federal government would cover 60% of the cost of the, I don't know if it's the TMN (Transformational Mobility Network) or the Strategic Mobility Plan at this point, but a large amount. So, how does this relate to that? Would we [inaudible] these funds as incremental to the sources that we thought that we can rely on for that funding or is this likely to end up being part of that funding?

Mr. Fenton said the funding for capital investment grants is part of the Bipartisan Infrastructure Plan. They provided a lot more funding in the next five years than they have in the previous five years. A substantial increase for public transportation. But they didn't make any changes to the formulas. So, we would be still at the same formulas that we've been talking about for the last several months. Is there anything more I can answer for you? I would be glad to. I might need to get some assistance from Mr. [inaudible].

Mr. Driggs said [inaudible] mean we have more reason to be confident about being able to achieve our plan or does it represent sources that might be available for other uses in addition?

Mr. Fenton said yes, it certainly is a shot in the arm that there would be additional federal resources if we are able to secure a local revenue source that should help us in security because with the grants you still have to put some local dollars into it to get a project going.

Mr. Driggs said yes, I'm not assuming that we get around that. I'm just looking at the piece that we'd thought we'd get from the feds and wondering if this money is from old sources or if the money that we thought we were going to is from old sources and we still expect to get that and therefore any distributions under the new bill would be available for other uses.

Mr. Fenton said under capital investment grants it has to be used for those types of projects. Again, I'll just reiterate that again there is substantially more funding. I think it's at least \$8 billion more out of a base of \$15 billion for capital investment grants in the next five years.

Mr. Driggs said okay, thank you.

**Mayor Pro Tem Eiselt** said I just have a quick question. Maybe it's rhetorical but, with the label shortages that we are seeing throughout the country, has there been any momentum at all behind accelerating immigration reform or this backlog of visas knowing that we've got so many jobs, blue-collar and white-collar jobs to fill?

Mr. Fenton said I know that issue has been raised in the committees, but as of right now because of the senate margins it's a 50/50 body. Fifty democrats, 50 republicans. It's really stuff to get legislation through without going to a filibuster or to prevent a filibuster from occurring. So, I think it's going to be one of those issues. It's going to be a tough one that's still going to have to be addressed at some point. Right now, I couldn't really tell you just how it's looking.

Mayor Pro Tem Eiselt said I think even that was my first thought on the infrastructure bill is with all of these areas, workforce development, housing, transportation, that's going to take people to refill those jobs to get these things done.

Mr. Fenton said a little bit of a spoiler alert on the Build Back Better Act; there's about \$20 billion in there for workforce development activities. Hey, that's going to go through the State of North Carolina. They are taking a look at also the needs, like in surface transportation. What are you going to be needing to get these projects built and maintained by people here?

Mayor Pro Tem said there is people out there that want jobs and they can't get jobs because we won't give them visas and it just seems to be sort of a solution out there waiting to be adopted.

Mr. Fenton said that is true. What you just said just triggered my memory ma'am. Let me just make sure you all know that the funding through the Bipartisan Plan will be made available over a five-year period. You can compete for grant opportunities for FY22,23 and so forth through 26. It's not like the stimulus plan from 2009, where they wanted to get that money out of the door right away. So, I think that we do have some time to consider those types of issues

**Councilmember Johnson** said this is to piggyback off of your question Mayor Pro Tem. Speaking of people that want to work and aren't able to. I know there is some talk about criminal justice reform at a federal level. Is there any talk about banning the box on a federal level or some type of reform where individuals are able to obtain employment without the barrier of the criminal record?

Mr. Fenton said on that specific issue I couldn't really tell you. I know that a lot of states are proceeding on that course, but I will be glad to check that out for you.

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## **ITEM NO. 5: CHARLOTTE FUTURE 2040 - POLICY MAP UPDATE**

**Marcus Jones, City Manager** said you'll also see on my 30-day memo on the dais that there is another discussion that we'll have related to the policy map update at the December Strategy Meeting. So, I think it's important what Taiwo is going to focus on today as an update, but also some of the issues that arose during the community engagement. It's kind of this concept of what we heard. So, I think in the next 15 minutes an update for Council to be also a primer for the first Strategy Session in December.

**Taiwo Jaiyeoba, Assistant City Manager/Planning Director** said thank you very much, Manager Jones. Good evening everyone. So, I am joined by my colleague Alysia Osborne, who will present some of the substance of tonight. The first couple of slides you've seen before so I will not necessarily repeat them, but this slide is very important from the point of view of we've been looking at the Comprehensive Plan 2040, which was adopted back in June. So, what the policy map is doing is really focusing on the place-based policies in that Comprehensive Plan and map them in different geographies throughout our city. Then you also see the two documents. The Unified Development Ordinance and the Strategic Mobility Plan, which the colleague within C-DOT, are working on a partnership with us. These are all initiatives that really bring to life the Comprehensive Plan adopted back in June.

Next slide. This kind of shares with you the timeline where we are today in regard to the Policy Map. Remember that we broke the engagement into three phases. The first phase was concluded on October 1<sup>st</sup>. Then we received multiple responses from different parts of the community. The second phase is coming to an end this week and we will talk to you about that. Then the third phase will be when we release the second draft. The third phase will actually take us towards the end of December. Then the second draft of the Policy Map will be released in January. So, I will pitch this to Alysia to kind of go through the next few slides. Then we will be here to take questions. But Manager Jones said we are not really going to dig into details. We will have that opportunity when we come back to you in December. But what we did not want to do is to wait until the end of the second phase and not bring information back to you with regards to what we are hearing from the community and how we are responding to them. So, Alysia.

**Alysia Osborne, Comprehensive Plan Project** said thank you to Taiwo, Council, and Manager Jones for the opportunity to share. As Taiwo mentioned the development phase for the Policy Map is kind of broken down into three parts. So, the first phase and the engagement process mirrors that process for developing the Policy Map. So, the Policy Map engagement started in July and ran through September of this year and we kicked off an online survey. We mailed out and had online and hard copies mailed out to every resident within the City of Charlotte. We hosted over a hundred different events across the city to help promote the project and encourage participation in this survey. For that, we had about 4700 responses. Really active participants in that phase of engagement. Phase two kicked off in October and will conclude next week. The first part of that was in a virtual information meeting, which was to essentially reveal the first draft of the Future 2040 Policy Map and the Charlotte Streets Map. Also, the meeting was to explain how the maps informed the built environment over time and how they relate to one another and just to provide general overall background information on how each map was developed. So, following that information meeting we've been hosting a series of community conversations throughout the city about the Policy Map recommendation. [inaudible] would have wanted to do these in person but due to the delta variant at the time, we felt that virtual conversations were safer for staff and for our residents. The turnout has been a little different. Not as much as we expected, but hopefully within the next week. Next week we will host our 36<sup>th</sup> and 37<sup>th</sup> conversation. Actually, tomorrow and next week we'll have an opportunity to meet in person at various locations throughout the city and I'll talk about those a little bit later.

Phase three begins in January and then we will have a second draft of the Policy Map. So, in terms of what we heard throughout the second phase of the engagement about the draft Policy Map, we can group those comments into five major things. We received the first questions related to the intent of the Policy Map tool. How are we going to apply general questions about what's the purpose and we don't think those types of responses would require a change to the mapping approach. Instead, we will require an explanation and respond to those comments individually and provide those online and available on our website and we'll email those out and share those as we have with the last phase of the project and with this phase as well.

The second phase that we've been hearing is about procedural and implementation questions about how will the map be applied, how does it relate to the UDO (Unified Development Ordinance) district, etcetera. Then those don't necessarily require a mapping approach change, but we'll just respond with some explanatory information when we provide those responses to the public. Next, we received a general question about the draft Policy Map approach. These questions are more general in nature about how the current mapping approach is structured or what was included for the consideration in developing the map. The challenging thing about these is that some of those were made on the map itself, and then some were in writing. So, we'll begin to respond to those individuals and consider these questions as resolved once we provide those responses. The last two categories of comments are related to changing the mapping approach for the second draft. The first bucket is related to adjusting the current steps in the mapping approach for the second draft making it more accurate. Then the second bucket is related to adding steps to the current mapping approach to make the



second draft more aligned with the vision and the comprehensive plan. I'll walk through those in the next slide.

So, the next slide [inaudible] uses two areas around what will actually change in terms of adjustments to the mapping approach. The first is adjustments to improve the accuracy of the map. Per zoning is a major input for the draft map where we took over a hundred zoning districts that were translated to 10 place types. In some [inaudible] those zoning districts then clearly translate to one place type. In these cases, we just use market analyses to determine what was the most viable place type assignment in the future. We heard from the community that that translation isn't as accurate as we will like. So, we are going to work to see if we can introduce more accurate information to make those translations more accurate in the next draft.

The second issue we are seeing in terms of accuracy is related to how we group the parcel for large geographies and adjust those thresholds. By doing that we think we will resolve some of the accuracies as well in terms of the translation. The next adjustments are to the policy mapping approach are related to aligning to the Comprehensive Plan. Looking at these three major land uses around manufacturing logistics, commercial, neighborhood activity, Neighborhood 1 and Neighborhood 2. Essentially trying to see if we can align that vision with what we know is on the ground today and aspirationally how might those uses evolve to something that aligns closely with the Comp Plan. So, those are additional conversations that we will be having to refine the second draft of the map.

The comments will be addressed using the following categories, comments related to the intent and application of the Place Types and not requiring action in an already adjacent and draft policy map, therefore we will just [inaudible] comments resolved and make sure we communicate to those who made those comments and make sure that they are okay with that resolution. Comments related to implementation process and administration, I typically address by other actions outside of the policy maps so we will make sure again that those comments are addressed to those individuals and we will consider those resolved.

Finally, the last two buckets is around adjusting for the accuracy in the maps and the maps for aligning with the plan and also translation from zoning to land use. We will work with the internal staff and other stakeholders to test those ideas and those criteria to make sure they are reflected in the second draft of the map.

Again, I wanted to mention these are some of the in-person opportunities that we will have next week. On Tuesday, tomorrow actually we will have the wrapping of our community conversations of virtual meetings that we've been having. That will be our sixth and seventh so we've had a total of 37 community conversations virtually across the community. The in-person drop-in hours are very long hours from 11:00 a.m. to 7:00 p.m. in five different locations to make sure there is an opportunity for people to meet with the staff if they are not comfortable using the virtual option to actually meet with staff and have their questions answered. These locations were chosen because we looked at low participation rates across the City and we've been tracking those to see where we are getting feedback and so we chose these locations to go out to those areas that haven't participated as much. We also included two opportunities at the Government Center to make sure that people can just meet centrally in the City no matter where they are in the community.

Mr. Jaiyeoba said if we can go back to the previous slide, I just want to highlight something quickly. If you recall during your Strategy Session you indicated that respected Councilmembers would like to know which meetings they can place within their districts. We added five, these particular ones because of what you said, low turnout in terms of participation during the community conversations. This is not just a message to the community, but also to you as respected Councilmembers for these districts that it would be good for you to also join us if you could at some of these in-person meetings as well. Two will be in District 1, District 2, District 3, and District 5, but also push the message out to your constituents because we want to be able to hear from all of them. These are in-person opportunities, and in addition to that what Alysia will say is that we also have

had copies of this document at all of the libraries as well as YMCAs so people don't actually have to necessarily go online to see what those policies maps are. But we've got two more slides to go. So, Alysia, I will pitch it back to you, just wanted to make sure that we remind you of this and you help us push the message on that.

Ms. Osborne said the last slide is just to highlight some work that the Planning Department is leading to passing down to the policy map. You all may recall that within the Comprehensive Plan there were several community-led groups that were chartered to focus on specific topics around Anti-displacement, infrastructure and one of those groups was the Community Benefits conversation, and so we have been convening a Task Force just to extend those conversations around how might we achieve Community Benefits through the development process in Charlotte. The Urban Land Institute over the summer convened a group of local stakeholders that included community members and developers and regional experts around the topic just to begin to think and create some tools around how might we better and be more intentional about providing Community Benefits to the community during the development process. This Task Force is just to lay the foundation and then to begin to build upon their work that was defined within the ULI Study. Then we had two workshops to date, we invited those same stakeholders that participated in that ULI Study and we've had about 50 people to participate, 20 in the first meeting and 31 in the second workshop. Essentially it was around what ideas do we have and what is working today and what do we have today in the toolbox that we can build upon. That work will conclude with an action plan or Look Book that is co-created or co-designed by the Task Force to present to Council for further action next winter or next spring for sure. With that, I will take any questions that you might have about anything we've mentioned.

**Councilmember Phipps** said given the comments you said about lower-than-expected community turnout, do you detect any community fatigue with the process in these meetings and such?

Mr. Jaiyeoba said first of all when we set up these community conversations the intent was primarily designed for those who had questions about place types draft maps. We did not expect that everybody would, but we expected those that asked specific questions and such clarification. But at the same time, we also knew that so many other things were going on in the community, the Strategic Mobility Plan, the Unified Development Ordinance, we just had the Redistricting Public Hearing, definitely possible for people to just become fatigued, but we've tried as much as possible to make it as enjoyable in terms of presentation, but also making sure that we kept presentations to a minimum and allow people to actually more like work sessions. It could be part of that but it could also be because those who attended are the ones that really had specific questions and needed clarification on them.

I think out of the 30 plus that we've had, [inaudible] probably 20 or so of them and they've been really very interesting conversations, but we've also had suggestions where people [inaudible] just because they wanted more questions answered and that is encouraging as well. We would definitely like to have more so hopefully as we go out next week for this in-person session that we will have more participation.

**Councilmember Egleston** said Taiwo you've talked about a couple of specific things, but I'm sure everybody on the Council has, like I have, gotten feedback from folks who have identified things that just don't square with the reality on the ground in certain areas or don't square with the rezonings and the changes that certain corridors have seen that the City has encouraged or approved or signed off on. I understand with as big a city as we are there was no way this first draft was not going to need some adjustments, but I think for us to be looking at February or March adopting the map is ambitious. I don't mind that so long as we don't vote on this thing before it is actually ready to be voted on, and I do think there is a desire, at least from some of the folks I've heard from for us to be willing to take a more surgical and targeted approach at some of the adjustments then they feel like we have been willing to do so far. I do appreciate all of the public engagement opportunities, I hope that as the staff and the Council are hearing from folks that we are scaring them towards those opportunities. I understand that the Planning Staff isn't going

to be able to meet with every single community group individually, but I hope that we are pointing them to the opportunities they have to provide that feedback, and I hope we are taking it seriously because I don't want us to get to a point in February or March where there is still a lot of hindering about the changes that the community feels are needed or Council feels that are needed and those haven't been made, and then we end up where we were with the Comp Plan and delaying and having a divisive vote. Thanks for all the opportunities you've created, but I just kind of want to hedge the expectation that this would be in a position to be voted on in February in my opinion.

**Councilmember Winston** said I'm just trying to think how do we go through this, and I've been taking all of this information in. I understand the community is going through these work sessions and engagement sessions. I know this Council, this body has been engaged and we get updates, but I don't know if we are necessarily familiar with the workshop in process. So, could it be a good idea if we actually had a Council Workshop around policy-map updates and that way we can engage ahead of time the constituency that follows us? That way we can do this in public view. I only get feedback from the community-at-large, but also be able to compartmentalize these things that we all look at from our different purview as a Council. Is that an option or an opportunity for us to do as a full Council one night, one day?

Mayor Pro Tem Eiselt said certainly could do it in TAPE.

Mr. Winston said I think it would be a full Council, this is full 13 people working on this. Nothing that is binding coming out of it were community members that are working on a policy place type map. Maybe we can better the outcome and work through some of these things that we've identified from a process standpoint. We are constituents as well as Councilmembers.

Mr. Jaiyeoba said it is not outside the realm of possibility. I would actually encourage that and I think that is a good thing. I will work with Manager Jones and figure out when would be the right time to do this. The second draft comes out in January, we think [inaudible] we will address some of what Mr. Egleston brought up in terms of some feedback you've been hearing from some of your constituents whether they be associations or individuals. So, should it be after that second draft or before? We will work something out that could be a work session. It will be similar to the community conversation we've been having with the Council. You get to kind of see the flavor or the engagement that is going on.

Mayor Pro Tem Eiselt said are we good, any other questions on this? Some great suggestions so I appreciate everybody's comments and look forward to everybody participating in this process.

The meeting was recessed at 6:35 p.m. to move to the Chamber for the regularly scheduled Business Meeting.

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**Item No. 6: Closed Session**

There was no Closed Session.

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**BUSINESS MEETING**

The City Council of the City of Charlotte, North Carolina convened for a Business Meeting on Monday, November 08, 2021 at 6:43 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Julie Eiselt presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Malcolm Graham, Renee Johnson, Greg Phipps, Victoria Watlington, and Braxton Winston II.

**ABSENT:** Mayor Vi Lyles

**ABSENT UNTIL NOTED:** Councilmember Matt Newton

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### **INVOCATION AND PLEDGE**

Councilmember Driggs gave the Invocation and the Pledge of Allegiance to the Flag was led by Councilmember Graham.

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### **AWARDS AND RECOGNITIONS**

#### **ITEM NO. 8: OFFICER KEVIN STUESSE DAY**

There was no Proclamation read for this item.

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#### **ITEM NO. 9: WORLD DAY OF REMEMBRANCE FOR ROAD TRAFFIC VICTIMS**

**Mayor Pro Tem Eiselt** said is Ms. Sandra Pickens here today? Ms. Pickens, if you would come down, we recognize you Ms. Pickens as your daughter Breondra Newman was tragically killed in a traffic fatality on January 5, 2019. Ms. Pickens is a member of the CMPD Traffic-Related Death Support Group.

Mayor Pro Tem Eiselt read the following Proclamation:

**WHEREAS**, the World Day of Remembrance for Road Traffic Victims is commemorated each year on the third Sunday of November; and

**WHEREAS**, on October 26, 2005, the World Day of Remembrance for Road Traffic Victims was adopted by the United Nations General Assembly as “the appropriate acknowledgment for victims of road traffic crashes and their families”; and

**WHEREAS**, preventable injuries like motor vehicle crashes, pedestrian/cyclist crashes are the leading cause of death for person ages 1- 44 in Mecklenburg County; and

**WHEREAS**, reducing speeds, reducing distracted driving, increasing child passenger safety, increasing seat belt usage, decreasing impairment-related crashes, and increasing investments in safer streets and systems all play an important part in creating the safest and most connected city in the country; and

**WHEREAS**, Charlotte is committed to building a transportation network that encourages safe walking, biking, and driving behaviors; and

**WHEREAS**, the World Day of Remembrance aims to remember all people killed and seriously injured on the roads, acknowledge the crucial work of the emergency services, advocate for better support for road traffic victims and victim families, and promote evidence-based actions to prevent and eventually stop further road traffic deaths and injuries:

**NOW, THEREFORE**, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim November 21, 2021, as

**“WORLD DAY OF REMEMBRANCE FOR ROAD TRAFFIC VICTIMS”**

in Charlotte and commend its observance to all citizens.

**Ms. Sandra Pickens** said I accept this on behalf of all families that have lost loved ones due to traffic crashes in Mecklenburg County, but we want to thank you for acknowledging our pain, our tears, and our broken hearts as we miss our loved ones and as we advocate for safe streets through Vision Zero and with the support of Charlotte Mecklenburg Police Department Support Troup.

Mayor Pro Tem Eiselt said thank you Ms. Pickens for having the courage to speak on behalf of your daughter and for all victims of road accidents and fatalities. I know it is hard to do and we appreciate you doing it.

\* \* \* \* \*

**ITEM NO. 10: WORLD PREMATUREITY DAY**

Councilmember Johnson read the following:

**WHEREAS**, families face serious health risks and March of Dimes fights for their health by supporting research, leading programs, and providing education and advocacy; and

**WHEREAS**, March of Dimes is committed to mobilizing the nation by amplifying the voices of pregnant people and families; and

**WHEREAS**, in North Carolina, March of Dimes has worked extensively to reduce preterm birth by improving access to care through closing the health insurance gap for individuals of reproductive age, eliminating maternity care deserts, expanding group prenatal care, increasing awareness of the impacts of implicit bias on maternal health care, and raising awareness of the importance of optimal preconception health as a strategy to reduce preterm birth, infant mortality, and maternal mortality; and

**WHEREAS**, March of Dimes will continue their work in the community to address the maternal and infant health crisis of prematurity, as well as the social drivers of health, such as transportation and housing; and

**WHEREAS**, the month of November is recognized as Prematurity Awareness Month, and November 17 is recognized as World Prematurity Day to raise awareness:

**NOW, THEREFORE**, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim November 17, 2021, as

**“WORLD PREMATUREITY DAY”**

in Charlotte and commend its observance to all citizens.

**Mayor Pro Tem Eiselt** said Pat Campbell, System Administrative Executive at the Women’s and Children’s Institute at Novant Health will be accepting this proclamation.

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**POLICY**

**ITEM NO. 16: PROPOSED REDISTRICTING DRAFT PLAN**

**Mayor Pro Tem Eiselt** said we’ve had a public hearing on this so tonight we are asked to consider and adopt the Redistricting Ad Hoc Committee’s Proposed Redistricting Draft Plan which is the adoption of Map B1. I would like to ask Mr. Graham our Committee Chair to say a few words.

**Councilmember Graham** said on July 8<sup>th</sup> the Mayor established the Redistricting Ad Hoc Committee. She wanted that Committee to be based on the data that we are receiving from the Federal Government. The Mayor charged the Committee to develop a redistricting recommendation based on the district criteria, legal principles, and public

engagement. She also recommended that we bring back our decision to this meeting, November 8<sup>th</sup>, at our Business Meeting. We have to notify the Board of Elections by November 17<sup>th</sup>, the deadline for the revised district boundaries as required by law.

The Committee was established and consisted of Councilmembers Ajmera, Driggs, and Phipps who were members of the Committee along with me. I would like to thank the staff, Rebecca, Lena, and the Attorney's Office for their help and support. We also want to thank Parker Poe and In-Focus who were selected to provide legal service to help us guide through the process.

On August 23<sup>rd</sup> the Committee met to discuss the Mayor's charge and next steps. On September 7<sup>th</sup> the Committee met and developed criteria for redrawing the district boundaries, review preliminary census data, and set future deadlines. Madam Mayor Pro Tem you should know that North Carolina continues to be one of the fastest-growing states in the country, the City of Charlotte is one of 13 cities that grew by over 100,000 over the last 10-years. The charge of the Committee literally moving 30,000 residents from Districts 2, 3, and 4 into Districts 1, 5, and 6. District 7 remained unchanged. We were bound by law to make sure that every District had plus or minus 125,000 citizens. On September 22<sup>nd</sup> the Committee met to review the final 2020 census data and adopt the four draft plans that were presented by the Consultant based on the data. The drafts were entitled Draft Plans A, B, C, and D. Draft Plans A, B, and C were voted out of Committee for consideration by the public and full Council. On October 5<sup>th</sup> the committee met and convened a public listening session to receive input and answer questions during that session. On October 12<sup>th</sup> the Committee met to discuss the public sessions comments and Draft B1 was presented as an alternative map based on additional feedback. Draft Plan B1 was also voted out of the committee for consideration by the public and full Council. On October 18, 2021, the full Council held a Public Hearing to receive comments and comments on the four proposed Draft Plans A, B, B1, and C. On October 20<sup>th</sup> the Committee met to discuss the public hearing and feedback and voted unanimously, to submit Draft Plan B1 [inaudible] recommendation for Council's consideration. Therefore, today the AD Hoc Committee presents to Council Draft Plan B1 for adoption.

Mayor Pro Tem Eiselt said I would like to acknowledge Mac McCarley, the Attorney, or Parker Poe, thank you Mac who has worked on this plan to get us here tonight.

Motion was made by Councilmember Phipps, seconded by Councilmember Graham, to adopt the Redistricting Ad Hoc Committee's Proposed Redistricting Draft Plan.
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**Councilmember Johnson** said there has been a lot of community conversation about the movement of Precincts 42 and 82 from District 4 to District 1 in the recommended Redistricting Map that we are voting on tonight. I do want to acknowledge the Hidden Valley residents and thank you for your passion. Please know that this is not an easy decision for any of us. I worked very hard for you; we all have on City Council. Many of the things that have been said are simply not true, and I feel the need to correct some of the misunderstandings. I believe the District 4 voters should have accurate information and that responsible leadership on my part requires that I speak to these issues. Leadership leads, not misleading.

First, the City is redistricting because the law requires it. Every 10-years after the federal census governments are required to redistrict if their District populations are out of compliance with one person, one vote principle. In our case, the census data showed that five out of our seven Districts were out of compliance. Districts 3 and 4 were significantly over the allowed deviation of five percent and Districts 1, 5, and 6 were more than five percent under the ideal size. The point is that some precincts were going to have to move out of Districts 3 and 4 to rebalance the population in our District system. The City hired a consultant to work with our Ad Hoc Redistricting Committee and the consultant drew the maps based on the criteria adopted by the Committee. The most important criteria were that the Districts needed to be the one person, one vote principle. The consultant has repeatedly said that the changes he proposed were primarily to balance the numbers.

He has also said that he believes from the beginning that Precincts 42 and 82 should be kept together since they are largely one neighborhood, Hidden Valley.

Finally, he has explained to me that the only Precincts in District 4 that could be moved without causing a problem with compactness or contiguity were 205, 132, 26, 82, and 42. These are the Precincts that border Districts 1 and 5, the two Districts the population needed to be moved into. The numbers worked to move 205 into District 5 and Precincts 42 and 82 together into the only District they bordered, District 1.

I will state categorically that I did not tell the consultant to move Precincts 42 and 82 out of District 4. And I didn't tell him to move Precincts 26 or 205 either. I won the Primary election in Precinct 26 by 17% and Precinct 205 by 44% of the vote. If I were trying to influence the consultant or the Committee for the outcome of a vote I certainly would not have wanted 205 to move with 44%. However, as a leader, I swore to make the best decisions for District 4 and for the City and not myself. Hidden Valley was not targeted, the northern Precincts couldn't be moved because they don't border District 1 or 5. The most important thing to understand is that today District 4 is at 43.9% black and will remain at 43% less than nine tenths of one percent change. It is insignificant to the ability of the black voters in District 4 to continue to elect a representative of their choice.

The recommended plan also increases the black vote by seven percent and the Democratic vote by five percent in District 1. This Plan could actually strengthen our influence on the dais and in the City as black voters. I hope the citizens in District 4 will hear this information in the spirit which it is offered to base our opinions and actions on truths and facts and not rumor and not slander. For these reasons, I will be supporting the recommended map tonight.

**Councilmember Winston** said thank you citizens for coming out tonight. The State of North Carolina is quite near ground zero of voter disenfranchisement through systemic policy initiatives. Legality is one of the main rationales according to state law has been one of the main rationales for the process that the City of Charlotte City Council took on in this redistricting process. I wish we had taken a different rationale to our approach. I thought our community had agreed that we need to look at policy development through an equity lens coming out of the embracement of the Leading Opportunity Task Force Report. Tonight marks the abandonment of that equity lens. The Committee, staff, consultant have all agreed they did not consider issues of equity in our approach. That is regrettable. This process also did not consider the recommendations and work of the Citizen's Committee on Governance that made other suggestions to our electoral processes. This would have been a time for us to do that. We are the corporate board of a multibillion-dollar organization. The excuse can't be we didn't have enough time, or we had other things on our table that were more important than this work that we have committed to our community to do.

We didn't just disservice the people of Hidden Valley, we did a disservice to the entirety of our constituents. We have an opportunity to fix this, we can do it. I believe this map will pass tonight, I will not be voting for it, but City Council has the opportunity to continue our work. We know we were thrown into a difficult situation, which is not an excuse. Dealing with COVID, dealing with the delay of the election, but I hope upon adoption of this map City Council will leave this option open and we will send the work to the Committee to keep working on it again. We can take all of those considerations that we have expressed amongst ourselves, the community has expressed to us and gain, the Citizen's Committee has suggested us do in the work. So, using the bar of one of the most notorious states, the laws in one of those most notorious states of disenfranchising minorities is [inaudible]. I hope our work, my suggestion would be that we look to create a District Map that utilizes as much representation as possible. I would like to see something that breaks it down to 11 Districts. I would like to see us have one At-Large member so that the people can decide who the Mayor Pro Tem is. If you think about those two citywide elections Mayor Pro Tem as well as the Mayor of Charlotte, the people would actually be able to get a choice to check and balance the government that we exist in. With that, I will be voting no.

**Councilmember Newton** said I look forward to continuing the equity work as well, and I appreciate my colleague's comments. I wanted to start by thanking everyone in the Chamber here tonight, I think it is important that your voice be heard, and I appreciate you being here tonight. I also wanted to more specifically thank two people, in particular, that being Charlene Henderson and Cedric Dean. Their passion and concern and tireless dedication to the community is apparent and clear. I wanted to note something that I think is really important that might get lost in this conversation and that is through their efforts the Committee's recommended map, which is B1 will still be considered in weighed regardless of tonight's outcome. Frankly, tonight's vote might lend further certainty to the continued review and assessment of Map B1, and I know that Charlene and Cedric know what I'm talking about. Having said that I am the Representative of District 5 and as a result, my primary responsibilities, obligations, and accountability lie with the residents of my District. Map B1 is responsive to the requests of the residents of District 5 who specifically asked for Precincts on Central Avenue and around the Eastland site that the increase in Precincts 5 and 45 to be moved into District 5. This was communicated by my constituents to the Committee in that Committee process and to me personally, compelling me to support it at this time. Much like all of my colleagues, tonight's decision is very difficult and very tough for me, and something that we collectively might be getting wrong, but that is why I'm glad to say that this is in the courts, it is in the Federal Court right now. That means that there will be independent oversight by a neutral arbitrator regardless of what the outcome of tonight's decision is. I just wanted to make that particular point. This doesn't end here tonight, so bear that in mind.

**Councilmember Ajmera** said over the past month we have received questions around the public hearing. I know that we have had a public hearing about a month ago on this redistricting process, and I know I had asked that question at the Committee level, so Mr. Baker if you could respond to my question around public hearing and would speakers be allowed to speak again on this specific agenda item?

**Patrick Baker, City Attorney** said pursuant to your rules of Council procedures once a public hearing has occurred we don't take more speakers for that particular subject, so the public hearing having been adjourned at the last meeting this is now in front of the Council for a decision.

Ms. Ajmera said thank you, Mr. Baker, so the answer is no since we have already had a public hearing we cannot have another public hearing even it is on a specific agenda item.

Mr. Baker said yes, pursuant to your Council rules of procedure, that is correct.

Ms. Ajmera said I know some of you have reached out to me about that. I know Dr. Penn; you have reached out as well as Cedric and so many others from Hidden Valley about wanting to speak again. We have received your e-mails, your calls, your messages, and like Mr. Newton said this is not an easy decision for any one of us. This has been very difficult, we had to work under a very condensed timeline, and this doesn't end here as Mr. Newton has said. But I appreciate you all continuing your advocacy and continuing your work. I look forward to putting in more work over the next year and a half.

**Councilmember Watlington** said first of all I want to say to the residents of District 3, as I mentioned last time, being that we were the largest District, we were going to have to move people into other Districts, that was inevitable. I spent time talking with my community leaders, with some of my Precincts Chairs that affected District 3 and affected Precincts and it was clear no-one wanted to move, however, they understood when it comes to communities of interest the Precincts along our northern border were more aligned with District 2 than the Precincts had that were next to District 6 and District 1. So, I stand by that, I believe that was the will of the community.

The next thing I want to say is I see the signs. First of all, I love that you are here and that you all have come together to advocate for yourselves. I also stand with Hidden Valley, and I don't believe that there is anybody around this dais who is out to get Hidden Valley. I also support continued work in terms of redistricting. I've long said that as the District Rep for the largest District that we need to be able to get closer to our people and with



that need more District Reps. I absolutely look forward to and stand next to my colleagues that I said we want to continue this work. There are other sweeping infrastructure changes in terms of our government structure that we still need to address. The work is done here. That said we are required by law to have an updated District Map for this election and so we are going to that tonight.

Also, one thing that Councilmember Johnson said that I think is extremely important is wherever you fall on the issue we've got to be talking about the same facts so, I would like to point out again that with this proposed B1 the new District 1 with Hidden Valley in it will be 36% black, 51% Democrat and of those Democrats 56% of us are black. I don't know how many of you all played spades this year, but if you do you've heard the saying "watch the board". We are trump tight in District 4 and District 1. We are in a position in an open race to handpick our elected. Hidden Valley is not losing, you are winning, respond. With that, I will be supporting the motion.

**Councilmember Phipps** said this is a difficult vote for me inasmuch as I've been the recipient, the beneficiary of Hidden Valley support in election cycles for 2013, 2015, and 2017. I spent a lot of time in Hidden Valley, even when I'm not on City Council. So, to think that I would do anything to harm the Valley is it is difficult for me to really absorb. But I'm here tonight to tell you that I will continue to work in Hidden Valley, and I think you all have seen me around. So, with this vote, even though it looks as if it might be approved tonight this is not an end to what you might ascribe the outcome to be. I thank you for your past support and look forward to working even more in the Valley in the future.

**Councilmember Bokhari** said first, I just want to say thanks to the Committee; Malcolm Graham particularly, a lot of work, a lot of long journeys there, and I appreciate the outcome you came to. While I hate to say it everything you said is absolutely accurate at the end there and not a strategic answer. But beyond this what I will say as a Republican sitting up here I stand with my man Braxton Winston and what he just said about 11 District seats, one Mayor Pro Tem, and one Mayor run. That is going to be able to break this down to a more representative level and as soon as we are done passing this I hope all of you will activate and call and say that is a must. We must do it because that isn't a partisan thing, it is a representative thing and I think that is something we could move on real quick if we got together on it.

Mayor Pro Tem Eiselt said I'm just going to say as Mayor Pro Tem and an At-Large Representative when it comes to the topic of redistricting and Precinct reassignment it is contentious, I know it is, and I'm aware that voters form an identity with their District and sometimes it is a [inaudible] component of how you all see yourselves in your neighborhood. There is a lot of passion and a lot of solidarity involved in this process and I think it should be respected. I'm also aware that we are bound by law to make these changes and there are types of choices that we often make that we are not going to be able to please everyone, but as an elected body with oversight over the 15<sup>th</sup> largest city in the United States and growing, I commit to you that we are doing our best to reach the outcomes that fulfill our legal requirement and benefit the highest proportion of Charlotteans. The energy on display tonight is important and I call on everyone to maintain this level of voter engagement and neighborhood pride all year long.

As a City, we are quickly approaching a new election cycle and it would be amazing if we saw voter turnout in the primary which we know primary is important, but we rarely get out of single digits with voter turnout so let's get to the polls and show up. It would be amazing to have 40, 50, 60, 70% voter turnout in the primaries. The ballot box does belong to you and it belongs to the people of Charlotte and it is the most effective way to make your mark in this community. So, let's turn tonight's passion response into an ongoing series of community activism that continues at the polling places. Thank you for being involved in local government and thank you for taking ownership in how your city is run. It is the most critical thing you can do. Voting at the local level impacts you more than at the state and federal levels. So, thank you.

Mr. Graham said I'm speaking the second time as not the Chairman, but the Representative from District 2, and I want to thank my constituents in District 2 who have

worked with me for the last 18 months. We too are losing Precincts to District 1, some that many of you may be aware. So, I just make the point that this is a citywide process. We moved 30,000 residents to get to the one man, one vote today. Citizens of District 2 have the opportunity to elect an African American Councilmember today. Citizens of District 3 have the opportunity to elect an African American Councilmember today. Citizens in District 4 have the opportunity to elect a Councilmember of African American descent and Councilmember Watlington has summed it up correctly. If you watch the board and connect the dots District 1 can do the same.

Our community is changing, our community is growing. As I stated earlier we are growing by 100,000 over the last 10-years. Only 13 other cities have done that and so we are committed to equity. The Council and the Committee did exactly what Council instructed us to do so we played within the framework in which we were given and as I told the Council earlier if you really want to have a conversation about governance let's talk about consolidation. That is the ultimate governance structure that this community really needs. I support the map; I support my Council District 2 [inaudible] to all the new citizens that will be coming to District 2 after this vote.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Johnson, Newton, Phipps, and Watlington.

NAYS: Councilmember Winston.

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### CONSENT AGENDA

Motion was made by Councilmember Egleston, seconded by Councilmember Winston, and carried unanimously to approve the Consent Agenda as presented, with the exception of Items No. 40 and 41 pulled for a separate vote, Item No. 59, pulled by staff and Item 68 has been deferred to November 22nd.

The following items were approved:

**Item No. 39: Police Protective Vests**

(A) Approve unit price contracts for the purchase of body armor for an initial term of three years to the following: Galls, LLC., Lawmen's Distribution LLC., and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 42: Fire Telecommunication Control Consoles**

(A) Approve the purchase of Telecommunication Consoles by the sole source exemption, and (B) Approve a contract with SBF Group for the purchase of Telecommunication Consoles for the term of one year.

**Item No. 43: Construct Lakeview Road Improvements Project**

Approve a contract in the amount of \$8,505,897.30 to the lowest responsive bidder Blythe Development Co., for the Lakeview Road Improvements project.

**Summary of Bids**

Blythe Development Co.	\$8,505,897.30
Sealand Contractors Corp.	\$10,347,137.60
Boggs Contracting, Inc.	\$10,973,715.43

**Item No. 44: Construct North Tryon Street and 36<sup>th</sup> Street Streetscape Project**

Approve a contract in the amount of \$5,071,136.74 to the lowest responsive bidder Sealand Contractors Corp. for the North Tryon Street and 36<sup>th</sup> Street Streetscape project.

**Summary of Bids**

Sealand Contractor Corp.	\$5,071,136.74
Blythe Development Company	\$5,165,907.07
United of Carolinas, Inc.	\$5,415,550.84

**Item No. 45: Construct Sandy Porter Road/South Tryon Street Intersection Improvement Project**

Approve a contract in the amount of \$989,793.75 to the lowest responsive bidder Nassiri Development, LLC for the Sandy Porter Road/South Tryon Street Intersection Improvement project.

**Summary of Bids**

Nassiri Development, LLC	\$989,793.75
Armen Construction	\$1,161,358.00
Sealand Contractors Corp.	\$1,175,345.49
Onsite Development, LLC	\$1,309,474.10
United of Carolinas, Inc.	\$1,344,649.90

**Item No. 46: Tree Removal Arborist Services**

(A) Approve contracts with the following companies for tree removal arborists services for an initial term of three years: Cadieu Tree Experts, Inc., AAA Tree Experts, Inc., The Davey Tree Expert Co., and Schneider Tree Care, (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 47: Video Inspection and Pipe Cleaning Services**

(A) Approve contracts with the following companies for storm drainage video inspection and pipe cleaning services for an initial term of three years: Bio-Nomic Services, Inc., EnviroWaste Services Group, Inc., Hydro-structures, PA, and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 48: Sanitary Sewer Manhole Rehabilitation**

(A) Approve a unit price contract to the lowest responsive bidder DE Walker Construction Co. (SBE) for sanitary sewer manhole 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.

**Summary of Bids**

DE Walker Construction Co.	\$3,157,686.68
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**Item No. 49: Seven Eagles Sanitary Sewer Construction**

Approve a guaranteed Maximum price of \$1,526,313.41 to Atlantic Coast Contractors, Inc. for Design-Build construction services for the McMullen Creek Tributary-Seven Eagles Segment Sanitary Sewer replacement, Rehabilitation, and Repair project.

**Item No. 50: Upper Little Sugar Creek Sanitary Sewer Replacement and Storm Drainage Improvements**

Approve a contract in the amount of \$5,366,128.76 to the lowest responsive bidder Dellinger, Inc. for the Upper Little Sugar Creek Sanitary Sewer Replacement project – Phase 2 and Phase 3 from Bilmark Avenue to Canterwood Drive and the 911 Georgetown Storm Drainage Improvement Project.

**Summary of Bids**

Dellinger, Inc.	\$5,366,128.76
Sanders Utility Construction Co. Inc.	\$6,579,665.89
State Utility Contractors, Inc.	\$7,342,390.65

**Item No. 51: Water treatment Flow Meters**

(A) Approve the purchase of Venturi flowmeters by the sole source exemption, (B) Approve a contract with Primary Flow Signal, Inc., for the purchase of Venturi flow meters, accessories, and services for the term of five years, and (C) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 52: Set Public Hearing on the Hampton Woods Area Voluntary Annexation**

Adopt a resolution setting the public hearing for December 13, 2021, for the Hampton Woods Area voluntary annexation petition.

The resolution is recorded in full in Resolution Book 52, at Page(s) 273-275.

**Item No. 53: Set Public Hearing on Hooks Landing Area Voluntary Annexation**

Adopt a resolution setting the public hearing for December 13, 2021, for the Hooks Landing Area voluntary annexation petition.

The resolution is recorded in full in Resolution Book 52, at Page(s) 276-277.

**Item No. 54: Resolution of Intent to Abandon a Portion of West 27<sup>th</sup> Street at North Pine Street**

(A) Adopt a resolution of intent to abandon a portion of West 27<sup>th</sup> Street at North Pine Street, and (B) Set a public hearing for December 13, 2021.

The resolution is recorded in full in Resolution Book 52, at Page(s) 278.

**Item No. 55: Resolution of Intent to Abandon an alleyway off North Brevard Street Between Alpha Mill Lane and Belmont Avenue**

(A) Adopt a resolution of Intent to abandon an alleyway off North Brevard Street between Alpha Mill Lane and Belmont Avenue, and (B) Set a public hearing for December 13, 2021.

The resolution is recorded in full in Resolution Book 52, at Page(s) 279-280.

**Item No. 56: Resolution of Intent to Abandon Multiple Alleyways Bound by 6<sup>th</sup> Street, North Tryon Street, 7<sup>th</sup> Street, and North College Street**

Adopt a resolution of intent to abandon multiple alleyways bound by 6<sup>th</sup> street, North Tryon Street, 7<sup>th</sup> street, and North College Street, and (B) Set a public hearing for December 13, 2021.

The resolution is recorded in full in Resolution Book 52, at Page(s) 281-282.

**Item No. 57: Resolution of Intent to Abandon Old Nations Ford Road**

(A) Adopt a resolution of intent to abandon Old Nations Ford Road, and (B) Set a public hearing for December 13, 2021.

The resolution is recorded in full in Resolution Book 52, at Page(s) 283-284.

**Item No. 58: Resolution of intent to abandon South Tryon – College Connector Street**

(A) Adopt a resolution of intent to abandon South Tryon – College Connector Street, and (B) set a public hearing for December 13, 2021.

The resolution is recorded in full in Resolution Book 52, at Page(s) 285-286.

**Item No. 60: Resolution of Intent to Abandon West Avenue Unopened Right-of-Way**

(A) Adopt a resolution of intent to abandon West Avenue unopened right-of-way, and (B) Set a public hearing for December 13, 2021.

The resolution is recorded in full in Resolution Book 52, at Page(s) 287-288.

**Item No. 61: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of September 7, 2021, Strategy Meeting, September 13, 2021, Business Meeting, September 20, 2021, Zoning Meeting, and September 27, 2021, Business Meeting.

## **PROPERTY TRANSACTIONS**

### **Item No. 62: In Rem Remedy 235 Oregon Street**

Adopt Ordinance No. 177-X authorizing the use of In Rem Remedy to demolish and remove the structure at 235 Organ Street Neighborhood Profile Area 88.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 452.

### **Item No. 63: Charlotte Water Property Transactions – North Tryon Pressure Zone Boundary Change and 960 Zone Parcel #1**

Resolution of Condemnation of 9,629 square feet (0.22 acre) in Permanent Utility Easement, plus 8,571 square feet (0.19 acre) in Temporary Construction Easement at 9925 East W. T. Harris Boulevard from Eugene and Sonya Kim for \$43,475 for North Tryon Pressure Zone Boundary Change and 960 Zone, Parcel #1.

The resolution is recorded in full in Resolution Book 52, at Page(s) 289.

### **Item No. 64: Property Transactions – Brown Grier Road Improvement Project, Parcel #33**

Acquisition of 1,493 square feet (0.034 acres) Sidewalk Utility Easement, 20,516 square feet (0.471 acres) Temporary Construction Easement at 4301 Sandy Porter Road from Charlotte Mecklenburg Board of Education for \$40,209 for Brown Grier Road Improvement Project, Parcel #33.

### **Item No. 65: Property Transactions – DeArmon Road Improvements, Parcel #10**

Resolution of Condemnation of 23,129 square feet (0.53 acre) Fee Simple, 2,480 square feet (0.057 acre) Utility Easement, 2,192 square feet (0.05 acre) Storm Drainage Easement, 7,719 square feet (0.177 acre) Sidewalk utility Easement, 11,170 square feet (0.256 acre) Temporary Construction Easement at 12100 DeArmon Road from Derita Masonic Lodge #715 AF and AM for \$26,450 for DeArmon Road Improvements, Parcel #10.

The resolution is recorded in full in Resolution Book 52, at Page(s) 290.

### **Item No. 66: Property Transactions – DeArmon Road Improvements, Parcel #13**

Resolution of Condemnation of 1,264 square feet (0.029 acres) Utility Easement, 392 square feet (0.009 acres) Sidewalk Utility Easement at 8408 Cavett Court from Tanegla C. Spellman for \$4,225 for DeArmon Road Improvements, Parcel #13.

The resolution is recorded in full in Resolution Book 52, at Page(s) 291.

### **Item No. 67: Property Transactions – DeArmon Road Improvements, Parcel #19b**

Acquisition of 403 square feet (0.009 acres) Fee Simple, 325 square feet (0.007 acres) Utility Easement, 67 square feet (0.002 acres) Storm Drainage Easement, 535 square feet (0.012 acres) Slope Easement, 420 square feet (0.01 acre) Sidewalk Utility Easement, 189 square feet (0.004 acres) Temporary Construction Easement at 12315 Brianwood Court from Sihde Donyen Jackson and Karr M. Jackson for \$13,900 for DeArmon Road Improvements, Parcel #19.

### **Item No. 69: Property Transactions – DeArmon Road Improvements, Parcel #23**

Acquisition of 609 square feet (0.02 acre) Fee Simple, 2,099 square feet (0.048 acre) Utility easement, 2,220 square feet (0.051 acre) Sidewalk Utility easement, 7 square feet Temporary Construction Easement at 0 Prosperity Church Road from Colson and Colson Construction Company for \$35,000 for DeArmon Road Improvements, Parcel #23.

### **Item No. 70: Property Transactions – DeArmon Road Improvements, Parcel #24**

Acquisition of 7,190 square feet (0.17 acre) Fee Simple, 2,313 square feet (0.053 acre) Utility Easement, 3,166 square feet (0.073 acre) Sidewalk Utility Easement at 12500 DeArmon Road from SSR Estates LLC for \$54,425 for DeArmon Road Improvements, Parcel #24.

**Item No. 71: Property Transactions – DeArmon Road Improvements, Parcel #26 and 27**

Acquisition of 2,333 square feet (0.05 acre) Fee Simple, 2,164 square feet (0.05 acre) Utility Easement, 1,238 square feet (0.028 acre) Storm Drainage Easement, 4,949 square feet (0.114 acre) Sidewalk Utility Easement, 4,440 square feet (0.102 acre) Temporary Construction Easement at 0 DeArmon Road from David Lacy Graham Jr. and Rebecca McConnell Graham for \$14,000 for DeArmon Road Improvements, Parcel #26 and #7.

**Item No. 72: Property Transactions – DeArmon Road Improvements, Parcel #29, 30 and 31**

Acquisition of 17,285 square feet (0.40 acre) Fee Simple, 45 square feet (0.001 acre) Utility Easement, 5,211 square feet (0.12 acre) Sidewalk Utility Easement, 13,816 square feet (0.317 acre) Temporary Construction Easement at 11915, 11925, and 11931 DeArmon Road from Deborah M. Holsinger and Mark C. Holsinger for \$38,550 for DeArmon Road Improvements, Parcel #29, 30 and 31.

**Item No. 73: Property Transactions – DeArmon Road Improvements, Parcel #35**

Resolution of Condemnation of 14,367 square feet (0.33 acre) Fee Simple, 44 square feet (0.001 acre) Utility Easement, 4,822 square feet (0.111 acre) Slope Easement, 6,841 square feet (0.157 acre) Sidewalk Utility Easement, 10,385, square feet (0.238 acre) Temporary Construction Easement at 12215 DeArmon Road from Andrew G. Croshaw and Karilee R. Croshaw for \$51,675 for DeArmon Road Improvements, Parcel #35.

The resolution is recorded in full in Resolution Book 52, at Page(s) 292.

**Item No. 74: Property Transactions – Idlewild/Monroe Intersection – Phase 1, Parcel #13**

Resolution of Condemnation of 2,472 square feet (0.06 acre) Fee Simple, 1,477 square feet (0.034 acres) Utility Easement, 545 square feet (0.013 acres) Retaining Wall Easement, 3,428 square feet (0.079 acres) Storm Drainage Easement, 1,680 square feet (0.039 acres) Sidewalk Utility Easement, 6,472 square feet (0.15 acre) Temporary Construction Easement, 1,680 square feet (0.039 acres) Waterline Easement at 5980 Monroe Road from, Trustees of the Providence Park Kingdom Hall of Jehovah's Witnesses for \$160,125 for Idlewild/Monroe Intersection – Phase 1, Parcel #13.

The resolution is recorded in full in Resolution Book 52, at Page(s) 293.

**Item No. 75: Property Transactions – Idlewild/Monroe Intersection – Phase II, Parcel #43**

Resolution of Condemnation of 291 square feet (0.007 acres) Temporary Construction Easement at 5922 Monroe Road for \$125 for Idlewild and Monroe Intersection – Phase II, Parcel #43.

The resolution is recorded in full in Resolution Book 52, at Page(s) 294.

**Item No. 76: Property Transactions – McCullough Drive Streetscape, Parcel #10**

Resolution of Condemnation of 10,014 square feet (0.230 acres) Fee Simple, 9,962 square feet (0.229 acres) Sidewalk Utility Easement, 4,389 square feet (0.101 acres) Temporary Construction Easement at 1418 Baseline Road from 1421 Baseline NC Owner LP for \$123,350 for McCullough Drive streetscape, Parcel #10.

The resolution is recorded in full in Resolution Book 52, at Page(s) 295.

**Item No. 77: Property Transactions – Monroe Road Streetscape, Parcel #53**

Acquisition of 1,119 square feet (0.026 acres) Sidewalk Utility Easement, 1,032 square feet (0.024 acres) Temporary Construction Easement at 4926 Monroe Road from Renee's International, Inc. for \$11,380 for Monroe Road Streetscape, Parcel #53.

**Item No. 78: Property Transactions – The Plaza at Duncan Avenue Pedestrian Beacon, Parcel #5**

Resolution of Condemnation of 95 square feet (0.002 acre) Utility Easement, 913 square feet (0.021 acre) Sidewalk Utility Easement, 1,055 square feet (0.024 acre) Temporary Construction Easement at 1901 Stratford Avenue from Sophia Shuler for \$20,050.

The resolution is recorded in full in Resolution Book 52, at Page(s) 296.

**Item No. 79: Property Transactions – West Boulevard Extension, Parcel #5**

Resolution of Condemnation of 80,155 square feet (1.84 acres) Fee Simple, 4,983 square feet (0.114 acres) Utility Easement, 49,452 square feet (1.135 acres) Temporary Construction Easement at 0 Garrison Road from Ethel Torrence and The Estate of Charles Torrence for \$378,775 for West Boulevard Extension, Parcel #5.

The resolution is recorded in full in Resolution Book 52, at Page(s) 297.

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**ITEM NO. 40: CHARLOTTE-MECKLENBURG POLICE DEPARTMENT SECURITY GUARD SERVICES**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, to (A) Authorize the City Manager to negotiate and execute a unit price Contract with A & A Services Group for security guard services for an initial term of one year, 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.

**Councilmember Winston** said I've just got to point out the irony here that CMPD (Charlotte Mecklenburg Police Department) does not think their own offices are worth the costs to patrol portions of our neighborhood. I talked to staff about this today and that is the rationale why we are hiring an outside consultant to provide patrol services for an organization that employees professional patrolmen. Honestly, I am at a loss for words; if we need to secure our premises I think that is something we should figure out utilizing the professionals that we do have and not ask questions. I will go ahead and say I will vote no.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, and Watlington.

NAYS: Councilmember Winston

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**ITEM NO. 41: US DEPARTMENT OF JUSTICE FISCAL YEAR 2021 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

Motion was made by Councilmember Phipps, seconded by Councilmember Eiselt, to (A) Authorize the City Manager to accept an Edward Byrne Memorial Justice Assistance Grant in the amount of \$623,432 from the US Department of Justice, and (B) Adopt a resolution approving a memorandum of understanding with Mecklenburg County as a law enforcement partner.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, and Watlington.

NAYS: Councilmember Winston.

The resolution is recorded in full in Resolution Book 52, at Page(s) 272-272.

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## PUBLIC HEARING

### ITEM NO. 11: PUBLIC HEARING AND DECISION ON PARKSIDE CROSSING AREA VOLUNTARY ANNEXATION

**Mayor Pro Tem Eiselt** declared the hearing open.

There being no speakers either for or against a motion was made by Councilmember Egleston, seconded by Councilmember Graham, to close the public hearing and adopt Annexation Ordinance No. 174-X with an effective date of November 8, 2021, to extend the corporate limits to include this property and assign it to the adjacent City Council District 3.

**Councilmember Phipps** said this particular item, voluntary annexation is for 550 units plus another 150 units equals 700 total residential units, right. I think this is an example of what we were talking about in our redistricting process where you have areas in the ETJ (extraterritorial jurisdiction) coming into the city and increasing our numbers that way plus we have organic increases in population which I hope our population numbers for Districts that have these ETJ areas, Districts 3, 2 and 4 would have a reduced. I know it was stated that we needed to have a 125,000 population so I would hope that those numbers would be a little less in those Districts to be able to absorb the growth that we are having in these voluntary annexation areas. Is that the case? Chair of the Ad Hoc Committee or Mr. Baker, is that how we are going to be more or less populating those three Districts that have ETJs adjacent to their boundaries?

**Patrick Baker, City Attorney** said when they do get annexed in they do go into that District and I think that is going to be put into the documentation. So that is how your growth actually turns in between the redistricting is when either within your District or folks ask to be annexed, and that is where your growth is going to come.

Mr. Phipps said this one right here becomes effective upon our vote in favor, right. I thought there was a procedure that we wouldn't have 125,000 population for those three Districts in anticipation of the growth in the ETJ areas or else we would be still in the same position we are in now. Is that the case?

**Councilmember Driggs** said the way this was done we looked at growth rates, we took into account factors such as potential growth in the Districts and we tried to balance the numbers in such a way that the high growth Districts, the ones with the most potential for population growth were targeted below the average and the others above. That included the potential for annexation. Now you know in the old days when there was involuntary annexation we actually had a new districting process whenever annexation resulted in the numbers getting out of kilter. In the environment, we are in today, if you think back Gregg, and you and I go back a long time, it is unlikely that we will [inaudible] into that based solely on the voluntary annexations. I think we have a provision for the annexations that will occur within the numbers that we are adopting tonight.

Mr. Phipps said am I correct in saying that Districts 3, 2, and 4 will they be at the 125,000 population now, or will those three Districts have a slightly reduced population other than the average that we [inaudible]?



Mr. Driggs said the materials that we got laid out very clearly what the population will be under the plan and my recollection, those Districts are in fact below because they are the ones identified as high growth Districts.

Mr. Baker said that is correct; I've got the numbers here and that is correct.

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

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 442-449.

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**ITEM NO. 12: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF KINGHURST DRIVE**

**Mayor Pro Tem Eiselt** declared the hearing open.

There being no speakers with for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to close the public hearing and adopt a resolution to close a portion of Kinghurst Drive.

The resolution is recorded in full in Resolution Book 52, at Page(s) 255-258.

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**ITEM NO. 13: PUBLIC HEARING ON A RESOLUTION TO CLOSE NEWELL FARM ROAD**

**Mayor Pro Tem Eiselt** 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 a resolution to close Newell Farm Road.

The resolution is recorded in full in Resolution Book 52, at Page(s) 259-262.

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**ITEM NO. 14: PUBLIC HEARING ON A RESOLUTION TO CLOSE THE GRIER AVENUE UNOPENED RIGHT-OF-WAY**

**Mayor Pro Tem Eiselt** declared the hearing open.

There being no speakers either for or against, motion was made by Councilmember Egleston, seconded by Councilmember Newton, to close the public hearing and adopt a resolution to close the Grier Avenue Unopened Right-of-Way.

**Councilmember Ajmera** said on this item we did receive an e-mail from a constituent regarding the public notice. The Constituent sent us an e-mail stating that the notice of the public hearing for the right-of-way closure should be posted in two prominent places along the street. They sent us a picture and said that didn't happen, they only received notice about the closure from today's City Council agenda. Mr. Attorney, if you could speak to that. Did you get that e-mail as well?

**Patrick Baker, City Attorney** said I didn't get the e-mail, but I am familiar with the situation. I did ask my Attorney to ask the staff if she did get an answer out as to whether or not there is a staff person that could if called, testify that they actually put the sign up. My understanding is that there is a staff person who did put the signs up and I trust someone from the staff here is hopefully not going to contradict me.

**Casey Mashburn, C-DOT Right-of-Way Section Manager** we did receive confirmation from our field staff that the signs were installed on 9/27 as obligated by the North Carolina General Statutes. We have made that confirmation and I'm not sure what happened in between us installing those signs and today, but we have clarified that they were installed.

Ms. Ajmera said what happens if the sign goes missing after it is installed.

Mr. Mashburn said in the future we will always double-check all of these issues. This is the first issue that we've had in such incidents and so normally we do not have issues such as this. Signs are installed and taken down as appropriate once Council has passed the motion or a resolution to close. In the future, we will have confirmation of signs being installed.

Ms. Ajmera said what I am hearing is the process improvement to check that sign stays on until adopted.

Mr. Mashburn said that is correct and as part of the General Statutes we are obligated to install those signs. There is no requirement for us to check those, however, we will take that procedure in the future to make sure this does not occur again.

Ms. Ajmera said I appreciate it. This was only brought to our attention earlier today from constituents so I appreciate your addressing it.

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

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## **POLICY**

### **ITEM 15: CITY MANAGER'S REPORT**

**Marcus Jones, City Manager** said the only item that I have that is before you at the dais is the City Manager's 30-day update and we have the Zoning Meeting on the 15<sup>th</sup> and then on November 22<sup>nd</sup>, the next Business Meeting we will give you a COVID-19 update. A lot has happened in terms of where we've been with some of our programs related to COVID and some information that is coming from the Federal Government. Also, a report on the Mayor's Racial Equity Initiative. We will also have the proposed 2022 City Council meeting schedule and then as we discussed earlier today in 267 at the December 6<sup>th</sup> Strategy Meeting, we will have an update for the UDO Ordinance as well as a bit of discussion to follow up from what occurred today as it related to the Policy Map. We will also make sure that we incorporate a discussion that deals with some of the transportation state road issues, and I will amend this and add that to it as well as our Committee Report Outs. That is my 30-day memo.

**Councilmember Johnson** said if we could get an update on the 22<sup>nd</sup> on the status of the utility bills for the residents.

Mr. Jones said I think we can roll that under the COVID-19 [inaudible].

**Councilmember Bokhari** said if there is any opportunity to get pre-reading information about the Mayor's Racial Equity Initiative before that I think that would be nice. I think a lot of us were excited when we heard about it for the first time at that event, so if we could get a little info on that perhaps to come into that dialogue with an understanding of what is going on there that would be helpful.

Mr. Jones said will do.

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## **BUSINESS**

**ITEM NO. 17: NATURALLY OCCURRING AFFORDABLE HOUSING RENTAL SUBSIDY PROGRAM**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, to approve the Guidelines for a city-wide Naturally Occurring Affordable Housing (NOAH) Rental Subsidy Program to expand opportunities for low-income households to live in high-quality NOAH developments through the creation of new long-term rental subsidies.

**Councilmember Phipps** said has the City secured a commitment from the County to participate in the rental subsidy program?

**Pam Wideman, Housing and Neighborhood Services** said yes sir, that was on October 5<sup>th</sup> that the County approved the program.

**Councilmember Driggs** said I believe this is the program involving taxes and subsidies and I have expressed some misgiving about the fact that we don't necessarily have an exact match between the tax relief and the subsidy so, to that extent it is not a perfect structure in my mind. I will support it because I think the value is there, so I have a level of comfort based on the transactions we've seen that this is an opportunity for us and I won't let my kind of conceptual problem stop me, but I'm going to be looking at these deals as they come along to make sure on a case-by-case basis that what we are giving up in tax proceeds is in proportion to the amount subsidy that is being provided for affordable housing. It is just a feature of this thing that those are not necessarily identical.

**Councilmember Ajmera** said we know when we talk about affordable housing the most need is in zero to 30% AMI (Area Median Income) and this is a potential solution that really addresses the issue without our pouring so much money into developing units at 30% AMI or below. We know that if we want to develop or preserve 30% AMI or below it is going to take more money from our Housing Trust bucket so, this solution is really creative and I appreciate the private sector coming forward, especially the non-profit sector as well as coming forward and addressing the affordable housing crisis, especially preserving so we are not displacing residents that are living in this unit. I am actually very grateful for this kind of creative solution and Ms. Wideman to you and your team we appreciate your work on this.

**Mayor Pro Tem Eiselt** said Ms. Wideman, I will add to that too, and I have to say what is so exciting about this aside from subsidies coming from the private sector which is awesome, the structure of this program gives the private sector the ability to jump on those NOAHs when they become available because as we know when the government tries to do it gets announced, there is a process and it is gone by then. I think it allows us to be more nimble and help get the private sector's help to secure those NOAHs before they disappear to the free market. Thanks for your work on this Ms. Wideman.

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

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**ITEM NO. 18: MUNICIPAL AGREEMENT FOR A NEW TRAFFIC SIGNAL INSTALLATION AT MOUNT HOLLY ROAD AND RHYNE ROAD AND SONOMA VALLEY DRIVE**

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to (A) Adopt a resolution authorizing the City Manager to negotiate and execute a Municipal Agreement with the North Carolina Department of Transportation in the amount of \$400,000, and (B) Adopt Budget Ordinance No. 175-X appropriating \$950,000 for the installation of a traffic signal at Mount Holly Road and Rhyne Road and Sonoma Valley Drive in the General capital Projects Fund.

The resolution is recorded in full in Resolution Book 52, at Page(s) 269-269.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 450.

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**ITEM NO. 19: METROPOLITAN PLANNING PROGRAM GRANT MUNICIPAL AGREEMENT**

Motion was made by Councilmember Driggs, seconded by Councilmember Phipps, and carried unanimously to (A) Adopt a resolution authorizing the City Manager to negotiate and execute a Municipal Agreement with the North Carolina Department of Transportation to support transit-planning activities for the Charlotte Regional Transportation Planning Organization, and (B) Adopt a resolution authorizing the City Manager, or his designee to execute Interlocal Agreements with Iredell County Area transportation System and Union County Transportation to support transit planning activities for the Charlotte Regional Transportation Planning Organization.

The resolution is recorded in full in Resolution Book 52, at Page(s) 270-270.

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**ITEM NO. 20: APPROPRIATE FUNDS FOR THE WEST BOULEVARD EXTENSION PROJECT**

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to adopt Budget Ordinance No. 176-X appropriating \$219,620 from Crescent Communities to reimburse the City for the purchase of mitigation credits for the West Boulevard Extension project in the General Capital Projects Fund.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 451.

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**NOMINATIONS TO BOARDS AND COMMISSIONS**

**ITEM NO. 21: ACCEPTANCE OF A SPONSORSHIP FOR AN ANIMAL ADOPTION DAY EVENT**

This item was pulled by the staff.

**Mayor Pro Tem Eiselt** explained the rules and procedures of the appointment process.

**ITEM NO. 22: NOMINATIONS TO THE ARTS AND SCIENCE COUNCIL ADVISORY COMMITTEE**

The following nomination was made for one appointment for a partial term for a District Six South and East Advisory Council Representative beginning upon appointment and ending June 30, 2022.

This will be delayed and will come back to you at a future meeting.

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**ITEM NO. 23: NOMINATIONS TO THE BICYCLE ADVISORY COMMITTEE**

The following nominations were made for five appointments for three-year terms beginning January 1, 2022 and ending December 31, 2024.

- Paula Broadwell, nominated by Councilmembers Driggs, Eiselt, and Winston.
- James Lee, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.
- Lindsay Mccleary, nominated by Councilmembers Bokhari and Egleston.
- Elizabeth Pratt, nominated by councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.
- Eoin Sheil was nominated by councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.
- Angela Stoyanovitch was nominated by councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

James Lee, Elizabeth Pratt, Eoin Sheil, and Angela Stoyanovitch were reappointed.

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

The following nomination was made for one appointment for a three-year term recommended by the Certified SBE-Hispanic Contractors Association beginning upon appointment and ending April 28, 2023.

There are no recommendations.

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#### **ITEM NO 25: NOMINATIONS TO THE CHARLOTTE INTERNATIONAL CABINET**

The following nomination was made for one appointment for a partial term for a Charlotte Regional Business Alliance representative beginning upon appointment and ending June 30, 2022.

- Akofa Dossou, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Akofa Dossou was appointed.

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#### **ITEM NO 26: NOMINATIONS TO THE CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION**

The following nomination was made for one appointment for a partial term beginning upon appointment and ending June 30, 2022.

- Nicole Arnold, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Nicole Arnold was appointed.

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**ITEM NO 27: NOMINATIONS TO THE CHARLOTTE TREE ADVISORY COMMISSION**

The following nominations were made for two appointments for three-year terms beginning December 14, 2021 and ending December 13, 2024.

- Sara Gagne was nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.
- Scott Roberts was nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Sara Gagne and Scott Roberts were reappointed.

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**ITEM NO. 28: NOMINATIONS TO THE CITIZENS' TRANSIT ADVISORY GROUP**

The following nomination was made for one appointment for a partial term beginning upon appointment and ending July 31, 2022.

- Samuel Grundman, nominated by Councilmembers Eiselt and Winston.
- Rebekah Whilden, nominated by Councilmembers Bokhari and Egleston.
- Michael Young, nominated by Councilmembers Ajmera, Driggs, Graham, Johnson, Newton, and Watlington.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Michael Young was appointed.

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**ITEM NO. 29: NOMINATIONS TO THE COMMUNITY RELATIONS COMMITTEE**

The following nomination was made for one appointment for a partial term beginning upon appointment and ending September 30, 2023.

We will back those nominations at the next Business Meeting.

\* \* \* \* \*

**ITEM NO. 30: NOMINATIONS TO THE DOMESTIC VIOLENCE ADVISORY BOARD**

The following nomination was made for one appointment for a three-year term beginning September 22, 2021 and ending September 21, 2024.

- Christine Hart, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Christine Hart was reappointed.

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**ITEM NO. 31: NOMINATIONS TO THE HISTORIC DISTRICT COMMISSION**

The following nomination was made for one appointment for a partial term for a Resident Owner of Heritage Court beginning upon appointment and ending December 31, 2023.

There were no applications have been received for a resident owner of a heritage court representative.

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**ITEM NO. 32: NOMINATIONS TO THE HOUSING APPEALS BOARD**

The following nomination was made for an At-Large representative for a three-year term beginning January 1, 2022 and ending December 31, 2024.

- Bradley E Caldwell, nominated by Councilmembers Ajmera, Bokhari, Egleston, Johnson, Newton, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Bradley E Caldwell was appointed.

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**ITEM NO. 33: NOMINATIONS TO INLIVIAN**

The following nomination was made for one appointment for an Assisted Housing Resident category representative for a three-year term beginning December 18, 2021 and ending December 17, 2024.

- Ervin Robinson, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Ervin Robinson was appointed.

The following nominations were made for two appointments for three-year terms beginning December 18, 2021 and ending December 17, 2024.

- Fatina Lorick, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.
- Ray McKinnon, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, Watlington, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Fatina Lorick was appointed and Ray McKinnon was reappointed.

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**ITEM NO. 34: NOMINATIONS TO THE PASSENGER VEHICLE FOR HIRE BOARD**

The following nomination was made for one appointment for a Hospitality / Tourism Industry category representative for a three-year term beginning July 1, 2021 and ending June 30, 2024.

No applications have been received for a representative of the hospitality/tourism industry.

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**ITEM NO. 35: NOMINATIONS TO THE PRIVATIZATION / COMPETITION ADVISORY COMMITTEE**

The following nomination was made for one appointment for a partial term beginning upon appointment and ending March 1, 2023.

- Barbara Coppola, nominated by Councilmembers Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, and Newton.
- Nick Sullivan, nominated by Councilmembers Ajmera, Phipps, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Barbara Coppola was appointed.

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**ITEM NO. 36: NOMINATIONS TO THE STORM WATER ADVISORY COMMITTEE**

The following nomination was made for one appointment for a three-year term for a Residential Neighborhood category representative beginning upon appointment and ending June 30, 2024.

- Ilonka Aylward, nominated by Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, and Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to nominate residents to serve as specified

Ilonka Aylward was appointed.

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**ITEM NO. 37: NOMINATIONS TO THE TRANSIT SERVICES ADVISORY COMMITTEE**

The following nomination was made for a partial term in the Vanpool Rider category beginning upon appointment and ending January 31, 2022, and for a three-year term beginning February 1, 2022, and ending January 31, 2025.

No applications were submitted for the vanpool rider category

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**ITEM NO. 38: NOMINATIONS TO THE ZONING BOARD OF ADJUSTMENT**

The following nomination was made for one appointment for a partial term beginning upon appointment and ending January 31, 2024.



- Padma Bulusu, nominated by Councilmembers Ajmera and Phipps.
- Tarik Hameed, nominated by Councilmembers Bokhari and Egleston.

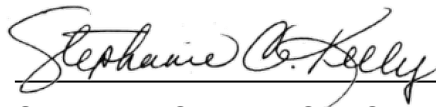
This appointment will be considered at the next Business meeting.

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### ADJOURNMENT

Motion was made by Councilmember Egleston, seconded by Councilmember Newton, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 7:48 p.m.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 2 Hours, 37 Minutes  
Minutes Completed: January 12, 2022